

Explanatory Note.

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

These regulations replace, subject to amendment, the provisions of the rules made under the New Territories Ordinance relating to food shops, restaurants, food factories, pasteurization plants and milk shops, hawkers of food, and ice cream shops, by regulations made under the Public Health and Urban Services Ordinance, 1960.

2. These regulations follow very closely throughout the provisions of the corresponding by-laws enacted by the Urban Council in 1960 in respect of the urban areas, but they will be administered by the Director of Urban Services.

3. These regulations differ so widely in form from the corresponding New Territories Rules which they supersede as to render a Comparative Table of little assistance to their study. Such a Table has not, therefore, been prepared.

(Secretariat GR14/3231/60)

**MILK (NEW TERRITORIES) REGULATIONS, 1963.****ARRANGEMENT OF REGULATIONS.**

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PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.
(No. 30 of 1960).

MILK (NEW TERRITORIES) REGULATIONS, 1963.

In exercise of the powers conferred by section 56 of the Public Health and Urban Services Ordinance, 1960, the Governor in Council has made the following regulations—

PART I.

PRELIMINARY.

1. These regulations may be cited as the Milk (New Territories) Regulations, 1963, and shall come into operation on the day appointed for the commencement of the Food Business (New Territories) Regulations, 1963. Citation and commencement. (L.N. 63/63).

2. These regulations apply to the New Territories only. Application.

3. In these regulations, unless the context otherwise requires— Interpretation.
"bottling" includes, in relation to milk, any method of inserting milk into bottles or other kinds of containers for sale or for use in the making or preparation of food for sale;

"container" includes any cover attached to a container;

"Director" means the Director of Urban Services;

"disease" means any disease of a communicable nature;

"heat-treatment" means the processing of milk by any of the methods described in the First Schedule; First Schedule.

"milk" means cow's milk, buffalo's milk and goat's milk and also means cream and frozen or reconstituted milk and cream, but does not include separated milk, dried milk or condensed milk;

"processing" means, in relation to milk, heat-treatment, bottling or storage for heat-treatment, and bottling for sale or for use in the making or preparation of food for sale;

"reconstituted milk" means products resulting from the recombining with water of milk constituents, namely, milk fat and other solids derived from milk exclusive of any other substance, and includes the products resulting from the melting of frozen milk, and "to reconstitute milk" shall be construed accordingly;

"sell" includes to offer or expose for sale or possess for the purpose of sale.

PART II.

SALE OF MILK.

Permits to sell milk.
(L.N. 63/63).

4. No person shall sell any milk for human consumption save under and in accordance with the permission in writing of the Director granted under regulation 30 of the Food Business (New Territories) Regulations, 1963.

Prohibition of sale of milk in certain cases.

5. (1) No person shall sell any milk for human consumption if—
- it has been heat-treated more than once; or
 - it 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; or
 - it contains at any time after heat-treatment more than 30,000 bacteria per millilitre or any coliform organisms in 1/10th (0.1) of a millilitre.

(2) For the purposes of this regulation, milk shall be deemed to be possessed for the purpose of sale notwithstanding that it is intended that such milk shall be subjected to heat-treatment before sale.

Milk to be heat-treated before sale.

6. No person shall sell for human consumption any milk that has not been heat-treated:

Provided that nothing in this regulation shall be construed to prevent—

- the sale—
 - of milk by wholesale to a milk factory; or
 - of milk that is to be used as an ingredient in any other article of food that requires cooking after the addition of the milk before it can be consumed; or
- the possession for the purposes of sale of any such milk.

Thickening substances not to be added to cream.

7. No person shall sell for human consumption any cream to which any kind of thickening substance has been added.

Milk not to be sold except in approved containers.

8. No person shall sell any milk for human consumption save in containers of a type approved by the Director:

Provided that this regulation shall not apply to milk that is sold by wholesale to a milk factory.

Description of reconstituted milk and cream.

9. No person shall advertise, sell or offer or expose for sale, under any name, trade mark or trade description including the word "milk" or "cream", or any Chinese equivalent thereof, any reconstituted milk

unless the word "milk" or "cream" or such Chinese equivalent thereof, as the case may be, is, wherever the same occurs in such name, trade mark or trade description, immediately preceded by the word "reconstituted" or the Chinese characters "再造" in lettering or characters of equal size and prominence as the lettering or characters of the word "milk" or "cream" or such Chinese equivalent thereof.

10. (1) No person shall sell for human consumption—

- any beverage containing milk;
- any beverage that is described for the purpose of sale by any name, trade mark or trade description that includes the word "milk" or "cream" or the Chinese characters "奶" or "忌廉" or any word or character implying that such beverage is or contains milk or cream; or
- any soya bean juice or coconut juice (except in whole coconuts) or any other beverage that resembles milk either in colour, taste, appearance or consistency,

unless—

- it is contained in a container of a type approved by the Director; and
- every such container is marked in a conspicuous and easily legible manner in the English and Chinese languages with an accurate description of the principal ingredients.

(2) Paragraph (1) shall not apply to any beverage specified in that paragraph that is sold for human consumption on premises in respect of which a licence has been granted by the Director under the Food Business (New Territories) Regulations, 1963, so long as such beverage is not sold under any description that is false or misleading as to the true nature of its principal ingredients.

11. Every person in possession for the purpose of sale of any milk or any of the beverages specified in paragraph (1) of regulation 10 shall take all reasonable and proper precautions to prevent infection or contamination thereof.

12. (1) No person shall keep any milk, except sterilized milk in sealed containers, for the purpose of sale in any place the temperature of which exceeds 50° Fahrenheit.

(2) No person shall transport, or cause to be transported, for the purpose of his trade or business any milk, except sterilized milk in sealed containers, in such manner that the temperature of the milk at any time during transport exceeds 50° Fahrenheit.

As to beverages resembling, etc. milk.

(L.N. 63/63).

Precautions against contamination of milk, etc.

Milk to be kept below 50° Fahrenheit pending sale.

PART III.

PROCESSING AND RECONSTITUTING MILK.

Milk not to be processed or reconstituted except by licence.

13. Save under and in accordance with a licence granted by the Director and in such premises as shall be specified in such licence, no person shall for the purpose of sale process or reconstitute any milk or cause any milk to be processed or reconstituted:

Provided that this regulation shall not apply to milk that is processed or reconstituted on premises in relation to which a licence has been granted by the Director under the provisions of the Food Business (New Territories) Regulations, 1963, for consumption on such premises.

(L.N. 63/63).

Application for licence.

14. (1) Every application for such a licence shall be made in writing addressed to the Director and shall be accompanied by three copies of a plan, as nearly as may be to scale, of the whole of that part of any premises in which the applicant intends to carry on any operation involving the processing or reconstituting of milk, and such plan shall include particulars of the following—

- (a) sanitary fitments and ablution facilities;
- (b) built in clothing lockers or cloakrooms, passage ways or open spaces (if any);
- (c) rooms or other spaces (if any) for the exclusive use of staff or employees;
- (d) all means of exit, entry and internal communication;
- (e) all windows or ducts providing ventilation or, where any mechanical means of ventilation is provided, such means;
- (f) the siting of all furniture and fittings of a substantial and permanent nature, including heat-treatment plant, cleansing, refrigeration or cooling equipment, sterilization machinery or storage and bottling equipment, and any fixed sideboards, washbasins, sinks, water tanks or other like articles;
- (g) means of refuse storage or disposal; and
- (h) the drainage system, including all inlets into the system.

(2) Every copy of such plan, or any modification thereof, that is approved by the Director shall be endorsed to that effect, and one copy shall be returned to the applicant and the remaining two copies shall be retained by the Director.

Conditions of grant of licence.

15. No such licence shall be granted unless the Director is satisfied in relation to the premises in respect of which the application for the licence was made that—

- (a) he has approved the plan referred to in regulation 14 and the premises conform thereto;

- (b) the means of ventilation that is provided, whether natural or mechanical or partly natural and partly mechanical, is sufficient in every part of the premises, other than a part exclusively used for storage, to safeguard the health in that respect of the maximum number of persons likely to be engaged therein at any one time;
- (c) sanitary fitments are provided to a standard not less than that required by regulation 5 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959; (G.N.A. 76/59).
- (d) public mains water is laid on to the premises and a storage tank is provided for such water that is of sufficient size having regard to the daily quantity of water likely to be used upon the premises, and proof against access of dust and mosquitoes;

Provided that, where the Director is satisfied that public mains water cannot reasonably be laid on for all or any purposes, he may in his discretion approve such other water supply as, having regard to considerations of public health, he considers adequate;

- (e) in every part of the premises in which any milk is processed or reconstituted—
 - (i) the floors and internal surfaces of the walls to a height of not less than seven feet are surfaced with smooth, light coloured, non-absorbent material and the junctions between the walls and floors are coved;
 - (ii) the ceilings are impervious to dust; and
 - (iii) the ceilings and those parts of such walls as are not specified in sub-paragraph (i) are limewashed or painted a light colour;
- (f) sufficient ablution facilities are provided for the use of persons employed therein and that such ablution facilities are conveniently situated having regard to the nature of the work of such persons;
- (g) sufficient and suitable cloakroom or locker accommodation, situated otherwise than in a part of the premises in which any milk is processed, reconstituted or stored, is provided for the outer garments and other personal effects of persons employed therein; and
- (h) no fresh air intake to any ventilation pipe included in the soil drainage system of the premises is situated in any part of the premises in which milk is processed or reconstituted, and every inlet into such system that is situated in any such part of the premises is trapped.

Restriction on alterations or additions to licensed premises.

16. After the grant of any such licence, no licensee shall, save with the permission in writing of the Director, cause or permit to be made in respect of the premises to which the licence relates—

- (a) any alteration or addition that would result in a material deviation from the plan thereof approved under regulation 14; or
- (b) any material alteration in respect of any of the matters specified in paragraph (1) of regulation 14 as matters in respect of which particulars must be included in the plan delivered pursuant to the provisions of that paragraph.

Prohibition of possession of contaminated or adulterated milk by licensees under this Part.

17. (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, after having subjected to heat-treatment whether by him or by any other person—

- (a) contains at any time more than 30,000 bacteria per millilitre or any coliform organisms in 1/10th (0.1) of a millilitre; or
- (b) fails to comply with the standards of composition relating to milk specified in the Food and Drugs (Composition and Labelling) Regulations, 1960.

(G.N.A. 74/60).

(2) For the purpose of this regulation any milk found upon any premises to which a licence under this Part relates shall be deemed to be in the possession of the licensee for the purpose of distribution in the course of the business in respect of which such licence was issued.

Requirements as to heat-treatment apparatus.

18. (1) Every such licensee shall cause any plant or apparatus used by him for the heat-treatment of milk to be equipped with such indicating and recording thermometer as the Director may consider necessary and so installed as to indicate and record the temperature to which, and the length of time during which, the milk has been heated and the temperature to which the milk is subsequently cooled.

(2) No such licensee shall subject any milk to heat-treatment unless the apparatus used therefor—

- (a) is of a type approved by the Director;
- (b) is thermostatically controlled; and
- (c) save as otherwise permitted in writing by the Director, is provided with an automatic device to divert the flow of any milk that has not been retained at the requisite temperature for the requisite period of time having regard to the method of heat-treatment used, from the flow of such milk as has been retained at such temperature for such period of time:

Provided that sub-paragraphs (b) and (c) shall not apply to any case in which heat-treatment is effected by means of the holder process.

(3) Every thermometer reading taken in pursuance of paragraph (1) shall be recorded and retained by the licensee for not less than two months, and shall be available for inspection at all reasonable times by a health officer or health inspector.

19. Save with the permission in writing of the Director, no person shall subject any milk to heat-treatment other than milk produced or reconstituted in the Colony.

Control of heat-treatment of milk from outside the Colony.

20. (1) No person shall use for the purpose of reconstituting milk—

- (a) any butter, milk powder, concentrated milk or other ingredient unless the same has been obtained from a source approved by the Director;
- (b) any water, except public mains water, unless the same has been obtained from a source approved by the Director; or
- (c) any colouring matter that is not a permitted colouring matter within the meaning of the Colouring Matter in Food Regulations, 1960.

Certain ingredients not to be used in the reconstitution of milk.

(G.N.A. 72/60).

(2) The Director may by notification published in the *Gazette* signify his approval of any source in respect of which approval is required by paragraph (1).

21. Every such licensee shall, at all times, cause all parts of the premises to which the licence relates, and all fittings and equipment therein, to be maintained in proper repair and in a clean condition and free from noxious matters, and shall cause the floor of every part of any premises that are used for the processing or reconstituting of milk to be thoroughly cleansed with water not less than once in every twenty-four hours.

General cleanliness of premises and equipment.

22. No such licensee shall use, or cause to be used, in the course, or for the purpose, of processing, reconstituting or storing milk any vessel or container unless such vessel or container is made of such material, and to such design, as the Director may approve.

Construction and design of vessels or containers.

23. (1) No such licensee shall cause any vessel, container or utensil to be used in the processing, reconstitution, storage or distribution of milk unless it has been thoroughly cleansed and subsequently sterilized with steam or clean boiling water, or by such other method as the Director may permit in writing either generally or in any particular case, since the last occasion upon which it was used or before it is first used, as the case may be.

Sterilization of vessels and utensils.

(2) All parts of any heat-treatment machinery shall, at all times, be kept in a clean condition, and every part thereof that comes into contact with any milk during its heat-treatment shall, as often as may be

necessary, be washed with clean water or a suitable detergent (in which case it shall be rinsed with clean water after it has been washed with detergent), and then sterilized with steam or boiling water or by such other method as the Director may permit in writing either generally or in any particular case.

Utensils used in the processing of milk not to be used for drinking.

24. No person shall drink, or suffer any other person to drink, out of any vessel, container or utensil used in the course of processing or reconstituting milk.

Restriction on smoking.

25. No person shall smoke while engaged in processing or reconstituting milk.

Milk processing establishments not to be used for dwelling purposes.

26. No person shall use for dwelling purposes any part of any premises in which milk is processed or reconstituted.

Prevention of contamination of milk by contact with certain clothing.

27. No person shall hang up or otherwise keep, or suffer any other person to hang up or otherwise keep, whether temporarily or permanently, any clothing, bedding or personal effects in any part of any premises in which milk is processed or reconstituted.

Spitting.

28. (1) In any premises in which milk is processed or reconstituted—

- (a) no person shall spit in any part of the premises in which the milk is processed or reconstituted; and
- (b) no person shall spit in any other part of the premises except into a spittoon or other receptacle provided for the purpose.

(2) Where spittoons or receptacles are provided, the licensee shall cause each such spittoon or receptacle to contain a disinfectant fluid and to be cleansed, and the fluid renewed, not less than once in every twenty-four hours.

(3) Save as otherwise permitted in writing by the Director, every such licensee shall cause one or more notices, prohibiting spitting and written in English and Chinese, to be continuously displayed in a conspicuous manner in every part of the premises in which milk is processed or reconstituted.

Personal cleanliness.

29. Every person who takes part in the processing or reconstituting of milk shall while so engaged—

- (a) keep all parts of his person and of his outer garments as clean as may be reasonably practicable; and

- (b) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing.

30. (1) Save where exempted in writing by the Director, every such licensee shall cause every hollow space, crevice, or other place in any premises used by him for processing or reconstituting milk, that is likely to harbour vermin or to constitute a means of access for vermin, to be eliminated or sealed off. Prevention of vermin.

(2) No person shall place, or suffer to be placed or to remain placed, any furniture or equipment, other than such as may be moved without difficulty by one man, so near to any wall of any premises in which milk is processed or reconstituted as to obstruct access to any part of such wall, or such furniture or equipment, for the purpose of the cleaning of the same.

(3) No person shall knowingly suffer the existence of any vermin in any part of any premises in which milk is processed or reconstituted.

31. No person shall use, or suffer to be used, any yard, alley, open space or roof top for processing, reconstituting or storing of milk. Yards, alleys, etc. not to be used for processing or reconstituting milk.

32. (1) Every such licensee shall—

- (a) cause the inside of every water tank or container provided for the storage of water on any premises used by him for processing or reconstituting milk to be cleansed in the months of March, June, September and December in each year by scrubbing out the same with a solution of not less than fifty parts of chlorine in one million parts of water; and
- (b) cause the date upon which such cleansing was last carried out to be recorded in a conspicuous manner upon each such water tank or container.

Cleansing of water tanks.

(2) Without prejudice to the provisions of paragraph (1), any health officer or health inspector may serve upon such licensee a notice requiring him to cause any such water tank or container to be cleansed in such manner and within such time as may be specified in the notice.

33. Without prejudice to anything contained in these regulations, every such licensee shall take all reasonable and proper precautions in and in connexion with processing and reconstituting of milk, including the distribution or other handling thereof, to prevent contamination of the milk. General precautions against contamination of milk.

Restriction on employment of persons likely to spread disease.

34. (1) No person suffering from a discharging wound or sore or from a discharge of the ear or from attacks of vomiting or diarrhoea or from a sore throat shall take any part in processing or reconstituting milk:

Provided that a health officer may issue a certificate to any such person exempting him from this paragraph in any case in which such health officer is satisfied that no danger to the public health is involved.

(2) Any person who is employed or working in premises in which milk is processed or reconstituted, shall, if so required in writing by a health officer, submit himself to medical examination at such time and at such place as such health officer may direct and, if after such medical examination, a health officer is satisfied that such person is suffering from any communicable disease, or is likely to communicate to any other person any communicable disease, such last mentioned health officer may notify such person in writing to that effect, and such person shall forthwith cease to work in such premises or in any other premises in which milk is processed or reconstituted.

(3) A notice given under paragraph (2) shall continue in force until it is cancelled by a further notice in writing by a health officer declaring such first mentioned notice to be cancelled.

(4) No person shall cause, or suffer or permit, any person, other than a person who has been duly exempted from paragraph (1), whom he knows or has reason to believe to be suffering from any of the complaints specified in that paragraph to be employed or take part in processing or reconstituting milk.

(5) No person shall cause, or suffer or permit, any person in respect of whom he knows or has reason to believe that a notice given under paragraph (2) is in force to be employed or take part in processing or reconstituting milk.

Immunization of staff against certain diseases.

35. (1) No person shall be employed or work in any part of any premises in which milk is processed or reconstituted unless he has—

- (a) within the preceding period of three years, been vaccinated against smallpox; and
- (b) within the preceding period of one year, been inoculated against the enteric group of fevers.

(2) No such licensee shall employ in any premises used by him for processing or reconstituting milk any person whom he knows or has reason to believe has not been immunized in accordance with paragraph (1).

(3) The Director may from time to time by notification published in the *Gazette* require persons employed or working in premises in which milk is processed or reconstituted to be immunized against such other diseases as may be specified in such notification.

PART IV.

MISCELLANEOUS.

36. (1) If any health officer or veterinary officer is of the opinion that infectious or other disease is caused, or is likely to be caused, by the consumption of milk derived from any particular source, premises or processing or reconstituting plant or that the public health is likely to be endangered by the act or default of any purveyor of milk or his servants or agents, such health officer or such veterinary officer may, by notice in writing, direct that the supply, distribution or sale of such milk shall be terminated or restricted for such period and subject to such conditions as may be specified in the direction.

Prevention of supply of milk to the danger of public health.

(2) Any person who considers himself aggrieved by any direction given under paragraph (1) may, within fourteen days after the giving of the same, appeal by way of petition to the Governor in Council, and upon any such appeal the Governor in Council shall confirm, vary or, if it has not already been withdrawn, cancel the direction.

(3) In any case in which the Governor in Council is satisfied that the direction ought not to have been given, he may order the payment to the appellant by way of compensation of such sum, if any, as, having regard to all the circumstances, he may consider just.

(4) Every such payment shall be made out of the general revenue of the Colony.

37. (1) The Director may provide in any premises in which any business that involves the processing, reconstitution, sale or distribution of milk is carried on a report book or form for the use of visiting health officers and health inspectors.

Keeping of report books.

(2) Where any such book or form has been so provided, the licensee or proprietor, as the case may be, of the business shall, at all times, cause such book or form to be kept upon such premises and available for use by any such health officer or health inspector.

(3) No person shall destroy any such book or form or alter or obliterate any entry made therein.

38. (1) Every licence granted under the provisions of Part III shall be renewable on the 1st day of January in each year.

Fees.

(2) Every such licence shall be granted or renewed upon payment of the appropriate fee prescribed in the Second Schedule:

Second Schedule.

Provided that, where the licence is granted after the 30th day of June in any year, the fee payable in respect of the grant thereof shall be one-half of the fee so prescribed.

(3) Where the Director is satisfied that any such licence has been lost or destroyed, he may, upon payment of a fee of five dollars, issue a duplicate thereof.

Offences and penalties.

39. Any person who—

- (a) contravenes regulation 4, 5, 6, 7, 8, 9, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 or 33 or paragraph (1) of regulation 10, paragraph (1) of regulation 20, paragraph (1) of regulation 32, paragraph (1), (4) or (5) of regulation 34, paragraph (1) or (2) of regulation 35 or paragraph (2) or (3) of regulation 37;
- (b) fails to comply with any of the requirements of a notice served upon him under paragraph (2) of regulation 32;
- (c) being a person employed or working in premises in which milk is processed or reconstituted, fails—
 - (i) to submit himself to medical examination when required to do so under paragraph (2) of regulation 34; or
 - (ii) to cease to work in any such premises when required to do so by the provisions of that paragraph;
- (d) fails to comply with any of the requirements of a notification published in the *Gazette* under paragraph (3) of regulation 35;
- (e) fails to comply with any direction given under paragraph (1) of regulation 36, unless the same has been varied or cancelled by the Governor in Council under paragraph (2) of that regulation; or
- (f) where any direction given under paragraph (1) of regulation 36 has been varied by the Governor in Council under paragraph (2) of that regulation, fails to comply with such direction as so varied,

shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars and to imprisonment for three months and, where the offence is a continuing offence, shall be liable in addition to a fine of fifty dollars for each day during which it is proved to the satisfaction of the court that the offence has continued.

Name in which proceedings for offences may be brought.

40. Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Attorney General in relation to such offences, prosecutions for any offence under any of the provisions of these regulations may be brought in the name of the Director.

Transitional provisions.
(Vol. IX,
p. 89).
(L.N. 63/63).

41. (1) Any licence relating to the sale of milk granted under the provisions of the New Territories Rules revoked by the Food Business (New Territories) Regulations, 1963, relating to the sale of milk which is in force at the commencement of these regulations shall be deemed

to be a permission in writing granted under regulation 30 of the said Food Business (New Territories) Regulations, 1963; and, where, on the 1st day of July, 1963, the holder (if any) of the permission which such licence is so deemed to be is a person to whom neither the provisions of sub-paragraph (a) of paragraph (2) of the said regulation 30 of the Food Business (New Territories) Regulations, 1963, nor the provisions of sub-paragraph (b) of that paragraph, apply, such holder shall, on or before such date as may be specified in a demand note issued in respect thereof, being a date not earlier than the said 1st day of July, 1963, pay to the Government, in respect of the period from the 1st day of July, 1963, (being the date on which such licence would have become due for renewal under the provisions of the said New Territories Rules relating to the sale of milk) to the 31st day of March, 1964, (being the date upon which any such permission expires under the provisions of the said Food Business (New Territories) Regulations, 1963), three quarters of the annual fee, calculated to the nearest ten cents, which is payable under the provisions of the said Food Business (New Territories) Regulations, 1963, in respect of a permit to sell milk.

(2) Any licence relating to the procession of milk granted under the provisions of the New Territories Rules revoked by the Food Business (New Territories) Regulations, 1963, which is in force at the commencement of these regulations shall be deemed to be a licence granted under the provisions of Part III of these regulations; and, where such first mentioned licence was a licence relating to the pasteurization of milk, the licence which it is so deemed to be shall, notwithstanding the provisions of paragraph (1) of regulation 38 of these regulations, not be renewable until the 1st day of January, 1964, but the holder thereof (if any) on the 1st day of July, 1963, shall, on or before such date as may be specified in a demand note issued in respect thereof, being a date not earlier than the said 1st day of July, 1963, pay to the Government in respect of the period from the 1st day of July, 1963, (being the date on which such first mentioned licence would have become due for renewal under the provisions of the said revoked New Territories Rules relating to pasteurization of milk) to the 31st day of December, 1963 (being the date upon which a licence granted under Part III of these regulations expires), one half of the annual fee, calculated to the nearest ten cents, which is payable under the provisions of these regulations in respect of a licence granted under the provisions of Part III thereof.

(3) Any plan of any premises in which milk is processed which was approved under the provisions of the New Territories Rules revoked by the Food Business (New Territories) Regulations, 1963, relating to the pasteurization of milk, shall be deemed to have been approved under the provisions of these regulations.

(4) Upon application for the renewal of any permission under regulation 30 of the Food Business (New Territories) Regulations, 1963, or of any licence under Part III of these regulations which is a permission under the said regulation 30 or a licence under the said Part III by virtue of the provisions of paragraph (1), the Director shall grant to the applicant a renewal of such permission or such licence, as the case may be.

(5) Notwithstanding anything contained in paragraphs (1) and (2) but subject to the provisions of paragraph (4), where it appears to the Director that any premises in which milk is processed are in any respect unsatisfactory having regard to the provisions of these regulations, the Director may serve upon the licensee thereof a notice requiring him, as a condition precedent to the renewal of the licence subsequent to the renewal thereof provided for in paragraph (4), to carry out or cause to be carried out such alterations or additions in respect of such premises as shall be specified in the notice.

(6) Nothing in these regulations shall be deemed to entitle any person to the refund of the whole or any part of any fee paid under the provisions of any of the New Territories Rules relating to the sale or pasteurization of milk which are revoked by the Food Business (New Territories) Regulations, 1963.

FIRST SCHEDULE.

[reg. 3.]

METHODS OF HEAT-TREATMENT.

1. Pasteurization—
 - (a) by the "Holder Method", namely, by retaining milk for not less than thirty minutes at a temperature of not less than 145 nor more than 150 degrees Fahrenheit and then immediately cooling it to a temperature of not more than 50 degrees Fahrenheit; or
 - (b) by the "High Temperature Short Time Method", namely, by retaining milk for a period of not less than fifteen seconds at a temperature of not less than 161 degrees Fahrenheit and then immediately cooling it to a temperature of not more than 50 degrees Fahrenheit.
2. Sterilization—

namely, by—

 - (a) the homogenization of 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; and
 - (b) retaining such homogenized milk for a period of not less than twenty-five minutes at a temperature of not less than 212 degrees Fahrenheit in the same containers as such milk is subsequently to be disposed of for human consumption.

SECOND SCHEDULE.

[reg. 38.]

FEEs.

<i>Size of premises by reference to floor area.</i>	<i>Fee.</i>
	\$
Not exceeding 1,500 sq. ft.	120.
1,501 to 3,500 sq. ft.	240.
Exceeding 3,500 sq. ft.	500.

Clerk of Councils.

COUNCIL CHAMBER,

4th June, 1963.

Explanatory Note.

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

These regulations replace, subject to amendment, the New Territories Rules relating to pasteurization plants and the sale of milk. They follow closely the provisions of the Milk By-laws, 1960, which were also made under the Public Health and Urban Services Ordinance, 1960, for application in the urban areas, but will be administered by the Director of Urban Services.

2. These regulations differ so widely in form from the corresponding New Territories Rules which they supersede as to render a Comparative Table of little assistance to their study. Such a Table has not therefore been prepared.

(Secretariat GR14/3231/60)



**FROZEN CONFECTIONS (NEW TERRITORIES)
REGULATIONS, 1963.**

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PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.
(No. 30 of 1960).

**FROZEN CONFECTIONS (NEW TERRITORIES)
REGULATIONS, 1963.**

In exercise of the powers conferred by section 56 of the Public Health and Urban Services Ordinance, 1960, the Governor in Council has made the following regulations—

PART I.

PRELIMINARY.

1. These regulations may be cited as the Frozen Confections (New Territories) Regulations, 1963, and shall come into operation on the day appointed for the commencement of the Food Business (New Territories) Regulations, 1963. Citation and commencement. (L.N. 63/63).

2. These regulations apply to the New Territories only. Application.

3. In these regulations, unless the context otherwise requires— Interpretation.

“Director” means the Director of Urban Services;

“disease” means any disease of a communicable nature;

“frozen confection” means any confection commonly sold for human consumption in a frozen or chilled state;

“food business” has the meaning assigned thereto in the Food Business (New Territories) Regulations, 1963; (L.N. 63/63).

“heat-treatment” means the processing of frozen confections in the manner described in the First Schedule, and the expression “to heat-treat” shall be construed accordingly; First Schedule.

“ingredient”, when used in relation to heat-treatment, includes sugar and dried egg, but does not include colouring or flavouring materials or fruit, nuts, chocolate and other similar substances;

“manufacture”, in relation to frozen confections, includes the mixing of any ingredients, any process of freezing and any process whereby any frozen or partly frozen substance is inserted into containers or is wrapped for sale.

PART II.

SALE OF FROZEN CONFECTIONS.

4. No person shall sell, or offer or expose for sale, for human consumption, or have in his possession for sale for human consumption, any frozen confection save under and in accordance with the permission Licences to sell frozen confections.

(L.N. 63/63) in writing of the Director granted under regulation 30 of the Food Business (New Territories) Regulations, 1963.

Bacteriological standard of frozen confections for sale.

5. No person shall sell, or offer or expose for sale, any frozen confection that contains more than 30,000 bacteria per millilitre or any coliform organisms in 1/10th (0.1) of a millilitre.

Restriction on sale, etc. of imported frozen confections.

6. (1) No person shall sell, or offer or expose for sale, or advertise for sale, any frozen confection imported into the Colony from a source of manufacture other than a source of manufacture that has been approved by the Director.

(2) For the purposes of this regulation, the Director shall not approve any source of manufacture of frozen confections unless he is satisfied that heat-treatment is included in the process of manufacture of the frozen confections.

(3) In any proceedings for an offence under paragraph (1) in relation to the publication of an advertisement, it shall be a defence for a defendant to prove that, being a person whose business it is to publish, or arrange for the publication of, advertisements, he received the advertisement for publication in the ordinary course of business.

Frozen confections to be heat-treated before sale.

7. No person shall sell, or offer or expose for sale, for human consumption, or have in his possession for sale for human consumption, any frozen confection, other than red bean sherbet (紅荳冰) or red bean popsicle (紅荳雪條), that has not been heat-treated:

Provided that nothing in this regulation shall be construed to prevent the sale, or offer or exposing for sale, of any frozen confection imported into the Colony from a source of manufacture which has been approved by the Director.

Precautions against contamination of frozen confections.

8. Every person in possession for the purpose of sale for human consumption of any frozen confection shall take all reasonable and proper precautions to prevent infection or contamination thereof.

Frozen confections to be kept below 28° Fahrenheit.

9. No person shall keep any frozen confection intended for sale for human consumption in any place the temperature of which exceeds 28° Fahrenheit.

Frozen confections not to be stored with other articles.

10. No person shall, in the course of any food business, keep any frozen confections in storage in any refrigerating device that is used for the storage of other articles.

11. Every refrigerating device used in the course of any food business for the storage of frozen confections shall, at all times, be kept in a clean condition and maintained in good order and repair. Maintenance of refrigerators.

12. Every utensil used in the course of any food business for the purpose of serving or handling any frozen confection shall be kept clean and, so far as may be, free from any risk of contamination. Cleanliness of utensils.

13. Every cone or wafer used, or intended to be used, in any food business for the service of frozen confections shall, when not actually in use or about to be used, be kept in a dust proof container. Storage of ice cream cones and wafers.

14. (1) No person shall sell, or offer or expose for sale, for human consumption any frozen confection except in, or directly from, the container into which it was inserted on the completion of its manufacture. Frozen confections not to be sold except in the manufacturer's containers.

(2) Paragraph (1) shall not apply to a frozen confection that is sold for human consumption on premises in respect of which a licence has been granted by the Director under the Food Business (New Territories) Regulations, 1963. (L.N. 63/63).

15. Every hawker of frozen confections, and every assistant, servant or agent of any such hawker, shall, while engaged in the hawking of frozen confections, be clothed in a clean uniform of washable material made to a pattern approved by the Director, and shall display on his person a number, which shall be allotted to him by the Director. Hawkers of frozen confections to wear uniforms and display numbers.

PART III.

MANUFACTURE OF FROZEN CONFECTIONS.

16. Save under and in accordance with a licence granted by the Director under these regulations and in such premises as shall be specified in such licence, no person shall manufacture any frozen confection or cause any frozen confection to be manufactured: Frozen confections not to be manufactured except under licence.

Provided that this regulation shall not apply to a frozen confection that is manufactured on premises in respect of which a licence has been granted by the Director under the Food Business (New Territories) Regulations, 1963, for consumption on those premises. (L.N. 63/63).

17. (1) Every application for such a licence shall be made in writing to the Director and, subject to paragraph (2), shall be accompanied by three copies of a plan, as nearly as may be to scale, of the whole of that part of any premises in which the applicant intends to manufacture any frozen confection, and such plan shall include particulars of the following— Application for licence.

(a) sanitary fittings and ablution facilities;

- (b) built in clothing lockers or cloakrooms, passageways or open spaces (if any);
- (c) rooms or other spaces (if any) for the exclusive use of staff or employees;
- (d) all means of exit, entry and internal communication;
- (e) all windows or ducts providing ventilation or, where any mechanical means of ventilation is provided, such means;
- (f) the siting of all furniture and fittings of a substantial and permanent nature, including heat-treatment plant, cleansing, refrigeration or cooling equipment, sterilization machinery or storage and packing equipment, and any fixed sideboards, washbasins or sinks, water tanks or other like articles;
- (g) means of refuse storage or disposal; and
- (h) the drainage system, including all inlets into the system.

(2) In the case of any premises in which the only process of manufacture to be carried on is the freezing or part freezing of already prepared ingredients of frozen confections and the insertion thereof into containers at such premises for the purpose of sale for immediate consumption, it shall be sufficient compliance with paragraph (1) if the plan shows the siting, in relation to neighbouring articles of furniture, fittings or equipment, of the machinery used for such freezing or part freezing or such insertion or wrapping.

(3) Every copy of such plan, or any modification thereof, that is approved by the Director shall be endorsed to that effect, and one copy shall be returned to the applicant and the remaining two copies shall be retained by the Director.

Conditions
of grant
of licence.

18. (1) Subject to paragraph (2), no such licence shall be granted unless the Director is satisfied in relation to the premises in respect of which the application for the licence was made that—

- (a) he has approved the plan referred to in regulation 17 and the premises conform thereto;
- (b) the means of ventilation that is provided, whether natural or mechanical or partly natural and partly mechanical, is sufficient in every part of the premises, other than any part exclusively used for storage, to safeguard the health in that respect of the maximum number of persons likely to be engaged therein at any one time;
- (c) sanitary fitments are provided to a standard not less than that required by regulation 5 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959;

(G.N.A.
76/59).

- (d) public mains water is laid on to the premises and a storage tank is provided for such water that is of sufficient size, having regard to the daily quantity of water likely to be used upon the premises, and proof against access of dust and mosquitoes:

Provided that, where the Director is satisfied that public mains water cannot reasonably be laid on for all or any purposes, he may in his discretion approve such other water supply as, having regard to considerations of public health, he considers adequate;

- (e) in every part of the premises in which any frozen confection is manufactured—
 - (i) the floors and internal surfaces of the walls to a height of not less than seven feet are surfaced with smooth, light coloured, non-absorbent material and the junctions between the walls and floors are coved;
 - (ii) the ceilings are impervious to dust; and
 - (iii) the ceilings and those parts of such walls as are not specified in sub-sub-paragraph (i) are limewashed or painted a light colour;
- (f) sufficient ablution facilities are provided for the use of persons employed therein, and that such ablution facilities are conveniently situated having regard to the nature of the work of such persons;
- (g) sufficient and suitable cloakroom or locker accommodation, situated otherwise than in any part of the premises in which any frozen confection is manufactured or stored, is provided for the reception of outer garments and other personal effects of persons employed therein;
- (h) no fresh air intake to any ventilation pipe included in the soil drainage system of the premises is situated in any part of the premises in which any frozen confection is manufactured, and every inlet into any such system that is situated in any such part of the premises is trapped.

(2) In the case of any premises in which the only process of manufacture to be carried on is the freezing or part freezing of already prepared ingredients of frozen confections and the insertion thereof into containers at such premises for the purpose of sale for immediate consumption, it shall be sufficient compliance with paragraph (1) if the plan referred to in regulation 17 has been approved by the Director.

19. After the grant of any such licence, no licensee shall, save with the permission in writing of the Director, cause or permit to be made in respect of the premises to which the licence relates—

- (a) any alteration or addition that would result in a material deviation from the plan thereof approved under regulation 17; or

Restriction
on alterations
or additions
to licensed
premises.

- (b) any material alteration in respect of any of the matters specified in paragraph (1) of regulation 17 as matters in respect of which particulars must be included in the plan delivered pursuant to that paragraph.

Require-
ments as to
heat-
treatment
apparatus.

20. (1) Every such licensee shall cause any plant or apparatus used by him for the heat-treatment of the mixture from which any frozen confection is being manufactured to be equipped with one or more self-registering thermometer devices to indicate and record the temperature to which, and the length of time during which, the frozen confection has been heated.

(2) No such licensee shall subject any such mixture to heat-treatment unless the apparatus used therefor—

- (a) is of a type approved by the Director;
(b) is thermostatically controlled; and
(c) save as otherwise permitted in writing by the Director, is provided with an automatic device to divert the flow of any such mixture that has not been retained at the requisite temperature for the requisite period of time, having regard to the method of heat-treatment used, from the flow of any such mixture as has been retained at such temperature for such period of time:

Provided that sub-paragraphs (b) and (c) shall not apply to any case in which heat-treatment is effected by use of the holder process.

(3) Every thermometer reading taken in pursuance of paragraph (1) shall be recorded and the record retained by the licensee for not less than two months, and shall be available for inspection at all reasonable times by a health officer or health inspector.

Handling of
frozen
confections.

21. No person engaged in the manufacture of any frozen confection shall allow, or cause or permit any other person to allow, the confection or any of the ingredients thereof to come into contact with his hands or any other part of his body.

Control of
contents of
frozen
confections.

22. No person shall use for the purpose of manufacturing any frozen confection—

- (a) save with the permission in writing of the Director, any water other than public mains water;
(b) any flavouring substance unless of a kind harmless to human beings;
(c) any fruit, nuts or chocolate, or preparations derived therefrom, that are not of good quality, clean and free from taint or rancidity;
(d) any colouring matter that is not a permitted colouring matter within the meaning of the Colouring Matter in Food Regulations, 1960.

(G.N.A.
72/60).

23. Every such licensee shall, at all times, cause all parts of the premises to which the licence relates, and all fittings and equipment therein, to be maintained in proper repair and in a clean condition and free from noxious matters, and shall cause the floor of every part of such premises that is used for any process in connexion with the manufacture of frozen confections to be thoroughly cleansed with water not less than once in every twenty-four hours.

General
cleanliness
of premises
and
equipment.

24. (1) No such licensee shall cause any vessel, container or utensil to be used in any process in connexion with the manufacture, storage or distribution of frozen confections unless it has been thoroughly cleansed and subsequently sterilized with steam or clean boiling water, or by such other method as the Director may permit in writing, either generally or in any particular case, since the last occasion upon which it was used or before it is first used, as the case may be:

Sterilization
of vessels
and utensils.

Provided that nothing in this paragraph shall be construed to require any such vessel, container or utensil to be so cleansed or sterilized during any period in which it is in continuous or nearly continuous use.

(2) All parts of any heat-treatment machinery shall, at all times, be kept in a clean condition, and every part thereof, that is liable to come into contact with any frozen confection during heat-treatment shall, as often as may be necessary, be washed with clean water or a suitable detergent (in which case it shall be rinsed with clean water after it has been washed with the detergent), and then sterilized with steam or boiling water or by such other method as the Director may permit in writing, either generally or in any particular case.

25. No person shall smoke while engaged in any process in connexion with the manufacture of frozen confections or in the sale of frozen confections except such confections as are sold in containers or wrappers and so enclosed as to exclude all risk of contamination.

Restriction
on smoking.

26. No person shall use, or suffer any other person to use, for dwelling purposes any part of any premises in which any process in connexion with the manufacture of frozen confections is carried on.

Frozen
confection
factories
not to be
used for
dwelling
purposes.

27. No person shall hang up, or otherwise keep, or suffer any other person to hang up or otherwise keep, whether temporarily or permanently, any clothing, bedding or personal effects in any part of any premises in which any process in connexion with the manufacture of frozen confections is carried on.

Prevention
of con-
tamination
of frozen
confections
by contact
with certain
clothing.

Spitting.

28. (1) In any premises in which the manufacture of frozen confections is carried on—

- (a) no person shall spit in any part of the premises in which any process in connexion with the manufacture of such confections is carried on; and
- (b) no person shall spit in any other part of the premises except into a spittoon or other receptacle provided for the purpose.

(2) Where spittoons or other receptacles are provided, the licensee shall cause each such spittoon or receptacle to contain a disinfectant fluid and to be cleansed, and the fluid renewed, not less than once in every twenty-four hours.

(3) Save as otherwise permitted in writing by the Director, every such licensee shall cause one or more notices, prohibiting spitting and written in English and Chinese, to be continuously displayed in a conspicuous manner in every part of the premises in which any process in connexion with the manufacture of frozen confections is carried on.

Prevention of vermin.

29. (1) Save where exempted in writing by the Director, every such licensee shall cause every hollow space, crevice or other place in any premises used by him for the manufacture or storage of frozen confections, that is likely to harbour vermin or to constitute a means of access for vermin, to be eliminated or sealed off.

(2) No person shall place, or suffer to be placed or to remain placed, any furniture or equipment, other than such as may be moved without difficulty by one man, so near to any wall of any premises in which frozen confections are manufactured as to obstruct access to any part of such wall, or such furniture or equipment, for the purpose of the cleaning of the same.

(3) No person shall knowingly suffer the existence of any vermin in any part of any premises in which frozen confections are manufactured.

Yards, alleys, etc. not to be used for manufacturing frozen confections.

30. No person shall use, or suffer to be used, any yard, alley, open space or roof top for manufacturing or storing frozen confections.

Cleansing of water tanks.

31. (1) Every such licensee shall—

- (a) cause the inside of every water tank or container provided for the storage of water on any premises used by him for manufacturing frozen confections to be cleansed in the months of March, June, September and December in each year by scrubbing out the same with a solution of not less than fifty parts of chlorine in one million parts of water; and

- (b) cause the date upon which such cleansing was last carried out to be recorded in a conspicuous manner upon each such water tank or container.

(2) Without prejudice to the provisions of paragraph (1), any health officer or health inspector may serve upon such licensee a notice requiring him to cause any such water tank or container to be cleansed in such manner and within such time as may be specified in the notice.

32. Without prejudice to anything contained in these regulations, every such licensee shall take all reasonable and proper precautions in and in connexion with the manufacture of frozen confections, including the distribution or other handling thereof, to prevent contamination.

General precautions against infection or contamination of frozen confections.

33. Every person who has manufactured any ice cream of the kind commonly known as soft ice cream shall mark, or cause to be marked, each container in which the same is stored by him with the date on which the same was manufactured and the time at which the manufacture thereof was completed.

Soft ice cream containers to be marked with date and time of manufacture of ice cream therein.

PART IV.

MISCELLANEOUS.

34. (1) No person suffering from a discharging wound or sore or from a discharge of the ear or from attacks of vomiting or diarrhoea or from a sore throat shall take any part in the manufacture or handling of any frozen confection in any food business:

Restriction on employment of persons likely to spread disease.

Provided that a health officer may issue a certificate to any such person exempting him from this paragraph in any case in which such health officer is satisfied that no danger to the public health is involved.

(2) Any person who is employed or working in any food business involving the manufacture or handling of frozen confections shall, if so required in writing by a health officer, submit himself to medical examination at such time and at such place as such health officer may direct and, if after such medical examination, a health officer is satisfied that such person is suffering from any communicable disease, or is likely to communicate to any other person any communicable disease, such last mentioned health officer may notify such person in writing to that effect, and such person shall forthwith cease to be employed or to work in such food business or in any other such food business.

(3) A notification given under paragraph (2) shall continue in force until it is cancelled by a further notice in writing by a health officer declaring such first mentioned notice to be cancelled.

(4) No person shall cause, or suffer or permit, any person, other than a person who has been duly exempted from paragraph (1), whom he knows or has reason to believe to be suffering from any of the complaints specified in that paragraph to be employed or work in any food business involving the manufacture or handling of frozen confections.

(5) No person shall cause, or suffer or permit, any person in respect of whom he knows or has reason to believe that a notice given under paragraph (2) is in force to be employed or so to work.

Immunization of staff against certain diseases.

35. (1) No person shall be employed or work in any food business involving the manufacture or handling of frozen confections, unless he has—

- (a) within the preceding period of three years, been vaccinated against smallpox; and
- (b) within the preceding period of one year, been inoculated against the enteric group of fevers.

(2) The Director may from time to time by notification published in the *Gazette* require persons employed or working in any food business involving the manufacture or handling of frozen confections to be immunized against such other diseases as may be specified in such notification.

General personal cleanliness.

36. Without prejudice to anything contained in these regulations, every person who, for the purposes of any food business, takes any part in the manufacture or handling of frozen confections shall, while so taking part—

- (a) keep all parts of his person and of his outer garments as clean as may be reasonably practicable; and
- (b) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing.

Prevention of supply of frozen confections to the danger of public health.

37. (1) If any health officer or health inspector is of the opinion that infectious or other disease is caused, or is likely to be caused, by the consumption of frozen confections derived from any particular course, premises or manufacturing plant or that the public health is likely to be endangered by the act or default of any purveyor of frozen confections or his servants or agents, such health officer or health inspector may, by notice in writing, direct that the supply, distribution or sale of such frozen confections shall be terminated or restricted for such period and subject to such conditions as may be specified in the direction.

(2) Any person who considers himself aggrieved by any direction given under paragraph (1) may, within fourteen days after the giving of the same, appeal by way of petition to the Governor in Council, and

upon any such appeal the Governor in Council shall confirm, vary or, if it has not already been withdrawn, cancel the direction.

(3) In any case in which the Governor in Council is satisfied that the direction ought not to have been given, he may order payment to the appellant by way of compensation of such sum, if any, as, having regard to all the circumstances, he may consider just.

(4) Every such payment shall be made out of the general revenue of the Colony.

38. (1) The Director may provide, for use in any food business involving the manufacture or sale of frozen confections, a report book or form for the use of health officers and health inspectors visiting the premises.

Keeping of report books.

(2) Where any such book or form has been provided, the licensee or proprietor, as the case may be, of such business shall, at all times, cause such book or form to be kept in such a place as to be immediately available for use by any such health officer or health inspector.

(3) No person shall destroy any such book or form or alter or obliterate any entry made therein.

39. (1) Every licence granted under the provisions of Part III shall be renewable on the 1st day of October in each year.

Fees.

(2) Every such licence shall be granted or renewed upon payment of the appropriate fee prescribed in the Second Schedule:

Second Schedule.

Provided that, where the licence is granted on or after the 1st day of April in any year, the fee payable in respect of the grant thereof shall be one half of the fee so prescribed.

(3) Where the Director is satisfied that any such licence has been lost or destroyed, he may, upon payment of a fee of five dollars, issue a duplicate thereof.

40. Any person who—

- (a) contravenes regulation 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, or 36 or paragraph (1) of regulation 6, paragraph (1) of regulation 14, paragraph (1) of regulation 31, paragraph (1), (4) or (5) of regulation 34, paragraph (1) of regulation 35 or paragraph (2) or (3) of regulation 38;

Offences and penalties.

- (b) fails to comply with any of the requirements of a notice served upon him under the provisions of paragraph (2) of regulation 31;

- (c) being a person employed or working in any food business involving the manufacture or handling of frozen confections, fails—
- (i) to submit himself to medical examination when required to do so under paragraph (2) of regulation 34; or
 - (ii) to cease to be employed or to work in any such business when required to do so by that paragraph;
- (d) fails to comply with any of the requirements of a notification published in the *Gazette* under paragraph (2) of regulation 35;
- (e) fails to comply with any direction given under paragraph (1) of regulation 37, unless the same has been varied or cancelled by the Governor in Council under paragraph (2) of that regulation; or
- (f) where any direction given under paragraph (1) of regulation 37 has been varied by the Governor in Council under paragraph (2) of that regulation, fails to comply with such direction as so varied,

shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars and to imprisonment for three months and, where the offence is a continuing offence, shall be liable in addition to a fine of fifty dollars for each day during which it is proved to the satisfaction of the court that the offence has continued.

41. Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Attorney General in relation to the prosecution of such offences, prosecutions for an offence under these regulations may be brought in the name of the Director.

42. (1) Any permit or licence granted under any of the provisions of the New Territories Rules revoked by the Food Business (New Territories) Regulations, 1963, relating to the sale of frozen confections which is in force at the commencement of these regulations shall be deemed to be a permission in writing granted under regulation 30 of the Food Business (New Territories) Regulations, 1963, and any licence granted under any of the provisions of those rules relating to the manufacture of frozen confections which is in force at the commencement of these regulations shall be deemed to be a licence granted under Part III of these regulations.

(2) Upon application for the renewal of any permission under regulation 30 of the Food Business (New Territories) Regulations, 1963, or of any licence under Part III of these regulations, which is a permission under the said regulation 30 or a licence under the said Part III by virtue of the provisions of paragraph (1), the Director shall grant to the applicant a renewal of such permission or such licence, as the case may be.

Name in which proceedings for offences may be brought.

Transitional provisions. (Vol. IX, p. 89). (L.N. 63/63).

(3) Notwithstanding anything contained in paragraph (1), but subject to the provisions of paragraph (2), where it appears to the Director that any premises in which frozen confections are manufactured are in any respect unsatisfactory having regard to the provisions of these regulations, the Director may serve upon the licensee thereof a notice requiring him, as a condition precedent to any renewal of the licence subsequent to the renewal thereof provided for in paragraph (2), to carry out or cause to be carried out such alterations or additions in respect of such premises as shall be specified in the notice.

(4) Nothing in these regulations shall be deemed to entitle any person to the refund of the whole or any part of any fee paid under the provisions of any of the New Territories Rules revoked by the Food Business (New Territories) Regulations, 1963, relating to the sale or manufacture of frozen confections.

FIRST SCHEDULE.

[reg. 3.]

HEAT-TREATMENT.

The following provisions shall apply to the heat-treatment of frozen confections after the mixing together of the ingredients—

(1) The mixture shall not be kept for any period exceeding one hour at a temperature greater than 45° Fahrenheit before such mixture is subjected to heat-treatment by one of the following methods—

- (a) the mixture shall be raised to and kept at a temperature of not less than 150° Fahrenheit for not less than thirty minutes; or
- (b) the mixture shall be raised to and kept at a temperature of not less than 160° Fahrenheit for not less than ten minutes; or
- (c) the mixture shall be raised to and kept at a temperature of not less than 175° Fahrenheit for not less than fifteen seconds.

(2) After the mixture has been subjected to heat-treatment in any of the ways above described, it shall be reduced to a temperature of not more than 45° Fahrenheit within one and a half hours after the commencement of the reduction of temperature and shall be kept at a temperature lower than 45° Fahrenheit until frozen.

(3) Where the method described in sub-paragraph (c) of paragraph (1) is used for the heat-treatment of any frozen confection, the apparatus employed shall be thermostatically controlled and shall be fitted with a positive displacement pump which shall serve to maintain the flow of the mixture, during its retention at the prescribed temperature, at an even rate.


SECOND SCHEDULE.

[reg. 39(2).]

FEEs.

Size of premises by reference to floor area.	Fee.
Not exceeding 1,500 sq. ft.	\$ 120.
1,501—3,500 sq. ft.	240.
Exceeding 3,500 sq. ft.	500.

COUNCIL CHAMBER,
4th June, 1963.


Clerk of Councils.

Explanatory Note.

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

These regulations replace the provisions of the rules made under the New Territories Ordinance relating to the sale and manufacture of frozen confections and are designed to come into operation at the same time as the Food Business (New Territories) Regulations, 1963, which revoke, *inter alia*, the New Territories Rules for ice cream shops, hawkers of ice cream and frozen confections, and food factories.

2. These regulations follow very closely the provisions of the corresponding by-laws enacted by the Urban Council in respect of the urban areas, namely, the Frozen Confection By-laws, 1960, but they will be administered by the Director of Urban Services.

3. These regulations differ so widely from the corresponding New Territories Rules which they supersede as to render a Comparative Table of little assistance to their study. Such a Table has not, therefore, been prepared.

(Secretariat GR14/3231/60)



REGISTRATION OF PERSONS ORDINANCE, 1960.
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)
(NO. 22) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Re-registration) (No. 22) Order, 1963. Citation.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder. Category of persons required to re-register. (18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 950,001 to 965,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,


Colonial Secretary.



7th June, 1963.

(Secretariat D/RPO)

HAWKER (NEW TERRITORIES) REGULATIONS, 1963.

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PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.
(No. 30 of 1960).

HAWKER (NEW TERRITORIES) REGULATIONS, 1963.

In exercise of the powers conferred by section 83 of the Public Health and Urban Services Ordinance, 1960, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Hawker (New Territories) Regulations, 1963, and shall come into operation on the day appointed for the commencement of the Food Business (New Territories) Regulations, 1963. Citation and commencement.
(L.N. 63/63).

2. (1) These regulations apply to the New Territories only. Application.

(2) These regulations shall not apply to a hawker who is—

(a) carrying on business as a car cleaner and who is licensed by the Commissioner of Police under regulation 16 of the Road Traffic (Parking and Waiting) Regulations, 1958; or (G.N.A. 77/58).

(b) hawking on enclosed land held on lease or permit from the Crown.

3. In these regulations, unless the context otherwise requires— Interpretation.
“annual licence” means a licence granted under paragraph (1) of regulation 7;

“deputy” means any person appointed by a hawker under regulation 15 to deputize for him, and the word “hawker” includes any such person;

“Director” means the Director of Urban Services;

“hawker bazaar” means an area of ground demarcated by the Director and allocated by him for the use of hawkers;

“market area” means the area declared by the Governor under subsection (2) of section 79 of the Ordinance to be the area served by a market;

“open food” means—

(a) uncooked perishable food; and

(b) food that is not contained in a container of such materials, and so closed, as to exclude all risk of contamination,

but does not include raw vegetables and uncut fruit or any food that has to be subjected to a process of milling, refining or cooking

(other than food specified in paragraph (a) and food in the course of preparation) for the purpose of rendering it fit for human consumption;

“pitch” means an area of ground allotted by the Director to a hawker for the purpose of carrying on his trade thereon;

“wall stall” means a stall, from which goods are sold, that is erected on or against any external part of a structure and faces onto a street, lane, alley or footpath.

Restriction on hawking without licence.

4. (1) Save as provided in paragraph (2) of this regulation and in paragraph (7) of regulation 7, no person shall hawk in the New Territories except under and in accordance with a licence granted by the Director under these regulations.

(2) The Director may, from time to time, set aside, for such period as he specifies, any place or area as a place in which any person may hawk notwithstanding that a licence had not been granted to him under these regulations, and paragraph (1) shall not apply to a person who hawks in any place or area so set aside during the period for which it is set aside.

Restriction of hawking in special areas.

5. The Director may, by notification published in the *Gazette*, prescribe any place or area, other than a hawker bazaar, within which no hawker may hawk unless his licence is endorsed by the Director with permission to hawk therein.

Regulation of hawking by means of mobile shops and canteens.

6. (1) (a) The Director may, with the concurrence of the Commissioner of Police, prescribe areas in which hawking by means of mobile shops and mobile canteens may be carried on.

(b) A notice of any area so prescribed shall be published in the *Gazette*.

(2) Any area so prescribed shall be delineated on a map, which shall be signed by the Director.

(3) Save within an area prescribed under paragraph (1), no person shall hawk by means of a mobile shop or mobile canteen.

Annual licences.

7. (1) Subject to paragraph (5) and, in the case of an application for a licence to hawk by means of a mobile shop for the sale of food or a mobile canteen, to regulation 9, the Director may, on payment of the fee prescribed in respect thereof in the third column of the Table to this regulation, grant to any person a licence of any of the classes of licence specified in the first column of that Table.

TABLE.

Class of licence.	Description.	Fee.
		\$
(i)	cooked food stall (full meals) licence	175.
(ii)	cooked food stall (light meals) licence	125.
(iii)	fixed pitch licence	40.
(iv)	pedlar hawker licence	10.
(v)	fixed pitch newspaper licence	20.
(vi)	newspaper pedlar licence	5.
(vii)	ice cream and frozen confections licence	75.
(viii)	boot-black licence	5.
(ix)	wall stall licence	10.
		per foot of the overall length of the stall measured between perpendiculars from the ground to the extremities of the stall, or \$30, whichever is the greater.
(x)	mobile shop (for sale of articles other than food) licence	200.
(xi)	mobile shop (for sale of food) licence	250.
(xii)	mobile canteen licence	350.

(2) Every annual licence of class (i), (ii), (iii), (v), (viii) or (ix), if issued—

(a) at the District Office for the District of Tai Po, shall expire on the 31st day of March in each year;

(b) at the District Office for the District of Yuen Long, shall expire on the 30th day of June in each year;

(c) at the District Office for the District of Tsuen Wan, shall expire on the 30th day of September in each year; and

(d) at the District Office for the District of Sai Kung or at the District Office for the Islands District, shall expire on the 31st day of December in each year:

Provided that where any hawker transfers his place of business from one of the aforesaid Districts to another such District, the licence may be transferred in the discretion of the Director to such other District and upon the expiration of such licence it may be renewed upon payment of a fee calculated at the rate of one twelfth per month of the appropriate annual fee for such period as will bring the annual renewal date of such licence into conformity with the appropriate annual renewal date for licences issued at the District Office for the District to which such licence was transferred.

(3) Every licence of class (vii), (x), (xi) or (xii), wherever issued, shall expire on the 31st day of March in each year.

(4) Every licence of class (iv) or (vi) wherever issued shall expire twelve months after the last day of the month preceding the month in which the licence was issued.

(5) Where any annual licence, other than a licence of class (iv) or (vi), is issued in the second half of any year of licence, the fee payable in respect of the grant thereof shall be one half of the fee prescribed in paragraph (1).

(6) On the expiry of any annual licence, other than a licence of class (iv) or (vi), the Director may, upon application personally by the person to whom the licence was granted and upon payment of the appropriate fee prescribed in paragraph (1) and, in the case of any licence of class (xi) or (xii), subject to paragraph (5) of regulation 9, renew such licence, by endorsement, for a further period of one year with effect from the date on which the same expired:

Provided that, where he thinks fit, the Director may renew any such licence notwithstanding that the application for its renewal was not made personally by the person to whom the licence was granted:

Provided further that, where the application for its renewal is made more than six weeks after the expiry of the licence, the prescribed fee shall be increased by ten per cent.

(7) Notwithstanding paragraphs (2), (3) and (4), no proceedings shall, save with the consent of the Director, be instituted against a hawker for a contravention of paragraph (1) of regulation 4 by reason of his having failed to renew his licence, until after the expiration of twelve weeks from the date on which the licence expired.

8. (1) Every hawker who has applied for the grant of an annual licence shall give to the Director the following particulars—

- (a) his name and any aliases;
- (b) the number of his identity card;
- (c) his residential address;
- (d) the address to which correspondence intended for him should be directed by post, if other than his residential address;
- (e) the name and aliases (if any), and such other particulars of identification as the Director may require, of every person whom the hawker intends to employ in, or to assist him in the carrying on of, his business as a hawker; and
- (f) any other particulars that the Director may require, together with such number of photographs of himself as the Director may require, not exceeding four.

Particulars to be supplied on application for annual licence.

(2) If at any time after the issue of such a licence there is a change in any of the particulars given to the Director under paragraph (1), the hawker shall, within seven days thereafter, notify the Director of such change.

9. (1) Every application for an annual licence to operate a mobile shop for the sale of food or a mobile canteen shall be accompanied by three copies of a plan, as nearly as may be to scale, of the mobile shop or canteen to which the licence will relate showing the following particulars—

- (a) space allocated to the storage of water;
- (b) space allocated to the cooking, preparation and handling of open food;
- (c) space allocated to the storage of any kind of open food;
- (d) space allocated to the serving of customers;
- (e) space allocated to the cleansing, drying or storage for ready use of utensils;
- (f) sanitary fitments, if any, and drainage arrangements;
- (g) all windows or ducts providing ventilation; and
- (h) the siting of food manufacturing or preparation plant, sterilizers, cooking stoves, refrigeration or other cooling equipment, wash hand basins or sinks, drying racks, water tanks and any other fixtures or like equipment.

(2) Every such application shall also be accompanied by particulars of the following matters—

- (a) the type of utensil in which water is to be stored and the source of the water;
- (b) the type of fuel to be used in any stoves or other like equipment;
- (c) the method for the storage and disposal of refuse; and
- (d) the finish of the surface of the walls of the mobile shop or canteen and of the floor thereof and fixtures therein.

(3) Every copy of such plan, or any modification thereof, that is approved by the Director shall be endorsed to that effect, and one copy shall be returned to the applicant and the remaining two copies shall be retained by the Director.

(4) Save with the permission in writing of the Director, no alteration of, or addition to, any mobile shop or canteen shall be made that would result in a material deviation from the plan thereof approved under paragraph (3).

Special provisions as to licences to hawk by means of mobile shop for sale of food or mobile canteen.

(5) No licence to operate a mobile shop for the sale of food or a mobile canteen shall be granted or renewed unless the Director is satisfied that the mobile shop or canteen to which the licence relates conforms to the plan thereof approved under paragraph (3) or, in the case of the renewal of any such licence where an alteration of, or addition to, the mobile shop or canteen to which the licence relates has been made, unless the Director is satisfied that the same has been made in accordance with paragraph (4).

Temporary licences.

10. (1) In respect of any particular place or area, not being a place or area in respect of which an annual licence is concurrently held by any other person, the Director may grant to any person a temporary licence to hawk for any period not exceeding ten days.

(2) For the purpose of allocating the grant of a temporary licence under paragraph (1), the Director may, from time to time, make use of such of the following methods of allocation as appears to him appropriate, having regard to the occasion upon, and the purpose for, which the temporary licence is to be issued—

(a) grant the licence to any person upon application in writing therefor and upon payment of the following fees—

(i) twenty-five dollars in respect of any period that includes any day within ten days before or after Chinese New Year Day; or

(ii) five dollars in respect of any other period;

(b) call for tenders, and grant the licence to any person who, in the opinion of the Director, is a suitable person to hold such licence and who tenders a fee exceeding—

(i) twenty-five dollars in respect of any period that includes any day within ten days before or after Chinese New Year Day; or

(ii) five dollars in respect of any other period;

(c) grant such number of licences as the Director may determine by ballot among the persons applying therefor, being persons who, in his opinion, are suitable persons to hold such licences, in which case each applicant shall pay to the Director an entrance fee to the ballot of—

(i) five dollars in respect of a licence for any period that includes any day within ten days before or after Chinese New Year Day; or

(ii) one dollar in respect of a licence for any other period.

Pitch cards.

11. (1) In addition to an annual licence, the Director may issue, free of charge, a card hereinafter referred to as a pitch card.

(2) If a pitch card issued under paragraph (1) has been lost, destroyed or defaced, the Director may, on payment of a fee of one dollar, issue a duplicate.

12. (1) If the Director is satisfied that an annual licence has been lost, destroyed or defaced, he shall issue a duplicate thereof. Loss of licence.

(2) In the case of the loss, destruction or defacement of a pedlar hawker licence or a newspaper pedlar licence, the licence shall be deemed to have been cancelled unless, within seven days after its loss, destruction or defacement, as the case may be, the hawker furnishes the Director with either the number of such licence or the date upon which it was granted.

(3) Nothing in paragraph (2) shall be construed to prevent any pedlar hawker or newspaper pedlar hawker whose licence is deemed to have been cancelled under that paragraph from obtaining a new licence upon payment of the appropriate fee.

(4) A fee of five dollars shall be payable for the issue of any duplicate licence under paragraph (1):

Provided that, in the case of a boot-black licence, a fee of one dollar shall be payable therefor.

13. (1) An annual licence shall be terminated by the death of the hawker to whom it was issued. Termination of licence in certain cases.

(2) Where an annual licence is cancelled or otherwise terminated, otherwise than by reason of the misconduct of the hawker to whom it was issued, the Director may in his discretion refund to such hawker or to his legal personal representative a sum equivalent to that proportion of the fee paid in respect of the licence that the period for which the licence would otherwise have remained in force bears to the period for which the licence was granted:

Provided that the period for which the licence would otherwise have remained in force shall be reckoned in months and calculated to the nearest month and such refund shall be reckoned in dollars calculated to the nearest dollar.

14. Save with the consent in writing of the Director, no hawker shall sublet, transfer or lend any stall or transfer his licence or pitch card (if any) to any other person. Stall, licences and pitch cards not to be sublet or transferred.

15. (1) Subject to the consent of the Director, a hawker may appoint a deputy for all or any purposes under these regulations for such period, not exceeding six months, as the Director considers reasonable having regard to the circumstances. Appointment of hawkers' deputies.

(2) Upon an application for consent under paragraph (1), the hawker shall provide the Director with such particulars relating to the proposed deputy as the Director may require and shall also provide the Director with such number of photographs of the deputy as he requires, not exceeding four.

(3) Upon the giving of such consent the Director shall endorse the licence of the applicant with such particulars of the deputy as may be necessary for his identification, and shall append thereto one copy of a photograph of the deputy.

Employment of servants or agents.

16. No hawker shall, for the purpose of hawking, employ or be assisted by any person except a person whose name is endorsed by the Director upon his licence.

Obstruction.

17. No hawker and no assistant shall behave in a manner importunate towards, or calculated to obstruct, disturb or annoy, any person.

Alteration, defacement, etc. of licence.

18. No person shall alter, deface or make any erasure on a licence or pitch card, and no person shall use, or have in his possession with a view to using, a licence on which an erasure has been made or that has been altered or defaced in any way, unless such alteration, defacement or erasure has been authorized by the Director:

Provided that nothing in this regulation shall be construed to prevent the use by a hawker of a licence that has been damaged or defaced by accident.

Production of licence.

19. A hawker shall, on demand, produce his licence to any officer of the Urban Services Department, to any health officer or to any police officer.

Cleanliness and removal of refuse.

20. (1) Every hawker shall keep his stall, pitch and the implements of his trade in a clean and wholesome condition.

(2) Every cooked food stall shall be cleansed each day, and every water container used for the purpose of the business carried on therein shall be scrubbed out every Tuesday morning with a solution of chloride of lime smelling strongly of chlorine.

Removal at night, etc.

21. (1) Every hawker shall, at the close of trade each day, and in any case not later than 10 p.m., remove from his place of trade all wares, utensils, showboards and other equipment:

Provided that this paragraph shall not apply to—

- (a) a cooked food stall; or
- (b) the structure of a fixed pitch stall.

(2) (a) The Director may, by notice in writing served on any hawker, require the hawker to remove his stall to such place as may be specified in the notice within such period as may be specified therein.

(b) A notice under sub-paragraph (a) may require the stall to be removed to such place during such times as may be specified therein.

(c) If the hawker on whom a notice is served under sub-paragraph (a) fails to comply with any of the requirements thereof, the Director may remove the stall, or cause it to be removed, to the place specified in the notice and may recover any expenses thereby incurred from the hawker.

22. Every hawker shall, at all times during which he is trading, exhibit in a conspicuous manner at his place of business his licence and his pitch card (if any).

Display of licence and pitch card.

23. Subject to regulation 24 and save as otherwise permitted in writing by the Director, no hawker shall use any stall or any accessory thereto or any equipment that does not conform to the requirements set out in the First Schedule.

Requirements as to stalls.

First Schedule.

24. (1) No hawker shall carry on business from—

Size of stalls.

(a) a cooked food stall that exceeds seven feet by four feet in horizontal area or ten feet in height; or

(b) a fixed pitch stall that exceeds—

(i) where the stall is provided by the hawker and situated in the open, four feet by three feet in horizontal area, six feet in height at the front and five feet in height at the back; or

(ii) where the stall is provided by the Director in a public market, the limits of the stall so provided.

(2) Notwithstanding anything contained in paragraph (1), the Director may, from time to time, prescribe by endorsement on the licence of any hawker such other dimensions applicable to any particular stall as he considers necessary and, in relation to such stall, such hawker shall be exempt from paragraph (1) to the extent to which other dimensions have been so prescribed.

25. Save with the permission of the Director, no hawker of cooked foods shall carry on business between the hours of 2 a.m. and 6 a.m., and no other hawker shall carry on business between the hours of 10 p.m. and 6 a.m.

Hours of business.

26. Where any hawker has been allocated for his business a pitch that is demarcated in visible form by the Director, such hawker shall not place, or allow to be placed, any wares, utensils, showboards or other equipment pertaining to his business outside the boundaries of the pitch so demarcated.

No paraphernalia to be placed outside the boundaries of marked pitches.

No sleeping in hawker stall.

27. No person shall sleep in a hawker stall.

Removal of equipment to facilitate scavenging.

28. Whenever any scavenging or street cleaning is in progress, a hawker shall, if so requested by a health officer or health inspector or any officer of the Urban Services Department holding the post of overseer or above, remove his stall, wares and all equipment and paraphernalia whatsoever until the scavenging or street cleaning is completed.

Wholesome water to be used at cooked food stalls.

29. Only wholesome water shall be used, or allowed to be used, by a hawker at a cooked food stall, and all such water shall be obtained—

- (a) from Government water mains; or
- (b) from a source, other than such mains, that has been approved in writing by the Director.

Intoxicating liquor not allowed at hawker stalls.

30. No person shall, at any hawker stall, sell, have in his possession, or consume, any intoxicating liquor whatsoever.

Hawker bazaars.

31. (1) Where the Director has established a hawker bazaar, he may in such manner as he thinks fit—

- (a) allocate a pitch in the bazaar to any licensed hawker; and
- (b) prescribe the commodities that may be sold from any pitch.

(2) No person to whom a pitch has been allocated in a hawker bazaar shall hawk in any pitch other than that allocated to him, and no person shall hawk in a hawker bazaar in any pitch that has been allocated to any other person.

(3) Where the commodities that may be sold from a pitch in a hawker bazaar have been prescribed under paragraph (1), no person shall hawk any other commodities from that pitch.

Offences and penalties.

32. (1) Any person who—

- (a) contravenes regulation 14, 16, 17, 18, 22, 23, 25, 26, 27 or 30 or paragraph (1) of regulation 4, paragraph (3) of regulation 6, paragraph (2) of regulation 8, paragraph (4) of regulation 9, paragraph (1) of regulation 20, paragraph (1) of regulation 21, paragraph (1) of regulation 24 or paragraph (2) or (3) of regulation 31;
- (b) without the permission of the Director, hawks in any place or area prescribed under regulation 5 as a place or area within which no hawker may hawk without such permission;
- (c) knowingly gives to the Director any false information in relation to any of the particulars required to be given to him under paragraph (1) of regulation 8;

(d) fails to produce his licence when required to do so under regulation 19;

(e) fails to comply with any of the requirements of a notice served by the Director under sub-paragraph (a) of paragraph (2) of regulation 21;

(f) where, under paragraph (2) of regulation 24, any dimensions applicable to a particular stall have been endorsed on the licence of a hawker, carries on business from that stall if the same is not in accordance with the dimensions so endorsed; or

(g) fails to comply with any requirement made under regulation 28, shall be guilty of an offence.

(2) In the event of a contravention of paragraph (2) of regulation 20 or of regulation 29, the proprietor of the cooked food stall in respect of which the contravention occurred shall be guilty of an offence.

(3) Any person who is guilty of an offence under these regulations shall be liable to a fine of five hundred dollars or to imprisonment for six months.

33. Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Attorney General in relation to the prosecution of such offences, prosecutions for an offence under these regulations may be brought in the name of the Director.

Name in which proceedings for offences may be brought.

34. In the event of the conviction of any person for a contravention of the provisions of these regulations specified in the second column of the Second Schedule or of the requirements of a notice served under any such provisions, the articles specified in relation thereto in the third column of that Schedule may be forfeited by the court in the circumstances, if any, specified in the said third column.

Provisions as to forfeiture of articles in certain cases. Second Schedule.

35. (1) Any licence of the nature specified in the first column of the Table to this paragraph granted under the New Territories Rules relating to hawkers revoked by the Food Business (New Territories) Regulations, 1963, which is in force at the commencement of these regulations shall be deemed to be a licence of the class specified opposite thereto in the second column of that Table and to have been granted under the provisions of these regulations.

Transitional provisions. (Vol. IX, p. 89). (L.N. 63/63).

TABLE.

Cooked food stall hawker licence.	Class (i). Cooked food stall (full meals) licence, or
	Class (ii). Cooked food stall (light meals) licence (as appropriate).
Fixed pitch hawker licence.	Class (iii). Fixed pitch licence.
Pedlar hawker licence.	Class (iv). Pedlar hawker licence.
Ice cream and frozen confections hawker licence.	Class (vii). Ice cream and frozen confections licence.

(2) Where under any licence of the nature specified in the first column of the Table contained in paragraph (1) any hawkers was permitted to sell or otherwise deal in any article of food requiring the permission of the Director under regulation 30 of the Food Business (New Territories) Regulations, 1963, such licence shall be deemed to include such permission until such time as the licence is due for renewal under the provisions of these regulations.

(3) Where the date of expiration of any licence granted under any of the provisions of the New Territories Rules revoked by the Food Business (New Territories) Regulations, 1963, relating to hawkers, does not coincide with the date of expiration of the corresponding licence specified in regulation 7 of these regulations, the licence which such first mentioned licence is deemed to be by virtue of this regulation shall, notwithstanding anything contained in the said regulation 7, not expire until the date of expiration thereof specified in the said regulation 7, but the holder (if any) of such licence shall, on or before such date as may be specified in a demand note issued in respect thereof, being a date not earlier than the date of expiration of such first mentioned licence, pay to the Government in respect of the period between the expiration of such first mentioned licence and the date of expiration of the licence, which by virtue of this regulation such first mentioned licence is deemed to be, such sum calculated to the nearest ten cents at the rate of one twelfth per month of the annual fee for the licence which such first mentioned licence is deemed to be as corresponds to the number of months duration of such period, calculated to the nearest month.

FIRST SCHEDULE.

[reg. 23.]

REQUIREMENT AS TO STALLS.

Cooked food stalls.

1. (1) The following provisions apply in relation to every cooked food stall—
 - (a) every such stall shall be of the type shown in diagram I, II or III;
 - (b) the basic structure of the stall shall be as shown in diagram I;
 - (c) the structure of every such stall shall be such as to be readily movable and shall be constructed of wood, which shall be covered with aluminium sheeting or tiles;
 - (d) there shall be provided at every such stall—
 - (i) a sufficient number of cupboards, proof against the access of dust and vermin, for the storage of food and of clean crockery and utensils;
 - (ii) a sink, having a non-absorbent drip board and provided with a waste pipe;
 - (iii) a sterilizer for the sterilization of eating utensils;
 - (iv) a metal drum for the storage of water, having a capacity of not less than 20 nor more than 50 gallons and provided with a stand, a close-fitting lid constructed of metal and a tap for draining the same;

- (v) a portable and covered dustbin;
- (vi) a slop bucket; and
- (vii) two wooden benches, of which one shall be not more than 7 feet in length and 1 foot in width and the other not more than 4 feet in length and 1 foot in width;
- (e) all cooking stoves used at any such stall shall be kept within the limits of the structure of the stall;
- (f) every such stove shall be properly insulated with material approved by the Director;
- (g) no fuel, other than kerosene or charcoal or such other fuel as the Director may from time to time permit, shall be burned in any such stove;
- (h) where any such stove is a kerosene pressure stove—
 - (i) the pressure vessel shall be separate from the burner, shall have a capacity of not more than 4 gallons, shall be provided with a pressure gauge, a pressure release valve and a safety valve and shall be kept in a covered metal bin placed in a readily accessible position at the side of the stall;
 - (ii) the burner shall be connected to the pressure vessel by copper piping, which shall be attached to the stall;

Provided that for a distance not exceeding 2 feet from the burner the piping may, in order to facilitate cleaning, consist of a flexible coil;

 - (iii) the piping shall be provided with a stop valve at the burner and at the outlet from the pressure vessel;
 - (iv) two buckets of sand shall be provided; and
 - (v) no kerosene, other than that for the time being in the pressure vessel, shall be kept at or near the stall.
- (2) Where wooden and aluminium collapsible flaps, as shown in diagram III, are provided for any such stall—
 - (a) the flaps at the front and rear of the stall shall not exceed 7 feet by 3 feet 6 inches in area; and
 - (b) the flaps at the sides of the stall shall not exceed 4 feet by 3 feet 6 inches in area.
- (3) Any sink or sterilizer provided at any such stall in accordance with sub-paragraph (1) may be situated within the limits of the structure of the stall or affixed to the outside of such structure in the manner shown in diagram II or in any similar position.
- (4) Any container that may be provided at any such stall for the storage of charcoal shall not exceed 1 foot 6 inches by 1 foot 6 inches in horizontal area or 2 feet in height.
2. Every fixed pitch stall shall consist of a wooden structure as shown in diagram IV. Fixed pitch stalls.
3. (1) Every fixed pitch newspaper rack shall consist of a folding rack either as shown in diagram V(a) or as shown in diagram V(b). Fixed pitch newspaper racks.
 - (2) The shape of the rack may be varied to such extent as may be necessary to adapt the same to any particular site, but where the shape of any such rack is so varied the overall dimensions of the rack shall not exceed those specified in diagram V(a) or V(b).
4. Every box used by a boot-black shall be in the form shown in diagram VI. Boot-black's box.

DIAGRAM I.

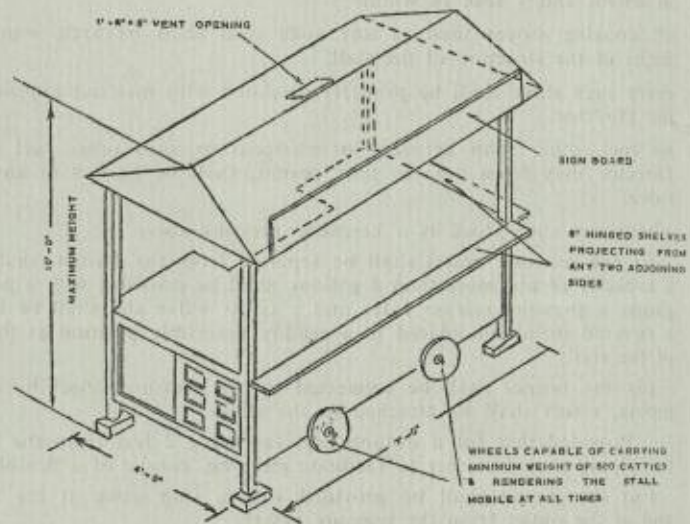
COOKED FOOD STALL

DIAGRAM II.

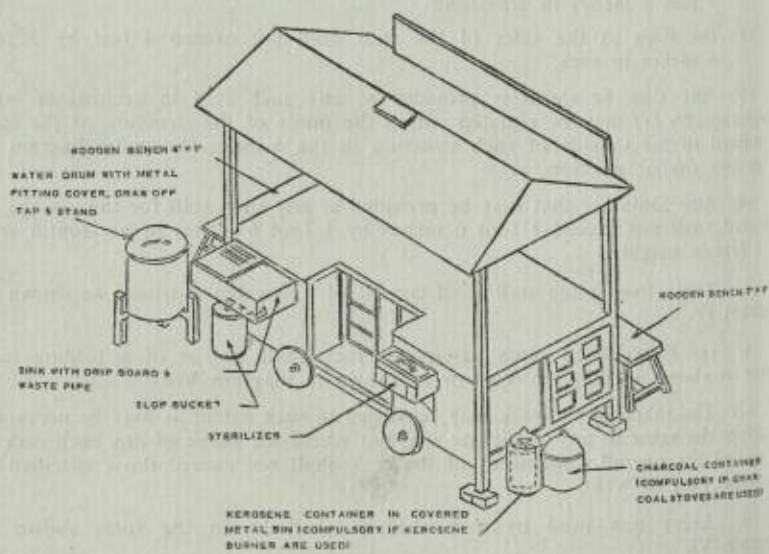
COOKED FOOD STALL

DIAGRAM III.

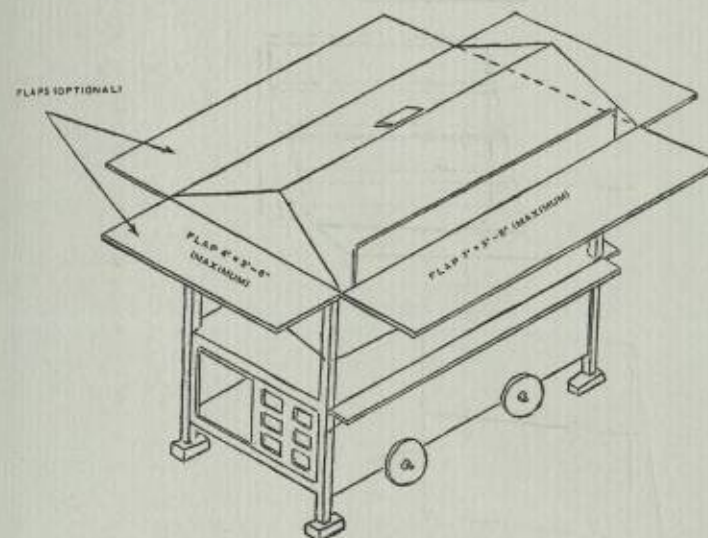
COOKED FOOD STALL

DIAGRAM IV.

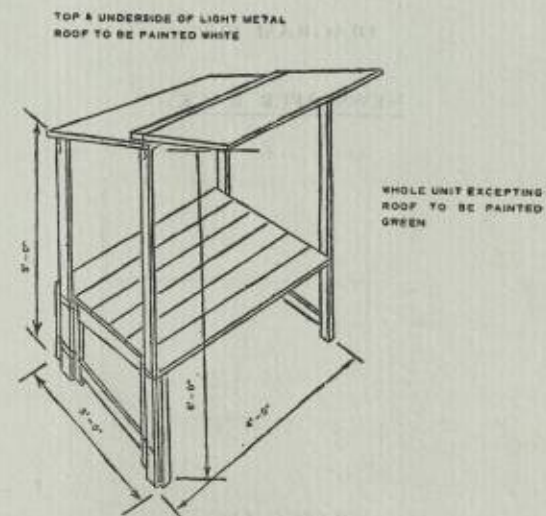
FIXED PITCH STALL

DIAGRAM V(a).

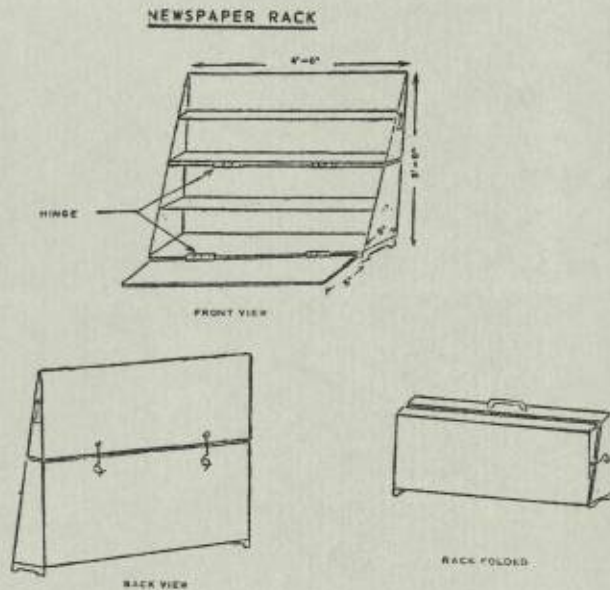


DIAGRAM V(b).

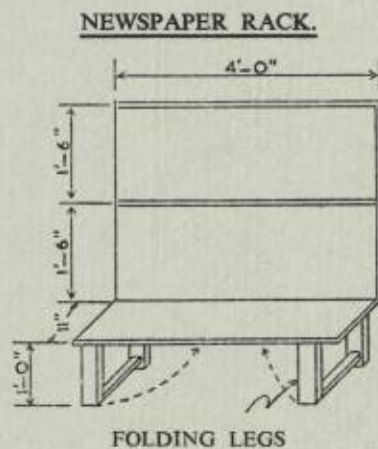
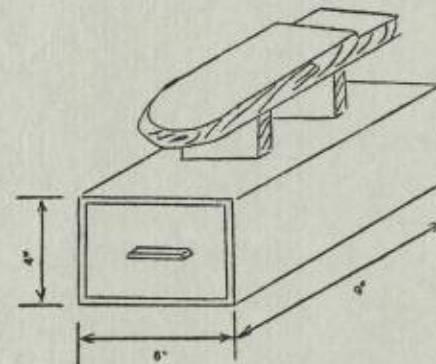


DIAGRAM VI.

BOOT-BLACK'S BOX


SECOND SCHEDULE.

[reg. 34.]

ARTICLES WHICH MAY BE FORFEITED.

<i>Item.</i>	<i>Regulation.</i>	<i>Articles that may be forfeited.</i>
1	4	The goods being hawked and, where food was being hawked, the paraphernalia used for the purpose.
2	5	The goods being hawked.
3	19	Any goods being hawked at the time of the failure to produce the licence.
4	(a) 20(1) (failure to keep implements of trade in a clean and wholesome condition).	The implements.
	(b) 20(1) (failure to keep stall in a clean and wholesome condition).	On a second conviction within twelve months, the stall.
5	21(1) (failure to remove wares or utensils).	The wares or utensils.
6	21(2) (failure to comply with notice).	The stall.

Item.	Regulation.	Articles that may be forfeited.
7	23	The whole stall if no part thereof was in conformity with the requirements set out in the First Schedule or the part thereof, or the accessory thereto or equipment, that did not conform to such requirements. In the event of a second conviction within twelve months in respect of the use of a stall that was not in conformity with the requirements set out in the First Schedule, the whole stall notwithstanding that part thereof was in conformity with such requirements.
8	24(1)	The part of the stall that contravened paragraph (1) of regulation 24.
9	25	The goods being hawked.
10	26	The wares, utensils, showboards or other equipment placed, or allowed to be placed, outside the boundaries of the pitch.
11	28	The stall, wares or other equipment or paraphernalia that were not removed.
12	29	The container in which the water was kept.
13	30	The intoxicating liquor.
14	31(2)	The goods being hawked.
15	31(3)	The goods being hawked in contravention of paragraph (3) of regulation 31.


Clerk of Councils.

COUNCIL CHAMBER,
11th June, 1963.

Explanatory Note.

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

The purpose of these regulations is to bring the rules relating to hawkers in the New Territories more closely into line with those now in force in the urban areas by virtue of the Hawker By-laws, 1960, and these regulations are closely modelled upon those by-laws.

2. The principal features in respect of which change is introduced lie in the transfer of control of hawkers in the New Territories from the District Commissioner, New Territories to the Director of Urban Services, and the standardization of the classes of hawkers in the New Territories with those of the urban areas. Subject to minor differences the control of hawkers in the two places will be substantially the same except that general purpose stalls will not require to be licensed in the New Territories.

(Secretariat GR14/3231/60)

PUBLIC MARKET (NEW TERRITORIES) REGULATIONS, 1963.

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PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.
(No. 30 of 1960).

PUBLIC MARKET (NEW TERRITORIES) REGULATIONS, 1963.

In exercise of the powers conferred by section 80 of the Public Health and Urban Services Ordinance, 1960, the Governor in Council has made the following regulations—

Citation and commencement.

1. These regulations may be cited as the Public Market (New Territories) Regulations, 1963, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*.

Application.

2. These regulations apply to the New Territories only.

Interpretation.

3. In these regulations, unless the context otherwise requires—
“Director” means the Director of Urban Services;
“stall” means a stall in a public market.

Hours of opening and closing of markets.

4. (1) The Director may, from time to time, prescribe by notice conspicuously posted in any public market the hours during which the market shall be open or closed to the public.

(2) No person shall, except with lawful authority or excuse, enter or be in a public market at any time when the market is closed to the public.

Business restricted to stall tenants.

5. (1) No person shall carry on any business in a public market unless he—

- (a) is the tenant of a stall or the authorized servant or agent of such a tenant;
- (b) is the legal personal representative of such a tenant or the authorized servant or agent of such legal personal representative; or
- (c) has the permission in writing of the Director.

(2) No person shall occupy any stall unless he is the tenant of that stall.

Letting of market stalls.

6. The Director may, for and on behalf of the Crown, let any stall, without fine or forfeiture, to any person, or jointly to any number of persons not exceeding four, at such rent and subject to such terms and conditions as he may determine.

Electric equipment.

7. (1) Save with the permission in writing of the Director, no person shall, in a public market, install, add to, alter or remove any electrical fitting or appliance, whether belonging to the Government or to any other person.

(2) Where under paragraph (1), the Director has permitted the installation, alteration or removal of any electrical fitting or appliance

or has permitted the making of any addition to any such fitting or appliance—

(a) the installation of any main electric cable that may be necessary shall be carried out only by the Director of Public Works or, under the direction of the Director of Public Works, by an electrical contractor approved by the Director of Public Works; and

(b) all other works for and in connexion with such installation, alteration, removal or addition shall be carried out only by an electrical contractor approved by the Director of Public Works.

(3) Where, in a public market, any electrical fitting or appliance has been installed, altered, or removed, or any addition has been made to any such fitting or appliance, without the permission of the Director, the Director of Public Works may carry out, or cause to be carried out, such work as may be necessary to remove such fitting or appliance or to restore it to the condition in which it was prior to such alteration, removal or addition, as the case may be, and may recover the cost of such work from the tenant of the stall for which such fitting or appliance is or was provided.

8. (1) No person shall create any litter, whether offensive or otherwise, in any part of a public market.

Prevention of litter.

(2) No person shall, in a public market, dispose of any refuse except into a refuse bin provided for the purpose.

9. Except with lawful authority or excuse, no person shall, in a public market, so erect any structure, or so place any article or vehicle, as to cause obstruction therein.

Prevention of obstruction.

10. No person shall obey the call of nature in a public market, except in a public latrine.

Prevention of nuisances.

11. No person shall spit in a public market.

Prevention of spitting.

12. No person shall, in a public market, pluck, scald or dress any poultry or game, except in a place approved for the purpose by the Director.

Dressing of poultry and game.

13. Where any person has been convicted of disorderly conduct, intimidation, extortion, or of any offence under section 18 of the Gambling Ordinance, or of any offence under the provisions of the Dangerous Drugs Ordinance, the Director may, by notice served upon such person within ninety days after the date upon which such person was convicted, or, if sentenced to imprisonment upon such conviction, after the date of his release therefrom, prohibit such person, for such

Power to prohibit persons carrying on business in public markets in certain cases. (Cap. 148). (Cap. 134).

period, not exceeding two years from the date of the service of such notice, as shall be specified therein, from carrying on any business, or being employed in or taking part in any business, in any public market.

Offences and penalties.

14. (1) Any person who contravenes regulation 5, 8, 9, 10, 11 or 12 or paragraph (2) of regulation 4 or paragraph (1) of regulation 7 shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.

(2) Any person who fails to comply with a notice served upon him under regulation 13 shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars and to imprisonment for one month.

(3) Where any work for or in connexion with the installation, alteration or removal of any electrical fitting or appliance provided for any stall is carried out otherwise than in accordance with paragraph (2) of regulation 7, the tenant of the stall shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.

Name in which proceedings for offences may be brought.

15. Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Attorney General in relation to the prosecution of such offences, prosecutions for an offence under these regulations may be brought in the name of the Director.

Revocation of previous rules.
(Vol. IX, p. 89).

16. Rules 124 to 144 inclusive of the New Territories Rules are revoked.



Clerk of Councils.

COUNCIL CHAMBER,
11th June, 1963.

Explanatory Note.

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

These regulations replace, subject to modification, rules 124 to 144 inclusive of the New Territories Rules (Vol. IX, p. 89). The effect in the main is to transfer the control of public markets in the New Territories from the District Commissioner, New Territories, to the Director of Urban Services and to bring the regulations relating to public markets in the New Territories more closely into line with the Public Market By-laws, 1960 (G.N.A. 107/60) upon which these regulations are modelled.

(Secretariat GR14/3231/60)

PRIVATE MARKETS (NEW TERRITORIES) REGULATIONS, 1963.

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PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.
(No. 30 of 1960).

**PRIVATE MARKETS (NEW TERRITORIES)
REGULATIONS, 1963.**

In exercise of the powers conferred by section 80 of the Public Health and Urban Services Ordinance, 1960, the Governor in Council has made the following regulations—

PART I.

PRELIMINARY.

Citation and commencement.

1. These regulations may be cited as the Private Markets (New Territories) Regulations, 1963, and shall come into operation on the 1st day of July, 1963.

Application.

2. These regulations apply to the New Territories only.

Interpretation.

3. In these regulations, unless the context otherwise requires—
“commodity” includes live stock;
“Director” means the Director of Urban Services;
“licensed stallholder” means a person licensed under regulation 22 to carry on business from a stall in a private market;
“owner”, in relation to a private market, means the person by whom the market place is operated;
“private market” includes any building, shop, stall, shed, pen, or standing and any drainage or latrine accommodation appurtenant thereto, which comprise or form part of the market place;
“stall” includes any pen or cage.

PART II.

**REGISTRATION OF PRIVATE MARKETS
AND REGULATION THEREOF GENERALLY.**

Registration of private markets.

4. (1) No private market shall be carried on unless it is registered by the Director.

(2) No private market shall be registered by the Director unless—

(a) plans of the market place, including plans of all buildings, stalls, sheds, pens, storerooms, latrine accommodation and drainage works appurtenant to the market place have been approved by the Director; and

(b) at the time of registration such plans are accurate.

(3) Notwithstanding anything contained in paragraph (2), the Director may refuse to register any private market if he considers the registration thereof not to be in the public interest.

(4) Subject to the provisions of regulation 29, for the purposes of first registration of any private market, the application therefor shall be submitted to the Director accompanied by two copies of the plans referred to in paragraph (2).

(5) Subject to the provisions of regulation 29, every plan, or any modification thereof, submitted to the Director for the purposes of an application for the registration of a private market shall, when it is approved by him, be endorsed to that effect, and one copy thereof shall be returned to the applicant.

(6) Every registration of a private market shall be renewable annually on the first day of July.

(7) The registration or the renewal of the registration of a private market shall be subject to the payment in advance to the Treasury of a fee calculated at the rate of ten dollars per stall (whether or not any stall is occupied) up to a maximum fee of one thousand dollars:

Provided that, where a private market is first registered in the second half of any year of registration, the fee payable in respect of the grant of registration shall be one half of the fee prescribed.

5. No alteration or addition shall be made to any private market or to any structure, or stall or any latrine or drainage works comprising any part of the market place otherwise than in accordance with plans approved by the Director.

Restriction on alteration of market building or stalls.

6. (1) If in the opinion of the Director any part of a private market is in such a state by reason of dilapidation or lack of repair as to be unfit or unsuitable for the purpose of a private market, the Director, by notice served upon the owner of such market, may require him within such period, not being less than thirty days after the service of the notice, as shall be specified in the notice, to remedy such dilapidation or carry out such repairs to the satisfaction of the Director as shall be specified in the notice.

Maintenance and repair of markets.

(2) If the owner of a private market fails to comply with the requirements of any notice served upon him in accordance with the provisions of paragraph (1), the Director may enter upon the premises in which the market is carried on and may carry out or cause to be carried out all such work as may be necessary for compliance with the notice and may recover the cost thereof from the owner of the market.

Stalls in private markets to be numbered and classified.

7. (1) Before first registration of any private market, the owner thereof shall allot a consecutive number to each stall, which shall be clearly indicated thereon in permanent form, and shall inform the Director of the nature of the commodities which will be sold therefrom.

(2) The Director may by notice served upon the owner of any private market, either before first registration or at any time thereafter, prohibit the sale of any specified commodity from any stall at which any other specified commodity is sold, and a copy of such notice shall be kept posted by the owner of the market in a conspicuous place in the market during the currency of such notice.

(3) Any owner of a private market who fails to post a copy of any notice served upon him in accordance with paragraph (2) and any person who after the posting of such copy fails to comply with the terms thereof shall be guilty of an offence.

Restrictions on sale of commodities in private markets.

8. (1) No commodity other than fresh meat, fresh fish, poultry, fresh vegetables or fruit or such other commodity as the Director may from time to time permit, either generally or in any particular case, shall be sold in a private market.

(2) No commodity shall be sold in a private market otherwise than from a stall in that part of the market place set aside by the Director as the part in which such commodity may be sold.

(3) No commodity shall be sold in a private market otherwise than by retail.

Annual account.

9. (1) The owner of every private market shall cause to be prepared for every period of twelve months ending on the thirty-first day of March in each year an income and expenditure account, which shall be delivered, not later than the fourteenth day of April next following the end of the period covered by the account, to the Director for inspection and return.

(2) Every account referred to in paragraph (1) shall be in such form as the Director may require, either generally or in any particular case, and, immediately after the return thereof by the Director the owner of the market to which such account relates shall cause the account, together with any report by the Director thereon, to be posted in a conspicuous place in the market place and there to remain posted for not less than seven consecutive days.

Copies of regulations to be posted.

10. The owner of any private market shall cause one copy of these regulations in the English language and one copy thereof in the Chinese language to be kept posted at all times in a conspicuous position in every private market place.

11. (1) The Director may prescribe the hours during which a private market shall be closed to the public.

(2) Where the Director has prescribed the hours during which a private market shall be closed to the public, he shall cause a notice specifying such hours to be posted in a conspicuous position in the market place.

(3) Save with the permission in writing of the Director, no person shall be in a private market place during the hours prescribed by the Director as the hours during which the market shall be closed to the public.

Power of Director to prescribe hours during which private market to be closed to public.

12. (1) Every private market place shall at all times be maintained by the owner thereof in a clean and sanitary condition.

(2) If at any time the Director is of the opinion that a private market place is not in a clean and sanitary condition he may, after serving upon the owner thereof twenty-four hours notice of intention, carry out, or cause to be carried out, such work as may be necessary to render the market place clean and sanitary and, for that purpose, may, by notice in writing served on any licensed stallholder of such market, require him, at a time to be specified in the notice, to remove from his stall all articles of what kind so ever during such time as may be required to cleanse the stall and such part of the market place as is adjacent thereto.

(3) Any expenses incurred by the carrying out under paragraph (2) of any work may be recovered by the Director from the owner of the market.

Cleanliness of private markets.

13. No person shall erect any structure or place any article or vehicle in a private market place so as to cause thereby obstruction in any passage way or open space therein intended for access by the public.

14. No person shall hawk or cry for sale in a private market place any goods or wares whatsoever.

15. No hawker shall deposit or store in a private market place any goods or wares or other articles whatsoever.

16. (1) No person in a private market place shall cleave a carcase, or any part of a carcase, except upon a cleaving block, a chopping board or hooks provided for the purpose.

(2) No person in a private market place shall kill, bleed, pluck, scald or clean any poultry or game otherwise than in a place approved for that purpose by the Director.

Obstruction of private market by stalls.

Hawking, etc. in private market prohibited.

Hawkers not to deposit or store goods, etc. in private market.

Restriction on cleaving of carcasses and plucking, etc. of poultry.

- Refuse. 17. No person shall throw or deposit any filth or refuse of any kind whatsoever in any passageway, surface channel or thoroughfare in a private market place.
- Restriction on transport of goods through private market. 18. No person shall transport through a private market place any goods or wares intended for sale elsewhere than in the market.
- Prohibition of begging. 19. No person in a private market place shall beg or gather alms or, for the purpose of gathering alms, expose or exhibit any sores, wounds or bodily ailment or deformity.
- Dogs. 20. No person shall cause or suffer any dog that belongs to him or is in his charge to enter or remain in a private market place.
- Disorderly conduct. 21. No person in a private market place shall behave in a disorderly manner.

PART III.

LICENSING AND DUTIES OF STALLHOLDERS.

- Licensing of stallholders. 22. (1) Save under and in accordance with a licence granted by the Director, no person shall carry on business from a stall of a private market.
- (2) Every such licence shall be renewable annually on the first day of July.
- (3) The grant or renewal of such a licence shall be subject to the payment in advance to the Treasury of a fee of five dollars:
- Provided that, where the licence is issued in the second half of any year of licence, the fee payable in respect of the grant thereof shall be one half of the fee prescribed.
- (4) Where the Director is satisfied that any such licence has been lost or destroyed, he may upon payment of a fee of one dollar issue a duplicate thereof.
- (5) If it appears to the Director that no or no appreciable business has been carried on from any stall for a period of thirty consecutive days, the Director may in his discretion, after serving upon the licensee of such stall seven days' notice in writing of his intention, cancel the licence therefor.
- Stall cards. 23. (1) A licensed stallholder shall at all times keep posted in a conspicuous position on his stall a stall card to be issued by the Director to the stallholder upon application therefor.
- (2) Every application to the Director for a stall card shall be accompanied by two photographs of the licensed stallholder.

24. (1) A licensed stallholder shall at all times keep at his stall a register in a form to be prescribed by the Director containing the name and a photograph of each person for the time being employed by him at the stall. Register of employees of licensed stallholder.
- (2) Every such register shall at all times be kept up to date and shall be produced for inspection upon demand by any police officer or health officer or officers of the Urban Services Department.
25. Every licensed stallholder shall at all times keep his stall in a clean and sanitary condition and shall provide and use thereat a dustbin of a type approved by the Director. Cleanliness of stalls.
26. No licensed stallholder shall deposit or store any of his goods or wares or any other article belonging to him in any part of the market outside his stall or permit or suffer any of his goods or wares or any such other article to be so placed or stored or to project outside his stall. Goods, etc. not to be deposited or stored outside stall.

PART IV.

OFFENCES AND PENALTIES.

27. (1) In the event of a contravention of paragraph (1) of regulation 4 or of regulation 5, the person by whom the private market is being carried on and any person taking any part in the management thereof shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars and to imprisonment for three months and shall be liable in addition to a fine of one hundred dollars for each day during which it is proved to the satisfaction of the court that the offence has continued. Offences and penalties.
- (2) Any person who contravenes paragraph (1) of regulation 22 shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars and to imprisonment for three months and shall be liable in addition to a fine of one hundred dollars for each day during which it is proved to the satisfaction of the court that the offence has continued.
- (3) In the event of a contravention of regulation 7, 9, 10 or of paragraph (1) of regulation 12, or of regulation 13 the owner of the private market and any person taking any part in the management thereof shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars.
- (4) Any licensed stallholder who contravenes regulation 8, or paragraph (1) of regulation 23, or regulation 25 or 26 shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars.

(5) Any person who—

- (a) contravenes paragraph (3) of regulation 11 or regulation 14, 15, 16, 17, 18, 19, 20, 21 or 24; or
- (b) fails to comply with a requirement made by the Director under paragraph (2) of regulation 12 or regulation 29,

shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.

Name in which proceedings for offences may be brought.

28. Without prejudice to the provisions of any enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Attorney General in relation to the prosecution of such offences, prosecutions for an offence under these regulations may be brought in the name of the Director.

PART V.


TRANSITIONAL PROVISIONS AND REVOCATIONS.

Transitional provisions.

29. In the case of any private market established before the commencement of these regulations the provisions of paragraphs (4) and (5) of regulation 4 shall be deemed to have been complied with if the application for first registration of such market under these regulations is accompanied, for retention by the Director, by one copy of a plan showing all such matters as are required to be shown pursuant to the provisions of paragraph (2) of that regulation.

Revocation of previous rules.
(Vol. IX, p. 89).

30. Rules 145 to 152 inclusive of the New Territories Rules are revoked.



Clerk of Councils.

COUNCIL CHAMBER,
11th June, 1963.

Explanatory Note.

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

These regulations revoke and replace, subject to modification, the special Rules relating to the conduct of private markets in the New Territories. The general effect of the regulations is to bring the standard of management of private markets, through the agency of the owners, more into line with the standard of management of public markets in the urban areas, and to increase the powers of the public authorities to ensure the maintenance of the markets in a clean and sanitary condition.

(Secretariat GR14/3231/60)

REGISTRATION OF PERSONS ORDINANCE, 1960. (No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION) (NO. 23) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Re-registration) (No. 23) Order, 1963. Citation.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder. Category of persons required to re-register. (18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 965,001 to 985,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,



Colonial Secretary.



10th June, 1963.

(Secretariat D/RPO)



PROCLAMATION

No. 3 of 1963.



Governor.

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by subsection (1) of section 1 of the District Court (Amendment) Ordinance, 1962 (No. 21 of 1962), it is provided that the said Ordinance, save for paragraph (b) of section 4, shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette* :

NOW, THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Ordinance, save for paragraph (b) of section 4, shall come into operation on the 1st day of July, 1963.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 15th day of June, 1963.

Published by His Excellency's Command,

Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR20/3231/52)

**PUBLIC CLEANSING AND PREVENTION OF NUISANCES
(NEW TERRITORIES) REGULATIONS, 1963.**

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PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.
(No. 30 of 1960).

PUBLIC CLEANSING AND PREVENTION OF NUISANCES
(NEW TERRITORIES) REGULATIONS, 1963.

In exercise of the powers conferred by section 15 of the Public Health and Urban Services Ordinance, 1960, the Governor in Council has made the following regulations—

PART I.

PRELIMINARY.

Citation and commencement.

1. These regulations may be cited as the Public Cleansing and Prevention of Nuisances (New Territories) Regulations, 1963, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*.

Application.

2. These regulations apply to the New Territories only.

Interpretation.

3. In these regulations, unless the context otherwise requires—
“dangerous refuse” means any refuse of a kind specified in the Schedule;

Schedule.

“Director” means the Director of Urban Services;

“excretal matter” means the excretal matter of any person;

“house refuse” means ashes, cinders, dust, rubbish or filth, but does not include dangerous refuse or trade refuse or excretal matter;

“premises” includes land, buildings, structures and basements, and in relation to any building includes the curtilage thereof;

“refuse collecting point” means any place at which the Director, or any licensee or contractor of the Director provides services for the removal of refuse for disposal;

“street refuse” means dust, dirt, rubbish, mud, road scrapings or filth, but does not include excretal matter from latrines.

PART II.

PREVENTION OF NUISANCES IN STREETS AND PUBLIC PLACES.

Dumping of refuse in streets.

4. No person shall—

(a) sweep or otherwise remove from any shop or house into any street or public place any waste paper, shaving, or other refuse;

(b) throw down or leave in any street or public place any bill, placard or other paper which has been torn off or removed from any bill-posting station;

(c) beat, shake, sweep, brush or cleanse in any street, between the hours of 8 a.m. and 8 p.m., any carpet, drugget, rug or mat, or any other fabric retaining dust or dirt; or

(d) being a newsvendor or other street trader or hawker, throw down and leave in any street or public place any waste paper, shavings, left-overs, peel or other refuse.

5. (1) No person shall place or deposit and leave on or in— Litter.

(a) any highway, street, roadside or public place; or

(b) any water (including the sea), watercourse or ditch in or abutting on any highway, street, roadside or public place,

any glass, china, earthenware, tin, carton, paper or other refuse so as to create or tend to create a litter.

(2) Nothing in this regulation shall be construed to prohibit the doing of any act being or forming part of the customary manner of observance of any religious or traditional festival or religious or traditional occasion.

6. No person shall, in any street or public place, throw or leave any orange peel, banana skin, sugar cane residue, other fruit peelings or slices, or any other substance likely to cause danger to the public. Dangerous litter.

7. No person shall throw, place or leave any bottle or any broken glass or other sharp substance (not being material used in the construction or repair of a street) on or in any street or public place in such a position as to be likely to cause injury to persons or damage to property. Bottles, broken glass, etc.

8. No person, other than a public officer acting in the course of his duty, shall pick up or collect, or cause to be picked up or collected, any cigarette ends or waste tobacco discarded as refuse in any street or public place. Prohibition against collecting cigarette ends and waste tobacco.

9. (1) No person shall in any street or public place or in any place exposed to the public view or in any other improper place obey the call of nature. Obeying calls of nature.

(2) No person having the care or custody of any child under twelve years of age shall permit, without reasonable cause, such child to obey the call of nature in any street or public place or in any place exposed to the public view or in any other improper place.

10. No person in charge of any cart, vehicle, load, agricultural implement or machine shall allow any mud, clay, lime or other material carried thereon to drop and remain on any public street or road in such manner as to, or to be likely to, result in obstruction or danger to persons using such street or road or in injury to the surface of such

Carrying of mud, etc. onto the highway.

street or road, nor shall any person bring onto any such public street or road any cart, vehicle, agricultural implement or machine without having previously removed, so far as is reasonably practicable, any mud, clay, lime or other material which is adhering to the wheels, framework or body thereof and which is likely to result in the dirtying or injuring of the road surface.

Dumping of corpses or carcasses.

11. No person shall, without lawful authority or excuse, place, or cause to be placed, any corpse or carcase or any part thereof in any street or public place, open space, beach, foreshore, refuse barge or refuse depot or in any drain, water-course or harbour.

Raking and picking over any refuse deposit, etc.

12. No person shall, without lawful authority or excuse, rake, pick over or grub in any refuse deposited in or upon any public place, vacant land, refuse depot or refuse dump, or remove or scatter any portion of any refuse so deposited.

Caution to be taken when removing rubbish through a street.

13. No person, in removing from any premises any filth, dust, ashes or refuse of whatever description, shall deposit it upon any street or public place or in the sea.

Precaution to prevent the falling of filth when conveyed through streets.

14. (1) Every person conveying any filth, dust, ashes or refuse of any kind whatsoever in or through any street or public place shall convey the same in containers suitably covered so as to prevent access to the contents thereof of flies or the spilling of any of the contents therefrom and in addition thereto shall take all other necessary precautions to prevent any such filth, dust, ashes or refuse from falling upon such street or public place.

(2) If, during such conveyance, any filth, dust, ashes or refuse of whatever description shall so fall, such person shall forthwith clean the place on which it falls.

Removal of offensive or noxious matter or liquid through streets, etc.

15. (1) Save with the permission of the Director, no person shall remove or carry, or cause to be removed or carried, through any street or public place any excretal matter, pigwash, manure or other offensive or noxious matter or liquid of whatever description unless the removal or carriage is effected in a receptacle properly constructed of impervious material and covered with a close-fitting lid so as to prevent the escape therefrom of any of the contents or any smell or in a vehicle or vessel so constructed as to prevent the escape therefrom of any such offensive or noxious matter or liquid or any smell arising therefrom.

(2) No person shall empty, discharge, deposit or place in, or convey to, any gully, sewer or any inlet thereto any pigwash.

(3) If, in the course of its removal or carriage through any street or public place, any such excretal matter, pigwash, manure or offensive or noxious matter or liquid has been dropped or spilt, the person who

has caused or allowed it to be dropped or spilt shall immediately cause the place whereon it was dropped or spilt to be cleansed.

(4) Nothing in this regulation shall apply to the carriage through, on or over any field, footpath or bund in any rural area of any matter or liquid by any person engaged in farming.

16. No person shall employ for gain or otherwise any child under the age of sixteen years to convey in or through any street or public place refuse of any kind, except such refuse as emanates from the household of which such child is a member.

Children under the age of 16 not to be employed to carry refuse.

PART III.

DISPOSAL OF HOUSE REFUSE.

17. The occupier of any premises shall remove from such premises, in the manner provided in this Part, all house refuse accumulated therein, and such removal shall, save in the case of a typhoon or other exceptional circumstances, be effected at least once in every twenty-four hours where a refuse chute is provided in the premises or, where no such chute is provided, then at least once within the twenty-four hours immediately preceding each day on which a public refuse collection vehicle (if any) visits the area in which such premises are situate for the purpose of collecting house refuse.

Removal of house refuse.

18. Where a refuse chute is provided in any premises, the occupier of such premises or of any part thereof shall tip, or cause to be tipped, all house refuse, other than dangerous refuse, into the hopper provided therefor in the chute.

Duty of occupier where refuse chute is provided.

19. (1) Where a refuse chute is provided in any premises, the owner of such premises, or, if the chute is in separate ownership, the owner of such chute, shall—

Duty of owner of refuse chute.

- (a) at all times, maintain the shaft, hopper, storage chamber and surrounds in a clean condition and take all other necessary precautions to prevent any nuisance arising therefrom;
- (b) provide, and use at the chute, portable refuse storage containers of sufficient capacity to receive the refuse tipped into the chute and made of such material and to such specifications as the Director may approve; and
- (c) each day, remove, or cause to be removed, to such refuse boat or refuse depot as the Director may allocate for the purpose all of the refuse tipped into the chute:

Provided that, where the portable refuse storage containers do not exceed twenty cubic feet capacity, the contents thereof may be deposited daily in a public refuse collection vehicle (if any).

(2) Where a refuse chute is provided with an incinerator as part of the installation, sub-paragraph (c) of paragraph (1) shall apply to the incombustible residue after incineration of the refuse in the same manner as if such incombustible residue were ordinary house refuse.

(3) Where the Director, by agreement with the owner of any premises provided with a refuse chute, or, where a refuse chute is in separate ownership, with the owner of such refuse chute, undertakes to effect the removal of refuse from such chute—

- (a) sub-paragraph (c) of paragraph (1) shall not apply;
- (b) such agreement shall be subject to such terms and conditions as the Director may think fit; and
- (c) without prejudice to the generality of the provisions of sub-paragraph (b), the following matters shall be deemed to be conditions of such agreement unless the parties thereto expressly agree to the contrary—

(i) all refuse storage containers shall be constructed of such material and shall be of such design and capacity as the Director shall approve, and shall be maintained at all times in good repair and serviceable condition to the satisfaction of the Director;

(ii) each refuse storage container shall be kept in a storage chamber, and shall be so seated as to be capable of easy removal therefrom by means of a wheeled under-carriage or other device approved by the Director;

(iii) save as otherwise required for cleaning or repair, each storage chamber shall be kept locked and shall be opened only at such times as may be required for clearance of the refuse storage containers by the public refuse collection service or by a public officer authorized in writing in that behalf by the Director for the purpose of inspection; and

(iv) there shall be provided and maintained for the use of public refuse collection vehicles a clear and sufficient means of access to each storage chamber at all times at which such vehicles call for the purpose of collecting refuse.

20. (1) Where any premises are not provided with a refuse chute, the occupier of such premises or any part thereof shall provide a sufficient number of dustbins, not being less than one, and shall place therein all of the house refuse, excluding dangerous refuse, accumulated from such premises or such part thereof. Each such dustbin shall be made to the satisfaction of the Director and shall be—

- (a) constructed of strong impervious material;
- (b) cylindrical in shape, or tapered towards the bottom, with smooth internal surfaces;

Duty of occupier where refuse chute is not provided.

(c) fitted with a hooped rim in such a manner as to prevent the bottom of the bin resting on the ground;

(d) fitted with handles on opposite sides in such a manner that the bin may easily be lifted by hand;

(e) provided with a close-fitting lid or cover so as to prevent the emission of dust or stench therefrom or the access of flies thereto; and

(f) of a capacity not exceeding three and a quarter cubic feet;

or shall be any other receptacle intended for the storage of refuse written approval of which has been obtained from the Director.

(2) Every such dustbin shall at all times be maintained in good repair and in a clean condition to the satisfaction of the Director, and shall be kept properly covered save when required to be opened for the purpose of using it.

(3) The occupier of such premises or such part thereof shall deliver, or cause to be delivered, to a public refuse collection loader at a public refuse collection vehicle all of the contents of every dustbin provided in accordance with paragraph (1):

Provided that where in any part of the New Territories no public refuse collection service is provided the contents of every such dustbin shall be disposed of by or on behalf of such occupier in such other cleanly manner as the Director may from time to time permit or, by notice posted or served in such manner as may appear to him appropriate in the circumstances, may direct.

PART IV.

DANGEROUS REFUSE AND TRADE REFUSE.

21. Notwithstanding anything contained in regulation 17 or 19, no person shall put, or cause to be put, any dangerous refuse or any liquid into a refuse chute or into a dustbin used for house refuse.

Dangerous refuse not to be put into chutes or dustbins.

22. The occupier of any premises or any part of any premises in which there is any dangerous refuse shall deliver, or cause to be delivered, all of such dangerous refuse into the personal charge of a public refuse collection loader at a public refuse collection vehicle:

Disposal of dangerous refuse.

Provided that, having regard to the quantity of such dangerous refuse or to its nature, such loader may refuse to accept it, in which case such occupier shall report the fact to the Director, who may direct the manner in which the same is to be disposed of.

Disposal of
trade refuse.

23. (1) The occupier of any premises or any part of any premises in which there is any trade refuse may, with the consent of the Director, dispose of such refuse by putting it into any refuse chute which may be provided in such premises.

(2) Where any premises are not provided with a refuse chute or where the Director has refused his consent to the disposal of any trade refuse by putting it into a refuse chute, the occupier of the premises or part of any premises in which there is any trade refuse shall dispose of the same by putting it into dustbins, which he shall deliver, or cause to be delivered, to a public refuse collection loader at a public refuse collection vehicle:

Provided that—

- (a) having regard to the quantity of such refuse or its nature, such loader may refuse to accept it, in which case such occupier shall report the fact to the Director who may direct the manner in which the same is to be disposed of; and
- (b) if in that part of the New Territories in question no refuse collection service is provided, such refuse shall be disposed of by or on behalf of such occupier in such other cleanly manner as the Director may permit or, by notice posted or served in such manner as he may consider appropriate in the circumstances, may direct.

PART V.

OFFENCES AND MISCELLANEOUS.

Offences and
penalties.

24. (1) Any person who contravenes any of the provisions of any of the regulations contained in Part II shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.

(2) Any person who—

- (a) contravenes any of the provisions of regulation 17, 18 or 20 or of paragraph (1) of regulation 19; or
- (b) fails to comply with any direction of the Director given under the provisions of the proviso to paragraph (3) of regulation 20 or of the proviso to regulation 22 or of the provisos to paragraph (2) of regulation 23,

shall be guilty of an offence and shall be liable on summary conviction to a fine of two hundred and fifty dollars.

Saving.

25. Subject to the provisions of regulation 16, nothing contained in these regulations shall be construed to prevent any person conveying, either for himself or for any other person, refuse of any kind from any premises or place to any refuse collecting point.

26. Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Attorney General in relation to the prosecution of such offences, prosecutions for an offence under any of the provisions of these regulations may be brought in the name of the Director.

Name in
which
proceedings
for offences
may be
brought.

27. (1) The provisions of these regulations shall not apply to any refuse which contains any radioactive substance.

Regulations
not to apply
to refuse
containing
radioactive
substance.

(2) For the purposes of paragraph (1), the expression "radioactive substance" means any substance consisting of or containing any radioactive chemical element.

SCHEDULE.

[reg. 3.]

DAINGEROUS REFUSE.

Item.	Substances.	Description.
1.	Explosive substances.	Discarded or defective cases containing gunpowder or potassium chlorate used in the manufacture of fireworks, sweepings of sulphur used in the manufacture of matches, or any other explosive substances.
2.	Strong supporters of combustion.	Cotton or woollen waste arising from textile industries, polystyrene flakes or powder arising from plastic button industries and scrap rubber arising from the rubber industry.
3.	Corrosive wastes.	Acid wastes arising from the manufacture of acids, acid wastes (including chromic acid and caustic soda) arising from electro-plating, acid wastes arising from textile bleaching and dyeing and acid wastes arising from the manufacture of enamel and light metalware.
4.	Poisonous substances.	Potassium cyanide used in electro-plating, arsenic used in leather tanning, lead used in battery construction, type founding and type setting and manganese used in the manufacture of enamel.
5.	Substances giving off inflammable vapour.	Tar and tar distillates arising from oil installations, petrol solutions used in the manufacture of rubber shoes, amyl acetate solutions and ethyl acetate solutions used in the manufacture of artificial pearls and thinners used in the manufacture of paint and lacquer.
6.	Substances rendered dangerous by interaction with water.	Calcium carbide used in acetylene generation.
7.	Compressed gases.	Compressed gases used in the manufacture of fluorescent and neon tubes and of bottled gases.

COUNCIL CHAMBER,
18th June, 1963.

Robert V. Day
Clerk of Council.

Explanatory Note.

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

These regulations introduce into the law relating to the New Territories provisions similar to those contained in the Public Cleansing and Prevention of Nuisances By-laws, 1960, in respect of the urban areas.

(Secretariat GR14/3231/60)



FERRIES ORDINANCE.

(Chapter 104).

FERRIES (AMENDMENT) REGULATIONS, 1963.

In exercise of the powers conferred by section 5 of the Ferries Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Ferries (Amendment) Regulations, 1963.

2. Regulation 4 of the Ferries Regulations is amended by the deletion of the words "fifteen years" and "eighteen years" and the substitution respectively therefor of the words "twenty years" and "thirty years".

Amendment
of regula-
tion 4.
(Vol. IX,
p. 198).

[Signature]
Clerk of Councils.

COUNCIL CHAMBER,

18th June, 1963.

Explanatory Note.

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

The purpose of these regulations is to increase the periods for which ferry licences may be granted and extended.

(Secretariat GR6/5481/50)

WATERWORKS ORDINANCE.

(Chapter 102).

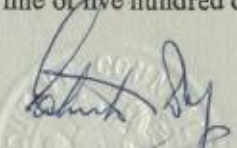
WATERWORKS (AMENDMENT) REGULATIONS, 1963.

In exercise of the powers conferred by section 29 of the Waterworks Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Waterworks (Amendment) Regulations, 1963. Citation.

2. Regulation 20 of the Waterworks Regulations is revoked and replaced by the following regulation— Revocation and replacement of regulation 20.

“20. Any person, who contravenes any provision contained in regulation 9, 10, 11, 12, 14, 16, 17, 17B, 18 or 19 which prohibits the doing of any act or the doing of any act without the permission or licence of the water authority or who fails to comply with any provision contained in any such regulation which requires the performance of any act, shall be guilty of an offence and liable to a fine of five hundred dollars.” (Vol. IX, p. 158).



Clerk of Councils.

COUNCIL CHAMBER,
8th June, 1963.

Explanatory Note.

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

The purpose of these regulations is to remove doubt regarding the commission of contraventions of the Waterworks Regulations and the liability to penalty therefor.

(Secretariat GR28/3231/51)

REGISTRATION OF PERSONS ORDINANCE, 1960.
(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)
(NO. 24) ORDER, 1963.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 24) Order, 1963.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category of persons required to re-register.
(18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 985,001 to 1,005,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,



R. S. S. S.
Colonial Secretary.

18th June, 1963.

(Secretariat D/RPO)





PROCLAMATION

No. 4 of 1963.



Governor.

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by regulation 1 of the Food Business (New Territories) Regulations, 1963 (L.N. 63 of 1963), it is provided that the said Regulations shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Regulations shall come into operation on the 1st day of July, 1963.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 24th day of June, 1963.

Published by His Excellency's Command,

Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR14/3231/60)

PROCLAMATION

No. 5 of 1963.



A handwritten signature in blue ink, reading "R. B. Black".

Governor.

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by regulation 1 of the Public Market (New Territories) Regulations, 1963 (L.N. 69 of 1963), it is provided that the said Regulations shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Regulations shall come into operation on the 1st day of July, 1963.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 24th day of June, 1963.

Published by His Excellency's Command,

A handwritten signature in blue ink, reading "S. Indale".
Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR14/3231/60)



PROCLAMATION

No. 6 of 1963.



Governor.

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by regulation 1 of the Public Cleansing and Prevention of Nuisances (New Territories) Regulations, 1963 (L.N. 74 of 1963), it is provided that the said Regulations shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Regulations shall come into operation on the 1st day of July, 1963.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 24th day of June, 1963.

Published by His Excellency's Command,

Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR14/3231/60)