

ALPHABETICAL INDEX TO THE
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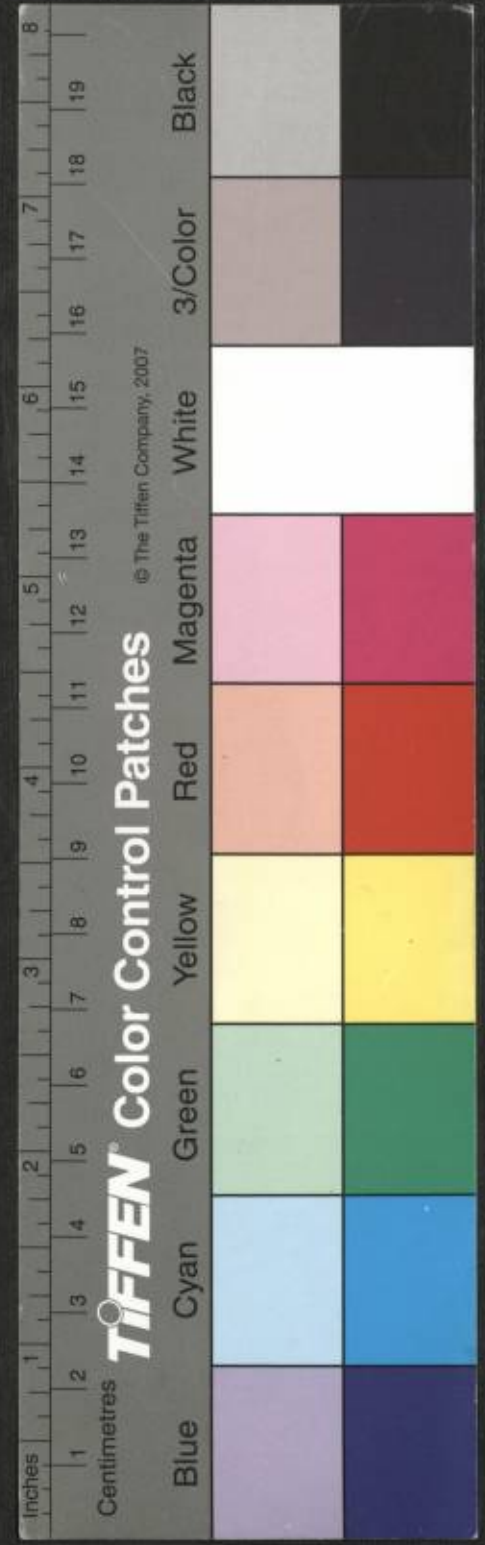
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Emergency (Squatter Clearance) Regulations,
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Merchant Shipping Ord. :-

Merchant Shipping (Masters & Mates Certificates) Rules, 1953.

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Merchant Shipping (Mercantile Marine Office) (Fees & Forms) Regulations, 1953.

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Poisons (Amendment) Regulations, 1953.

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Poisons List (Amendment) (No. 2) Regulations
1953.

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Police (Welfare Fund) Regulations, 1953.

Police (Welfare Fund) (Amendment)
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Police Reserve (Amendment) Regulations, 1953.

Police Reserve (Amendment) (No. 2)
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Markets (Amendment) By-laws, 1953.

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Islands, Kowloon and New Kowloon.

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tenements in the N.T. other than New Kowloon.

Rating (University Residences) (Exemption)
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1953.

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- 2.
3. Merchant Shipping Ordinance, 1953, to come into operation on 30th October, 1953.
4. Workmen's Compensation Ordinance, 1953, to come into operation on 1st December, 1953.

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GROUP " A "

 2 2

THE BUILDINGS ORDINANCE.

(Chapter 123).

The Governor-in-Council has been pleased to direct under Section 127 of the Buildings Ordinance, (Chapter 123), that the following name be added to the List of Authorized Architects published as Notification No. 727 in the *Gazette* of 20th June, 1952.

LI, Seung Ngai (李尙毅)



Deputy Clerk of Councils.

COUNCIL CHAMBER,
11th February, 1953.

THE BUILDINGS ORDINANCE.


(Chapter 123).

The Governor-in-Council has been pleased to direct under Section 127 of the Buildings Ordinance, (Chapter 123), that the following name be added to the List of Authorized Architects published as Notification No. 727 in the *Gazette* of 20th June, 1952.

LI, Wen-Pang (李文邦)



Deputy Clerk of Councils.



COUNCIL CHAMBER,
14th May, 1953.

THE BUILDINGS ORDINANCE

(Chapter 123)

LIST OF AUTHORIZED ARCHITECTS

A: DELETIONS

In accordance with section 127 of the Buildings Ordinance (Chapter 123) the Governor in Council has ordered the removal of the names of the following persons from the List of Authorized Architects upon their ceasing to practise in the Colony:—

Billig, Dr. Kurt

Black, John

Dark, John William

Duff, Charles Herbert

Wilson, George Leopold

B: ANNUAL RE-PUBLICATION OF LIST

The list of architects, engineers and other persons now approved under that section by the Governor in Council as qualified to perform the duties of Authorized Architects as required by the Buildings Ordinance is set out below:—

<i>Name</i>	<i>Gazette Notification</i>
Alvares, Alfred Victor Jorge	5 of 1938
Basto, Antonio Hermengildo	470 of 1922
Bottomley, John Hubert	367 of 1929
Braga, Hugh	694 of 1934
Brown, Raymond Gordon	85 of 1951
de Broekert, Anthonie Willem	508 of 1947
CHAN, Wing-gee (陳榮枝)	967 of 1938
CHAN, Kwok Koon (陳國冠)	882 of 1950
CHANG, Harding Ding (張孝庭)	667 of 1947
CHAU, Po Cheung (周寶璋)	420 of 1948
CHAU, Iu-nin (周耀年)	312 of 1930
CHEUNG, Kit Lam (張杰霖)	540 of 1952

<i>Name</i>	<i>Gazette Notification</i>
CHIEN, Nai Jen (錢乃仁)	925 of 1941
CHIU, Kwan-chee (趙君慈)	583 of 1932
CHOU, Charles Lun (周滋汎)	667 of 1947
CHU, Pin (朱 彬)	1127 of 1949
CHUN, James Wing Cham (陳永箴)	376 of 1949
Colledge, Alexander Valentine	541 of 1950
Cumine, Eric Byron	376 of 1949
DJOU, Gi Gao (周基高)	1308 of 1950
Dronnikoff, Vladimir Nicolaevich	1307 of 1950
Faber, John Cecil	866 of 1952
Faber, Sven Erik	739 of 1936
FAN, Robert (范文照)	499 of 1938
Feltham, Stanley Crathern	327 of 1951
FOK, Nai-hang (霍乃鏗)	667 of 1946
Frenkel, Jacob Nahum, alias Frenkel, James N.	703 of 1952
FUNG, Tsun (馮 駿)	883 of 1935
Grey, George Willis	600 of 1924
Grose, Frank	340 of 1935
Hall, George Albert Victor	668 of 1927
Howorth, John Francis	376 of 1949
HU, Kwok Leung (許國亮)	1106 of 1951
ING, William Sue (吳兆彪)	400 of 1934
IP, Hin Fong (葉衍芳)	827 of 1949
IU, Tak-lam (姚德霖)	198 of 1934
KOO, Ming Tsuen (顧名泉)	621 of 1950
KUO, Yuan-hsi (過元熙)	592 of 1939
KWAN, Parker (關榮柏)	566 of 1952
KWAN, Sung Sing (關頌聲)	1127 of 1949
KWAN, Wing-hong (關永康)	938 of 1938
KWONG, Iu-hau (鄭耀厚)	893 of 1940
LAM, Edward Chi-kan (藍志勤)	980 of 1948
LAMB, Ping Yin (林炳賢)	667 of 1949
Larard, Charles Kenneth	667 of 1946

<i>Name</i>	<i>Gazette Notification</i>
LAU, Rudy Tang (劉 登)	508 of 1947
LAU, Shing-ki (劉承基)	542 of 1939
LEE, Chung-chee (李仲鏡)	508 of 1947
LEE, Edward Wei Kwong (李為光)	988 of 1952
LEE, Richard Edmund (李禮之)	239 of 1931
LEE, Young-on (李揚安)	730 of 1938
LEONG, Billings Shee Wing (梁樹榮)	377 of 1949
LEONG, Yep (梁 業)	1152 of 1949
LI, Hin-lung (李憲龍)	147 of 1938
LI, Sheung Ngai (李尙毅)	204 of 1953
LI, Wen-Pang (李文邦)	641 of 1953
Lobban, William	866 of 1952
LOONG, Shiu Kee (龍詔基)	1128 of 1949
LUKE, Him Sau (陸謙受)	344 of 1932
March, John Ewart	867 of 1947
Minutti, Rene	667 of 1947
MOK, York-chan (莫若傑)	941 of 1934
Moraes, John Sousa	484 of 1933
O'YOUNG, James (歐陽澤生)	541 of 1952
Phelps, Douglas Searle	989 of 1952
Pullen, Albert	508 of 1947
PUN, In-tat (潘賢達)	4 of 1930
Raven, Arthur Robert Fenton	317 of 1905
Robinson, Harold Graham Fector	667 of 1947
Robertson, Kenneth Struan	318 of 1937
SETO, Yu (司徒猷)	869 of 1949
Silva, Jose Francisco da	996 of 1949
SIU, Che Tan (蕭始且)	65 of 1952
Smart, George Douglas	622 of 1950
Spence, Herbert Marshall	882 of 1950
SU, Gin Djih (徐敬直)	980 of 1948
SZETO, Wai (司徒惠)	832 of 1948
TAM, Heung-shing (譚向成)	548 of 1938

<i>Name</i>	<i>Gazette Notification</i>
Tebbutt, Henry Jenson	692 of 1930
TSANG, Hin-hung (曾憲鴻)	667 of 1946
Volckaert, Gustave	508 of 1947
Way, Harry	586 of 1924
Weir, Alexander Provan	—
WONG, Cheuk-tong (黃灼棠)	388 of 1932
WONG, Cho Tong (黃祖棠)	867 of 1947
WONG, Faitfone (黃培芬)	400 of 1939
WONG, Tai-cho (黃泰初)	103 of 1928
Woo, John Shao-Ling (吳紹麟)	989 of 1952
Wood, Gerald George	34 of 1915
Xavier, Michael Anthony	253 of 1923
YEUNG, Sik Chung (楊錫宗)	726 of 1952
Young, Sir Cyril Roe Muston, Bt.	515 of 1917
YUAN, Mrs. Ying-hsi (袁成登屏)	980 of 1948
YUE, Shui Chiu (余緒朝)	256 of 1939
YUE, Steven Sui-lun (余瑞譚)	128 of 1949
YUEN, Tat-cho (阮達祖)	885 of 1938



Deputy Clerk of Councils

COUNCIL CHAMBER,
21st May, 1953.
(Secretariat II/546/46II)

THE BUILDINGS ORDINANCE
(Chapter 123)

The Governor-in-Council has been pleased to direct under Section 127 of the Buildings Ordinance, (Chapter 123), that the following name be added to the List of Authorized Architects published as Notification No. 742 in the *Gazette* of 12th June, 1953.

Wu, Chi-Koei (吳繼軌)



Clerk of Councils.

COUNCIL CHAMBER,
4th August, 1953.

COMPANIES ORDINANCE.

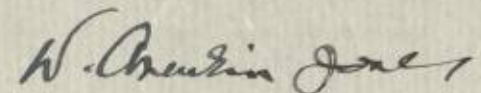
(Chapter 32).

(Sections 131 (3) (c) & 131B (1))

AUTHORIZED AUDITORS BOARD

It is hereby notified that the Authorized Auditors Board has been pleased to direct that the following names be entered in Part I of the Authorized List:—

FLEXMAN, Bruce Curran
CLARKE, Arthur Brandon
KWAN MAN WAI (關文偉)
BROWN, Norman Alexander
KALE, John Reginald
LACKIE, William



Registrar of Companies,
Chairman, Authorized Auditors Board.

1st August, 1953.

DANGEROUS GOODS REGULATIONS, 1940.

It is hereby notified that the Governor in Council has approved Mr. J. D. Whineray as an "approved person", within the meaning of that expression in Regulation 2 (9) in Part I of the Dangerous Goods Regulations, 1940.



Deputy Clerk of Councils.

COUNCIL CHAMBER,
11th February, 1953.

HOLIDAYS ORDINANCE,
(Chapter 149)

NOTIFICATION UNDER SECTION 7.

In exercise of the powers conferred by Section 7 of the Holidays Ordinance, Chapter 149, the Governor in Council has appointed Whit Saturday, 5th June, 1954 to be observed as a general holiday in substitution for Easter Monday, 19th April, 1954.



Green
Clerk of Councils

COUNCIL CHAMBER,
6th October, 1953.
(Secretariat 1/110/53)

LANDLORD AND TENANT ORDINANCE.

(Chapter 255).

NOTIFICATION

(under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 9th day of January, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

The premises known as: No. 35 Queen's Road East on Inland Lot
No. 3962.


Deputy Clerk of Councils.

COUNCIL CHAMBER,
9th January, 1953.

(Secretariat 20/736/52)

LANDLORD AND TENANT ORDINANCE.

(Chapter 255).

NOTIFICATION

(under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 14th day of January, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

The premises known as: Kowloon Marine Lot No. 48.

COUNCIL CHAMBER,
14th January, 1953.
(Secretariat 17/736/52)


Deputy Clerk of Councils.



LANDLORD AND TENANT ORDINANCE.

(Chapter 255).

NOTIFICATION

(under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 11th day of February, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE.

The premises known as : Section A of Kowloon Inland Lot No. 1573.


Deputy Clerk of Councils.

COUNCIL CHAMBER,
11th February, 1953.

LANDLORD AND TENANT ORDINANCE,
(Chapter 255).

NOTIFICATION
(under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 5th day of March, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE.

The premises known as: Nos. 84—102 Wuhu Street on Hung Hom
Inland Lot No. 214.



[Handwritten Signature]
Deputy Clerk of Councils.

COUNCIL CHAMBER,
13th March, 1953.


LANDLORD AND TENANT ORDINANCE,
(Chapter 255).

NOTIFICATION
(under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 8th day of April, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

The premises known as : portion of Kowloon Inland Lot No. 4227.


Deputy Clerk of Councils.

COUNCIL CHAMBER,
8th April, 1953.



LANDLORD AND TENANT ORDINANCE,
(Chapter 255)

NOTIFICATION

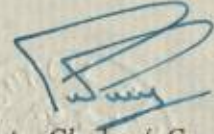
(Under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 3rd day of July, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

The premises on Kowloon Inland Lot No. 719 which are the subject of Tenancy Tribunal Applications Nos. K.126, K.127 and K.128 of 1953.

COUNCIL CHAMBER,
3rd July, 1953.


Deputy Clerk of Councils.

LANDLORD AND TENANT ORDINANCE.

(Chapter 255).


NOTIFICATION.

(Under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 11th day of July, 1953, did Order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

- (i) The premises on part of the Remaining Portion of Section A of Inland Lot No. 2836 which are the subject of Tenancy Tribunal Applications Nos. 570 and 571 of 1952,
- (ii) The premises known as No. 40 Parkes Street, ground floor, and No. 40 Parkes Street, 1st and 2nd floors, on Kowloon Inland Lot No. 1592 which are the subject of Tenancy Tribunal Applications Nos. K. 31 and 32 of 1953,
- (iii) The premises known as No. 33, Queen's Road Central, Rear Portion, ground floor and No. 1 Basement Godown, Victoria, on part of Marine Lot No. 62 which are the subject of Tenancy Tribunal Application No. 86 of 1953,
- (iv) The premises on Aberdeen Inland Lots Nos. 81 and 82 which are the subject of Tenancy Tribunal Application No. 108 of 1953.


Deputy Clerk of Councils.

COUNCIL CHAMBER,

11th July, 1953.

(Secretariat 3-6/737/53)

LANDLORD AND TENANT ORDINANCE,
(Chapter 255)

NOTIFICATION
(under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 16th September, 1953, did order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

The premises known as Nos. 2 and 4, Matheson Street on the Remaining Portion of Inland Lot No. 476 which are the subject of Tenancy Tribunal Application No. 139 of 1953.

COUNCIL CHAMBER,
16th September, 1953



Deputy Clerk of Councils

LANDLORD AND TENANT ORDINANCE,
(Chapter 255)

NOTIFICATION

(Under section 31(1)).

It is hereby notified that in exercise of the powers conferred by section 31(1) of the Landlord and Tenant Ordinance, Chapter 255, the Governor in Council on the 23rd day of October, 1953 did order that the premises specified in the Schedule hereto be excluded from the further application of the said Ordinance.

SCHEDULE

The premises known as No. 8, Queen's Road Central, which are the subject of Tenancy Tribunal Applications Nos. 60, 61 & 62 of 1953.



Deputy Clerk of Councils

COUNCIL CHAMBER,
23rd October, 1953

EXECUTIVE COUNCIL.

**MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS)
ORDINANCE, 1951.**

Pursuant to Section 3(1) of the Motor Vehicles Insurance (Third Party Risks) Ordinance, 1951, it is notified that the Norwich Union Fire Insurance Society Ltd. has been authorized by the Governor in Council to carry on motor vehicle insurance business in the Colony.


Deputy Clerk of Councils.



COUNCIL CHAMBER,
15th January, 1953.



GROUP " B "

2 2

AIR ARMAMENT PRACTICE ORDINANCE.

(Chapter 194).

AIR ARMAMENT PRACTICE (SCHEDULE AMENDMENT) ORDER, 1953.

In exercise of the powers conferred by section 11 of the Air Armament Practice Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Air Armament Practice Citation. (Schedule Amendment) Order, 1953.

2. The Third Schedule to the Air Armament Practice Ordinance is rescinded and replaced by the following Third Schedule—

Amendment
of First
Schedule.

(Cap. 194).

“THIRD SCHEDULE

[s. 5.

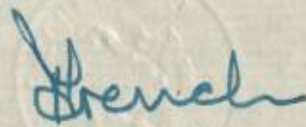
Practice Signals.

1. Notice that practice is taking place at the practice ranges should be given by hoisting or display of the following signals—
For Area (d)

By day a red flag flown and by night a red light shown from the following positions—

- old Sai Kung Police Station flag pole (map reference 671102),
- above Ngam Tau Sha (Map reference 691031),
- on the Royal Air Force building at map reference 673037,
- on the typhoon warning mast at Lyemun (map reference 632984),
- on a 10-foot pole on a buoy moored in the following positions—
map reference 720970, 750010, 720060, 706084 and 685082.

2. The signals in respect of practice shall be hoisted or displayed one hour before such practice is due to commence. Signals shall remain hoisted or displayed until practice has ceased, when they shall be hauled down or extinguished.”


Clerk of Councils.

COUNCIL CHAMBER,
10th November, 1953.

(Secretariat 4/4941/47)

AIR NAVIGATION.

THE HONG KONG AIR NAVIGATION (FEES) (AMENDMENT)
REGULATIONS, 1953.

In exercise of the powers conferred upon him by Article 64 of the Colonial Air Navigation Order, 1949, and of all other powers him enabling, the Governor has made the following regulations—

1. These regulations may be cited as the Hong Kong Air Navigation (Fees) (Amendment) Regulations, 1953, and shall come into operation on the 1st day of December, 1953.

Citation
and com-
mencement.

2. The Hong Kong Air Navigation (Fees) Regulations, 1953, are amended by the insertion after section VIII of the following new section—

Addition
of new
section
VIII A.
(G.N.A.
46/53).

“SECTION VIII A.

HIGH FREQUENCY RADIO TELEPHONY FEES.

9A. Except with the prior permission of the Director no person shall communicate or attempt to communicate from any aircraft to Hong Kong Airport or from Hong Kong Airport to any aircraft, using High Frequency Radio Telephony as a means of such communication, unless an Availability Fee in respect of or covering that aircraft has been paid.

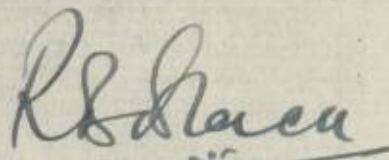
9B. An Availability Fee shall be \$100.00 which fee shall include any number of aircraft which may for the time being be owned or operated by the person paying the fee.

9C. There shall be paid by every person making such use of High Frequency Radio Telephony a Contact Fee of \$3.00 in respect of each completed two-way communication and for the purposes of this regulation a communication shall be deemed to be completed when it has been terminated

either by the ground station terminating the connexion or by the use of the code word currently employed for the purpose of terminating a connexion."

Given at Hong Kong this 13th day of November, 1953.

By His Excellency's Command,



Colonial Secretary.

Explanatory Note.

These amendments specify fees for the use of Air Ground High Frequency Radio Telephony. When the principal regulations were drafted, it was not possible to make provision in respect of such fees because at that time Government had not acquired the equipment.

(Secretariat 6/951/52)

**THE AIR TRANSPORT (LICENSING OF AIR SERVICES)
REGULATIONS, 1953.**

**AIR TRANSPORT (LICENSING OF AIR SERVICES) (AMENDMENT)
REGULATIONS, 1953.**

In exercise of the powers conferred by section 13 of the Civil Aviation Act, 1949, as applied to the Colony by the Colonial Civil Navigation (Application of Act) Order, 1952, and of all other powers him enabling, the Governor, with the approval of the Secretary of State, has made the following regulations—

1. These regulations may be cited as the Air Transport (Licensing of Air Services) (Amendment) Regulations, 1953. Citation.

2. Regulation 1 of the Air Transport (Licensing of Air Services) Regulations, 1949 (hereinafter referred to as the principal regulations) is amended by the insertion after paragraph (vii) of the following new paragraph— Amendment of regulation 1. (G.N.A. 238/49).

"(viiA). "provisional licence" means a licence granted under regulation 13 or 14 of these regulations;"

3. Regulation 3 of the principal regulations is amended by the insertion in the sixth line of paragraph (1) between the words "licence" and "granted" of the following— Amendment of regulation 3.

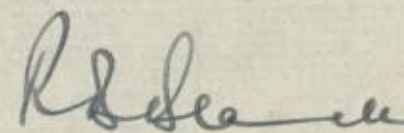
"or a provisional licence".

4. The principal regulations are amended by the insertion after regulation 28 of the following new heading and regulation— Addition of new regulation 28A.

"When Provisional Licences are deemed to be Licences.

28A. Any references to a licence in paragraphs (2) and (3) of Regulation 5, Regulations 19, 26, 27 and 29 of these regulations shall be construed as including references to a provisional licence."

By Command,



Colonial Secretary.

21st November, 1953.

(Secretariat 21/936/46)

LEGISLATIVE COUNCIL RESOLUTION.

BANK NOTES ISSUE ORDINANCE

(Chapter 65).

Resolution made and passed by the Legislative Council under section 5 of the Bank Notes Issue Ordinance, Chapter 65, on the 24th day of June, 1953.

Resolved pursuant to the Proviso to section 5 of the Bank Notes Issue Ordinance that this Legislative Council hereby extends the powers of all the note-issuing banks to make, issue, re-issue and circulate notes until and including the 12th day of July, 1954.



Deputy Clerk of Councils.

COUNCIL CHAMBER,
24th June, 1953.

(Secretariat 52/2524/45)

THE BRITISH NATIONALITY (MISCELLANEOUS PROVISIONS) ORDINANCE.

(Chapter 186).

THE BRITISH NATIONALITY (MISCELLANEOUS PROVISIONS) ORDER, 1953.

In exercise of the power conferred by section 5 of the British Nationality (Miscellaneous Provisions) Ordinance, the Governor in Council has made the following Order :—

1. This Order may be cited as the British Nationality (Miscellaneous Provisions) Order, 1953. Citation.

2. For the schedule to the British Nationality (Miscellaneous Provisions) Ordinance, there shall be substituted the schedule set out hereunder :—

Substitution of schedule to the British Nationality (Miscellaneous Provisions) Ordinance, Chapter 186.

SCHEDULE.

Table of Fees.

Matter in which fee may be taken	Amount of fee	To whom fee is to be paid
	\$	
1. Registration of a woman who is a British protected person or an alien as a citizen under s.6(2) of the British Nationality Act, 1948.	16.00	Immigration Officer
2. Registration of a minor who is a British protected person or an alien as a citizen under s. 7 of the British Nationality Act, 1948.		
(a) If application for the minor's registration was made at the same time as an application by one of his parents for a certificate of naturalization.	16.00	" "
(b) If the application was made by the parent or guardian or person otherwise standing <i>in loco parentis</i> to the minor, and such parent, guardian or person was at the time of the application a citizen of the U. K. and Colonies.	16.00	" "

Matter in which fee may be taken	Amount of fee	To whom fee is to be paid
In other cases—	\$	
(c) If the minor is a British protected person	80.00	Immigration Officer
(d) If the minor is an alien	160.00	" "
3. Grant of a Certificate of Naturalization		
(a) To a British Protected Person	160.00	" "
(b) To an alien	320.00	" "
[Provided that where applications by a husband and wife resident at the same address are submitted simultaneously, and certificates are granted in both cases, only one fee shall be payable (i.e. \$160.00 or \$320.00 as the case may be for the two certificates)].		
4. Grant of a certificate of citizenship in case of doubt.	160.00	" "
5. Registration of a declaration of intention to resume British nationality or of renunciation of citizenship.	16.00	" "
6. Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made by or under the British Nationality Act, 1948.	8.00	" "

Heuch
Clerk of Councils.

HONG KONG,
4th August, 1953.

Explanatory Note.

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

Para. 2 of this Order prescribes a new table of fees. Two changes have been introduced—

- (a) *Item 2(b).* This is a new provision designed to bring the scale of fees chargeable in Hong Kong into line with the fees charged by the United Kingdom Government under similar circumstances.
- (b) *Proviso to item 3.* This proviso is designed to afford relief to husbands and wives who apply for and are granted Certificates of Naturalization under the circumstances described.

(Secretariat 14/3491/49)

It is hereby notified for general information that the Governor in Council has, under section 102 of the Buildings Ordinance (Chapter 123), appointed the hours specified in the Schedule as the hours during which blasts may be fired in the area defined by Map References (Map ref. Hind 1009, Third Edition, Sheet 14) 390085, 390092, 394095, 400095, 393085 within which the Tai Lam Chung Reservoir Waterfall Dam is being constructed.

SCHEDULE.

The hours of:—

- (a) 7.00 a.m. to 8.00 a.m.
- (b) 12 noon to 12.30 p.m.
- (c) 2.30 p.m. to 3.30 p.m.
- (d) 4.30 p.m. to 5.00 p.m.

John
Clerk of Councils.

COUNCIL CHAMBER,
27th January, 1953.

(Secretariat 1/4311/46)

It is hereby notified for general information that the Governor in Council has, under Section 102 of the Buildings Ordinance, (Cap. 123) appointed the hours specified in the Schedule as the hours during which blasts may be fired in No. 1 Railway Cutting, Hung Hom, for about three months from the 21st December, 1953.

SCHEDULE.

Mondays to Fridays inclusive
from 9.30 p.m. to 10.00 p.m.

Saturdays, Sundays and public holidays
from 11.00 p.m. to 11.30 p.m.



Clerk of Councils.

COUNCIL CHAMBER,
15th December, 1953.

(Secretariat 1/4311/46)

THE DANGEROUS DRUGS ORDINANCE.

(Chapter 134).

DANGEROUS DRUGS (AMENDMENT OF SCHEDULE) ORDER, 1953.

In exercise of the powers conferred by section 3 of the Dangerous Drugs Ordinance, the Governor in Council has made the following order—

1. This order may be cited as the Dangerous Drugs Citation, (Amendment of Schedule) Order, 1953.

2. The drugs specified below shall be included as item No. 28 in the First Schedule to the Ordinance.

Dextromethorphan (3-methoxy-N-methylmorphinan) also known as levomethorphan and racemethorphan, its salts and any preparation, admixture, extract or other substance containing any proportion of 3-methoxy-N-methylmorphinan.

Amendment
of the
First
Schedule
to the
Ordinance
to include
further
drugs.
(Cap. 134).



Deputy Clerk of Councils.

COUNCIL CHAMBER,
1st April, 1953.

(Secretariat 5/3281/51)

THE DANGEROUS DRUGS ORDINANCE.

(Chapter 134).

DANGEROUS DRUGS EXEMPTION ORDER, 1953.

In exercise of the powers conferred by subsection (1) of section 20 of the Dangerous Drugs Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Dangerous Drugs Citation. Exemption Order, 1953.

2. Subsection (1) of section 20 of the Dangerous Drugs Ordinance shall cease to apply to the drug Morpholinylethyl-morphine. Exemption. (Cap. 134.)



Deputy Clerk of Councils.

COUNCIL CHAMBER,
2nd November, 1953.

(Secretariat 2/1316/47^{IV})

THE DANGEROUS DRUGS ORDINANCE.

(Chapter 134).

DANGEROUS DRUGS CONTROL ORDER, 1953.

In exercise of the powers conferred by subsection (2) of section 20 of the Dangerous Drugs Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Dangerous Drugs Citation Control Order, 1953.

2. The provisions of the Dangerous Drugs Ordinance so far as they relate to the manufacture, import, export and wholesale trade in dangerous drugs shall apply to Morpholinylethylmorphine and its salts: Provided that nothing herein shall be deemed to control the retail trade of any preparation, admixture, extract or other substance containing any proportion of Morpholinylethylmorphine or its salts. Control. (Cap. 134.)



Deputy Clerk of Councils.

COUNCIL CHAMBER,
2nd November, 1953.

(Secretariat 2/1316/47^{IV})

DEFENCES (FIRING AREAS) ORDINANCE.

(Chapter 196).

DEFENCES (FIRING AREAS) (SCHEDULE AMENDMENT) ORDER, 1953.

In exercise of the powers conferred by section 11 of the Defences (Firing Areas) Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Defences (Firing Areas) Citation. (Schedule Amendment) Order, 1953.
2. The First Schedule to the Defences (Firing Areas) Ordinance, hereinafter referred to as the principal Ordinance, is amended—
(a) by the insertion in the nineteenth line of Firing Area B, after the words and figures “(latitude $22^{\circ} 15' 57''$, longitude $114^{\circ} 22' 06''$)” of the following—

“thence in a direction 205° to map reference 780956 (latitude $22^{\circ} 15' 15''$, longitude $114^{\circ} 21' 48''$) thence in a direction 270° to map reference 769956 (latitude $22^{\circ} 15' 15''$, longitude $114^{\circ} 21' 13''$) thence in a direction 303° to map reference 754965 (latitude $22^{\circ} 15' 47''$, longitude $114^{\circ} 20' 26''$);

(b) by the deletion from the twenty-fourth and twenty-fifth lines of Firing Area B of the words and figures “thence along high water mark to map reference 695030” and the substitution therefor of the following—

“thence along high water mark to map reference 697020 (latitude $22^{\circ} 18' 35''$, longitude $114^{\circ} 17' 16''$) thence in a straight line to map reference 695030”.
3. The Third Schedule to the principal Ordinance is amended—
(a) by the deletion from the first and second lines of paragraph 2 of the words “two hours” and the substitution therefor of the following—

“one hour”;

Amendment
of First
Schedule.

(Cap. 196).

Amendment
of Third
Schedule.



(b) by the deletion of paragraph 5(b) (iii) and the substitution therefor of the following—

“(iii) by a red flag flown from a point on the main road nearest to each gun site and from the following positions—

old Sai Kung Police Station flag pole (map reference 671102),

on the typhoon warning mast at Lyemun (map reference 632984),

on a 10-foot pole on a buoy moored in the following positions—

map references 720970, 750010, 769049, 743070, 720060, 706084 and 685082.”

(c) by the deletion of paragraph 6 and the substitution therefor of the following—

“6. In respect of firing by night, the signals for Firing Areas A, B and C are—

(i) by a red lamp hoisted at the gun site concerned;

(ii) by a red lamp in the positions at which warning flags are flown by day.”

COUNCIL CHAMBER,
10th November, 1953.

(Secretariat 4/4941/47)


Clerk of Councils.


DISTRESS FOR RENT ORDINANCE.
(Chapter 7).

DISTRESS FOR RENT (FEES AMENDMENT) ORDER, 1953.

In exercise of the powers conferred by section 43 of the Distress for Rent Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Distress for Rent (Fees Citation. Amendment) Order, 1953.

2. The First Schedule to the Distress for Rent Ordinance is rescinded and replaced by the following—

Rescission and replacement of First Schedule. (Vol. 1, p. 267).

“FIRST SCHEDULE.

Table of Fees to be levied in Distraints for Rent [s. 6

<i>Sum sued for.</i>	<i>Affidavit, Warrant to distrain, Notice, etc.</i>	<i>Commission on sum realized.</i>
Under \$ 10	\$ 1.00	\$0.50
\$ 10 and under 20	2.00	1.00
20 and under 30	3.00	1.50
30 and under 40	4.00	2.00
40 and under 50	5.00	2.50
50 and under 75	6.00	3.75
75 and under 100	7.50	5.00
100 and under 250	10 00	} { (\$ 1 for every (\$20 or part of \$20.
250 and above	15.00	

1. A fee of \$1.00 shall in addition be payable on each order to sell.

2. This scale does not include auctioneer's commission and expenses but includes all other expenses, except in actions where the tenant disputes the landlord's claim, and witnesses have to be subpoenaed, in which case each subpoena must be paid for at 50 cents.

3. Where watchmen are kept in charge of property distrained, \$5.00 per day must be paid per man.

4. Where property is removed and stored, the necessary expenses, to be fixed by the Registrar, must be paid.”

COUNCIL CHAMBER,
11th February, 1953.


Deputy Clerk of Councils.


Explanatory Note.

By this amendment a fee of 25 cents upon an order to sell, and a minimum fee of the same sum upon an application for distraint, are replaced by a fee of \$1.00, while the daily fee for a watchman is raised from \$4.00 to \$5.00, and verbal improvements are made in the schedule of fees which is replaced.

(Secretariat 2/3231/53)



DOGS AND CATS ORDINANCE.

(Chapter 167).

DOGS AND CATS (AMENDMENT) REGULATIONS, 1953.

In exercise of the powers conferred by section 3 of the Dogs and Cats Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Dogs and Cats Citation. (Amendment) Regulations, 1953.
2. Regulation 4 of the Dogs and Cats Regulations (hereinafter referred to as the principal regulations) is amended by—
 - (a) the deletion of paragraph (b) thereof and the substitution thereof of the following—

(Vol. X, p. 269).

“(b) the New Territories \$2.00”;
 - (b) the deletion of the whole of paragraph (d) thereof.
3. Regulation 5 of the principal regulations is amended by the deletion of the proviso thereto and the substitution thereof of the following—

Amendment of regulation 5.

“Provided that licences under paragraphs (b) and (c) of regulation 4 shall be valid for one year from the date of issue.”
4. Regulation 21 of the principal regulations is amended by the deletion of the first sentence thereof and the substitution thereof of the following—

Amendment of regulation 21.

“No dog shall be allowed to go abroad in the public thoroughfares or on premises abutting on any thoroughfare which are not so enclosed as to confine any dog within the enclosed area unless it is either on the lead or is fitted with a muzzle which renders the dog incapable of biting.”

Rampson
Deputy Clerk of Councils.

COUNCIL CHAMBER,
5th January, 1953.
(Secretariat 67/3231/49)

3

DUTIABLE COMMODITIES ORDINANCE.

(Chapter 109).

DUTIABLE COMMODITIES (AMENDMENT) REGULATIONS, 1953.

In exercise of the powers conferred by section 6 of the Dutiable Commodities Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Dutiable Commodities (Amendment) Regulations, 1953.

2. Part II of the Second Schedule of the Dutiable Commodities regulations is amended by the deletion of—

"Secretary for Chinese Affairs (in Hong Kong, Kowloon and New Kowloon).	Chinese restaurant (Form 16)—	50
	(a) in the New Territories, except New Kowloon, in conjunction with a dealer's licence for Chinese type liquor, and/or a Restaurant adjunct licence for intoxicating liquors other than Chinese type liquors	
District Commissioner (elsewhere in New Territories).	Chinese restaurant licence (Form 16)—"	

Amendment of Part II of Second Schedule. (Vol. IX, p. 341).

and the substitution therefor of the following—

"Secretary for Chinese Affairs (in Hong Kong, Kowloon and New Kowloon); District Commissioner (elsewhere in New Territories).	Chinese restaurant licence (Form 16)—	250"
	(a) in the New Territories, except New Kowloon	



COUNCIL CHAMBER,
14th November, 1953.

(Secretariat 1/3042/46)



Deputy Clerk of Councils.

THE EMERGENCY REGULATIONS ORDINANCE.
(Chapter 241).

THE EMERGENCY (IMPORTATION AND EXPORTATION ORDINANCE)
(AMENDMENT) REGULATIONS, 1953.

In exercise of the powers conferred by section 2 of the Emergency Regulations Ordinance, the Governor in Council has made the following regulations—

- 1.** These regulations may be cited as the Emergency (Importation and Exportation Ordinance) (Amendment) Regulations, 1953. Citation.
- 2.** In these regulations, unless the context otherwise requires, "the Ordinance" means the Importation and Exportation Ordinance. Interpretation.
(Cap. 50).
- 3.** During the continuance in force of these regulations, section 2 of the Ordinance is amended— Amendment
of section 2.
(Cap. 50).

 - (a) by the insertion of the following definition immediately after the definition of "person"—

" 'revenue officer' means a person appointed as such under subsection (1) of section 11 of the Dutiable Commodities Ordinance ;" (Cap. 109).
 - (b) by the insertion of the following definition immediately after the definition of "ship"—

" 'vehicle' includes every means of conveyance or of transit or other mobile apparatus used or capable of being used on land and in whatever way drawn or propelled or carried."
- 4.** During the continuance in force of these regulations section 6 of the Ordinance shall be applied with modifications to read as follows— Modifica-
tion of
section 6.

"6. (1) The granting or refusal of any permit, certificate or licence which may be issued under this Ordinance or under any regulation made thereunder shall be in the absolute discretion of the officer entrusted with the duty of issuing such permit, certificate or licence and such officer may impose any condition whatsoever on the granting of any permit, certificate or licence. The Director may subsequently add further conditions or vary existing ones.



(2) Any person to whom any permit, certificate or licence is issued under this Ordinance or under any regulation made thereunder who contravenes or who without reasonable excuse permits any person to contravene any condition imposed as aforesaid shall be guilty of an offence: Penalty: a fine of one hundred thousand dollars and imprisonment for two years.

(3) Any person who in any application for a permit, certificate or licence under this Ordinance or under any regulation made thereunder or in any declaration required to be made thereby makes any statement or furnishes any information, whether such statement or information is made or furnished verbally or in writing, which is false in any material particular or by reason of the omission of any material particular and which he knows or has reason to believe is false, shall be guilty of an offence: Penalty: a fine of twenty thousand dollars and imprisonment for one year.

(4) In any prosecution for an offence contrary to subsection (3) the burden of proof that he did not know that such statement or information was false and that he did not have reason to believe it to be false, shall lie upon the accused.

(5) Any person who, with intent to deceive, transfers any permit, certificate or licence issued to him under this Ordinance or under any regulation made thereunder to any other person or with such intent suffers, permits or allows any other person to use any such permit, certificate or licence, and any person who with intent to deceive receives, obtains or uses any permit, certificate or licence issued to any other person shall be guilty of an offence: Penalty: a fine of one hundred thousand dollars and imprisonment for one year.

(6) The Director may in his absolute discretion revoke any permit, certificate or licence issued under this Ordinance or under any regulation made thereunder unless he is satisfied that the person to whom the permit, certificate or licence was issued has by reason of its issue entered into an irrevocable commitment: Provided however that notwithstanding evidence of commitment as aforesaid the Director may revoke any permit, certificate or licence which appears to him to have been obtained by false representation.

(7) If any such permit, certificate or licence is cancelled the holder thereof shall forthwith surrender it to the Director.

Any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of five thousand dollars."

5. During the continuance in force of these regulations subsection (1) of section 7 of the Ordinance shall be applied with modifications to read as follows— Modification of section 7.

"7. (1) Upon the failure of any condition of any bond required as a condition on the granting of any permit, certificate or licence issued under this Ordinance or under any regulation made thereunder, the sum secured by the bond shall be deemed to be a debt due to the Crown and may be recovered in the same manner as Crown rents are recovered upon a certificate purporting to be under the hand of the Accountant General."

6. During the continuance in force of these regulations subsection (1) of section 8 of the Ordinance shall be applied with modifications to read as follows— Modification of section 8.

"8. (1) Upon the breach of any condition of any permit, certificate or licence issued under this Ordinance or under any regulation made thereunder, any deposit required as a condition on the granting of such permit, certificate or licence shall upon application to a magistrate be declared by him to be forfeited to the Crown."

7. During the continuance in force of these regulations section 9 of the Ordinance shall be applied with modifications to read as follows— Modification of section 9.

"Arrest, search, removal and detention.

9. (1) It shall be lawful for any authorized officer as defined in subsection (4)—

- (a) to arrest any person whom he reasonably suspects to have committed or to be about to commit an offence against this Ordinance or against any regulation made thereunder;
- (b) to search the person and property and effects of any person whom it is lawful for him to arrest: Provided that no person shall be searched except by a person of the same sex, and provided that no person shall be searched in a public place if he objects to be so searched;

- (c) to enter and search any place and to stop, board and search any vessel, vehicle or aircraft in which he has reason to suspect that there is anything—
 - (i) with respect to which any offence against this Ordinance or any regulation made thereunder has been committed, or
 - (ii) which will afford evidence of the commission of any such offence;
 - (d) to examine and take account of anything;
 - (e) to detain anything for the purpose of paragraph (d) and anything which appears to be or to contain evidence of the commission of any offence against this Ordinance or any regulation made thereunder and further to detain any aircraft, vehicle or vessel in which he finds any article which he has reasonable cause to suspect any person is importing or exporting or attempting to import or export contrary to this Ordinance or to any regulation made thereunder: Provided that no vessel exceeding 250 gross tons and no aircraft may be detained for more than twelve hours without the consent of the Colonial Secretary.
- (2) Any authorized officer may—
- (a) break open any outer or inner door of or in any place which he is empowered to enter and search;
 - (b) forcibly enter any aircraft, vessel or vehicle which he is empowered to stop, enter and search and every part thereof;
 - (c) remove by force any personal or material obstruction to any arrest, detention, search, seizure or removal which he is empowered to make;
 - (d) detain every person found in such place or on board such aircraft, vessel or vehicle until such place or such aircraft, vessel or vehicle has been searched.
- (3) No person shall obstruct any entry, boarding, detention, arrest, search, seizure or removal or ignore any order to stop which is authorized by this Ordinance or by any regulation made thereunder: Penalty:

a fine of five thousand dollars and imprisonment for six months.

- (4) In this section "authorized officer" means—
- (a) the Director;
 - (b) any revenue officer;
 - (c) any police officer of the rank of sub-inspector or above;
 - (d) any commissioned officer of Her Majesty's Armed Forces;
 - (e) such other person as may be authorized by the Director in writing in that behalf."

8. During the continuance in force of these regulations the Ordinance is amended by the insertion after section 9 of the following new section 9A—

Addition
of new
section 9A.

"Seizure.

9A. (1) Anything liable to forfeiture under the provisions of this Ordinance or of any regulation made thereunder may be seized by any authorized officer as defined in subsection (4) of section 9.

(2) (a) Where in any proceedings for the condemnation of anything seized as liable to forfeiture judgment is given for the claimant, the Court may, if it sees fit, certify that there were reasonable grounds for the seizure.

(b) Where any proceedings, civil or criminal, are brought against the Director or any person on account of the seizure of anything, and judgment is given for the plaintiff or prosecutor, then if either—

- (i) a certificate relating to the seizure has been granted under the foregoing subsection; or
- (ii) the Court is satisfied that there were reasonable grounds for seizure,

the plaintiff or prosecutor shall not be entitled to recover any damages or costs and the defendant shall not be liable to any punishment:

Provided that nothing in this subsection shall affect any right of any person to the return of the thing seized or to compensation in respect of any damage to the thing or in respect of the destruction thereof."

Modifica-
tion of
section 14.

9. During the continuance in force of these regulations section 14 of the Ordinance shall be applied with modifications to read as follows—

“14. (1) Any person who contravenes or attempts to contravene any provision of this Ordinance or of any regulation made thereunder shall be guilty of a misdemeanour and shall be liable upon conviction to imprisonment for one year and to a fine of one hundred thousand dollars unless in any case a different penalty is prescribed.

(2) Any regulation made under section 3, 4 or 5 of this Ordinance may provide that the contravention of any such regulation shall be an offence and prescribe penalties therefor : Provided that no penalty so prescribed shall exceed a fine of one hundred thousand dollars and imprisonment for one year.

(3) For the purposes of this Ordinance and any regulation made thereunder, to do any act preparatory to or for the purpose of importation or exportation shall be deemed to be an attempt to import or export : Provided that an application for an import or export permit or licence under this Ordinance or any regulation made thereunder shall not be deemed to be an attempt to import or export if such application is in all respects in accord with the provisions of this Ordinance and of any regulation made thereunder.

(4) Whenever in any prosecution for an offence of importing or exporting or attempting to import or export any article contrary to the provisions of this Ordinance or of any regulation made thereunder it is proved that the accused was in possession of or had in his custody or control an article the importation or exportation of which is prohibited either absolutely or except under permit or licence, the burden of proof that he did not import or export or attempt to import or export such article shall lie upon the accused.”

Modifica-
tion of
section 15.

10. During the continuance in force of these regulations section 15 of the Ordinance shall be applied with modifications to read as follows—

“15. (1) Wherever there occurs a contravention of any provision of this Ordinance or of any regulation made thereunder in respect of any article the importation or exportation of which is prohibited under this Ordinance or any regulation made thereunder either absolutely or except under permit, certificate or licence, such article shall be liable to forfeiture whether or not any person is convicted of any offence.

(2) Any vessel not exceeding 250 gross tons and any vehicle which is made use of in the importation, exportation or attempted importation or exportation of any article contrary to the provisions of this Ordinance or any regulation made thereunder shall be liable to forfeiture whether or not any person is convicted of any offence.

(3) The Director shall within fourteen days of seizure give notice of the seizure of any article or any vehicle or vessel as liable to forfeiture to any person who to his knowledge was at the time of the seizure the owner or one of the owners thereof : Provided that where there appear to be more than one owner notice given to any one such owner shall satisfy the provisions of this section.

(4) Notice under subsection (3) shall be given in writing and shall be deemed to have been duly served on the person concerned—

(a) if delivered to him personally; or

(b) if addressed to him and left or forwarded by registered post to him at his usual or last known place of abode or business.

(5) Where a notice under subsection (3) cannot be given, then a notice of the seizure together with the date and place thereof shall be exhibited in a place available to the public at the office of the Director for a period of seven days within fourteen days after the said seizure.

(6) Any person claiming that any article or any vessel or vehicle seized as liable to forfeiture is not so liable shall within one month of the date of notice of seizure, give notice of his claim in writing by registered post or by delivery by hand of the same to the office of the Director.

(7) If on the expiration of the relevant period aforesaid for the giving of notice of claim in respect of any article, vessel or vehicle no such notice has been given to the Director, the article, vessel or vehicle in question shall be deemed to have been duly condemned as forfeited.

(8) When notice of claim in respect of any article or vessel is duly given in accordance with subsection (6), the Director shall apply to a magistrate for the condemnation of that article, vessel or vehicle, and if the magistrate finds that the article, vessel or vehicle was at the time of seizure liable to forfeiture he shall condemn it as forfeited.

- (9) In any application to a magistrate as aforesaid—
 - (a) the claimant shall satisfy the magistrate that at the time of the seizure the claimant had a proprietary interest in the article, vessel or vehicle so seized;
 - (b) a certified true copy of the record of evidence in any criminal trial relating to such article, vessel or vehicle shall be admissible in evidence;
 - (c) a certificate purporting to be under the hand of the Director of Marine specifying gross tonnage of such vessel shall be admissible in evidence.

(10) Where proceedings as aforesaid are taken for condemnation of a vessel or vehicle the magistrate may order delivery to the claimant of the vessel or vehicle seized until the hearing of the case on security being given by payment into court of a sum of money equivalent to the value of the vessel or vehicle as assessed by the Director.

(11) Notwithstanding the earlier provisions of this section it shall be lawful for the Governor in Council in his absolute discretion after the conclusion of legal proceedings, if any, to entertain and to give effect to any moral claim to or in respect of any article, vessel or vehicle liable to forfeiture.

(Cap. 98).

(12) Where pursuant to the provisions of section 14 of the Post Office Ordinance, any postal packet is by direction of the Governor to be dealt with by being delivered to the Director on the ground that its transmission by post constitutes a breach of any regulations made under section 3, 4 or 5 of this Ordinance such packet shall, for the purpose of subsequent proceedings, be deemed to have been an article seized as liable to forfeiture and shall be dealt with for all purposes in like manner as if it had been seized under the provisions of this Ordinance."

Modifica-
tion of
section 16.

11. During the continuance in force of these regulations paragraph (d) of section 16 of the Ordinance shall be applied with modifications to read as follows—

- “(d) (i) for the Director to amend any Schedule to any regulations made under this Ordinance,
- (ii) for empowering such authorities or persons as may be specified in the regulations to make orders and rules and to issue directions and to make or issue notices, permits, certificates or licences or other documents for the purposes of the regulations, and

- (iii) for the delegation by the Director to any persons appointed by him of any powers, duties and discretions granted to the Director thereunder."

12. Regulation 5 of the Emergency (Exportation) (Miscellaneous Provisions) Regulations, 1951, is rescinded.

Rescission
of regula-
tion 5 of
G.N.A.
76/51.



Clerk of Councils.

COUNCIL CHAMBER,
7th July, 1953.

(Secretariat 2/1426/53)

Explanatory Note.

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

1. These regulations, made by the Governor in Council under section 2 of the Emergency Regulations Ordinance (Chapter 241) amend and modify the provisions of the Importation and Exportation Ordinance (Chapter 50). Their object is to cure without delay certain defects which have been discovered in the operation of that Ordinance and to make more effective the measures necessary to combat the ingenuity of persons minded to evade the restrictions which have been imposed upon imports into and exports from this Colony. These regulations do not however introduce new restrictions upon trade in this Colony. They appear somewhat long, but the alterations made to the existing law are comparatively few, the length of the regulations being caused by the fact that, for ease of reading the Ordinance as modified, whole sections and subsections have been reproduced even in those cases where only minor modifications of form have been made. The modifications to the existing law as made by these regulations, are explained in the following paragraphs.

2. Regulation 3 introduces two new definitions into section 2 of the Ordinance, namely, "revenue officer", and "vehicle".

3. Regulation 4 modifies section 6 of the Ordinance.

Subsection (1) leaves unaltered the rule that permits and licences are grantable in the discretion of the officer authorized to issue them. "Certificates" are added to permits and licences, and come under the same rule. A new provision is however introduced empowering the Director to add new conditions after the grant of a licence, etc., or to vary those already imposed.

Subsection (2), which creates an offence upon proof of contravention of any condition in a permit, etc., has been re-worded, but the sense remains the same.

Subsection (3) has been divided into two subsections but no substantial new provision has been introduced.

A new subsection (5) has been included creating a new provision making it an offence to transfer a permit, etc., with intent to deceive or to allow any other person with such intent to use such permit, etc.

A new subsection (6) has been included enabling the Director of Commerce and Industry to cancel permits, etc., which have been granted. This is modelled, but with additional safeguards to the trader, upon Singapore legislation. (See section 5 of the Control of Imports and Exports Ordinance, 1950, Singapore). Permits, etc., which have been granted may not be cancelled (save where they have been obtained by false representation) if irrevocable commitments have been entered into on the strength of the permit, etc.

Subsection (7) requires the surrender of a cancelled permit, licence or certificate.

4. *Regulations 5 and 6* very slightly modify sections 7(1) and 8(1) of the Ordinance by making these provisions applicable to certificates in like manner as to permits and licences.

5. *Regulations 7, 8 and 10* require to be considered together. They make certain modification to the present law relating to detention, search, seizure and forfeiture as contained in sections 9 and 15 of the Ordinance and are modelled largely upon new provisions in the United Kingdom as contained in the Customs and Excise Act, 1952.

6. *Regulation 7* substantially re-enacts section 9 which at present provides for arrest, search, seizure, removal and detention in the event of suspected contraventions of the Ordinance or of subsidiary legislation but with the following modifications—

- (a) the persons authorized to conduct searches and make arrests, etc., are more precisely defined and now specifically include revenue officers, police officers not below the rank of sub-inspectors and commissioned officers of H. M. Armed Forces; (section 9(4))
- (b) power to seize is excluded from section 9 and is dealt with separately in section 9A (introduced by regulation 8) as certain different considerations apply;
- (c) power is given to detain vessels of over 250 tons and aircraft for a very limited period (12 hours) without the consent of the Colonial Secretary, but his consent is still required for detention beyond that period.

7. *Regulation 8* goes on to provide in a new section 9A(1) for seizure of articles in fact found after search, examination and detention to be "liable to forfeiture", viz. anything dealt with contrary to the provisions of the Ordinance or subsidiary legislation and any vehicle or vessel not exceeding 250 gross tons used in such dealing (see section 15(1) and (2) as modified by regulation 10). (Power to seize vessels over 250 gross tons and aircraft even with the consent of the Colonial Secretary is repealed). Section 9A(2) goes on to provide protection for authorized officers who have seized articles wrongly but on reasonable grounds, but this protection does not deprive the trader of his right to return of the seized articles or of compensation for damage to them.

8. *Regulation 10* modifies the procedure relating to forfeiture as contained in section 15 of the Ordinance and brings it into line with existing provisions in the United Kingdom. Notice of seizure of any article, vehicle or vessel liable to forfeiture must be given (section 15(3), (4) and (5)). Any person claiming that the article seized was not liable to forfeiture must give notice to the Director of Commerce and Industry that he so claims. (Section 15(6)). If no such claim is made the goods are automatically forfeited, but if made condemnation proceedings before a magistrate must be instituted. If the magistrate finds them liable to forfeiture at the time of seizure, he must condemn them as forfeited. (Section 15(7)). The power of the Governor in Council to give effect to moral claims is retained. (Section 15(II)).

9. *Regulation 9* seeks to incorporate into section 14 of the Ordinance a modified version of regulation 5 of the Emergency (Importation) (Miscellaneous Provisions) Regulations, 1951 (G.N.A. 76/51) which is now rescinded by regulation 12 of these regulations. Regulation 5 of the Emergency (Exportation) (Miscellaneous Provisions) Regulations, 1951,

provided for a fine of one hundred thousand dollars and imprisonment for three years for illegal exportation or attempted exportation. The general penalty (except where a lesser penalty is provided for any particular offence) is now reduced to a fine of one hundred thousand dollars and one year's imprisonment (section 14(1) as modified). Regulation 5 of the Emergency (Exportation) (Miscellaneous Provisions) Regulations, 1951, also placed upon the accused the burden of proving he did not commit any offence of illegal exportation or attempted exportation with which he was charged. Whilst it is customary in laws relating to illegal exports and imports to place the burden of proof of certain matters within the knowledge of the accused upon the defence, (compare section 290(2) of the Customs and Excise Act, 1952) it is considered that the existing provision is too sweeping and therefore it is replaced by that contained in section 14(4) of the Ordinance as modified. This provides that where a person is charged with illegal importation or exportation, or attempted importation or exportation and it is proved the accused had the prohibited article in his possession then and then only shall the burden of proof shift to the accused.

10. *Regulation 11* modifying section 16(d) of the Ordinance specifies with more precision the powers of delegation to the Director of Commerce and Industry which may be made by regulation.

THE EMERGENCY (REQUISITION) REGULATIONS, 1949.

EMERGENCY (REQUISITION) (USE OF LAND BY HER MAJESTY'S
MILITARY FORCES) (QUARRY CAMP) ORDER, 1953.

In exercise of the powers vested in him by regulation 6 of the Emergency (Requisition) Regulations, 1949, the Governor has made the following Order—

1. This Order may be cited as the Emergency (Requisition) (Use of Land by Her Majesty's Military Forces) (Quarry Camp) Order, 1953. Citation.

2. In this Order—

Interpreta-
tion.

"Commanding Officer" means the officer in command of Her Majesty's Troops in QUARRY CAMP;

"Firing Area" means the area of land at QUARRY CAMP more particularly described and delineated in the First Schedule hereto as the QUARRY CAMP One Hundred Yards Classification Range; First
Schedule.

"Forces" means Her Majesty's Military Forces.

3. Subject to the provisions of this Order, the Forces are authorized to use the Firing Area daily and between the following hours—namely 8.00 a.m. and 6.00 p.m. Forces
authorized
to use land.

4. The use of the Firing Area as a classification range shall be subject to the conditions specified in the Second Schedule hereto. Conditions
of use.
Second
Schedule.

5. Notice that practice firing is about to take place shall be given in the manner specified in the Third Schedule hereto. Notice of
practice
firing.
Third
Schedule.

6. No person shall be or remain upon the Firing Area while it is being used as a practice range without the prior permission of the Commanding Officer. Entry upon
Firing
Area
by un-
authorized
persons
prohibited.

FIRST SCHEDULE. [Paragraph 2.

THE QUARRY CAMP ONE HUNDRED YARDS CLASSIFICATION RANGE.

1. All that area of land situate at QUARRY CAMP and bounded—

By a line starting at a point grid reference 36861570, thence to a point in the direction of 52° grid reference 36911573, thence to a point in the direction of 108° grid reference 37221562, thence to a point in the direction of 143° grid reference 37471528, thence to a point in the direction of 232° grid reference 37121503, thence to a point in the direction of 323° grid reference 36871535, thence to starting point in the direction of 358°.

SECOND SCHEDULE. [Paragraph 4.

Conditions of Use.

Weapons to be fired.

1. The use of the range shall be limited to the firing of the following weapons—

- (a) Rifles.
- (b) Light Machine Guns.
- (c) Carbines.
- (d) Pistols.

Location of butts.

2. The target area and butts shall be confined to within twenty yards of a point grid reference 36951565.

Construction of fire brakes.

3. The Forces shall make and maintain such fire brakes around butts and target areas as may be deemed necessary by the Director of Agriculture, Fisheries and Forestry.

Control of fires.

4. The Forces shall be prepared to take and shall take immediate action to extinguish any fire started by them outside the butts or target area during the course of or as a result of practice firing.

Compensation for damage to forestry lot trees and crops.

5. (1) The Forces shall pay to the owners or lessees thereof compensation for damage or loss caused to forestry lot trees or crops by the use of the Firing Area as a practice range.

(2) Such compensation shall be assessed by the District Commissioner, New Territories, in consultation with the Director of Agriculture, Fisheries and Forestry.

THIRD SCHEDULE. [Paragraph 5.

Notice of Practice Firing.

Notice of practice firing to be given by the display of signals.

1. (1) Notice that practice firing is taking place in the Firing Area shall be given by the display of the signals hereinafter mentioned.

(2) Such signals shall be displayed thirty minutes before firing is due to commence.

(3) In all cases signals shall remain displayed until firing has ceased and shall then be removed.

Description and location of signals.

2. The signals referred to in paragraph 1 shall be—

(1) A large red flag flown hoisted with a sentry posted at the base of the flagpole from which the aforementioned flag is flown at the following points—

- (i) grid reference 36811574 GSGS 3868 Sheet 15 Third Edition.
- (ii) grid reference 37181586 GSGS 3868 Sheet 10 Third Edition.

(iii) grid reference 37361507 GSGS 3868 Sheet 14 Third Edition.

(iv) grid reference 36801546 GSGS 3868 Sheet 14 Third Edition.

(2) Such other signals or warnings as may appear suitable and practicable to the District Commissioner, New Territories, and to the Commanding Officer.

By Command,

Colonial Secretary.

20th November, 1953.

Explanatory Note.

This Order is made to authorize Her Majesty's Forces to use certain land at QUARRY CAMP for practice firing. The Order prohibits access to the areas affected during specified hours on all days of each week. The prohibition enforceable by penalty is necessary so as to enforce safety precautions. Provision is also made by the Order for payment of compensation to owners or lessees of land affected where damage or loss is caused to trees or crops by use of the area of land as a practice range.

(Secretariat 1/4941/52)

THE EMERGENCY REGULATIONS ORDINANCE.

(Chapter 241)

EMERGENCY (SPECIAL CONSTABULARY) (AMENDMENT)
REGULATIONS, 1953.

In exercise of the powers conferred by section 2 of the Emergency Regulations Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Emergency Citation. (Special Constabulary) (Amendment) Regulations, 1953.

2. Regulation 2 of the Emergency (Special Constabulary) Regulations (hereinafter referred to as the principal regulations) is amended by the insertion of the following definition after the definition of "Special Constabulary"—

Amendment
of
regulation
2. (G.N.A.
270/50).

"Special Constabulary Pay Code" means the British Pay Code and the Allowance Regulations applicable to the Army from time to time: Provided that in giving effect to this interpretation—

- (i) no member shall be deemed to be locally domiciled;
- (ii) the ranks of members shall be deemed to correspond to ranks in the Army in the manner specified in the Schedule hereto;"

3. Regulation 11 of the principal regulations is amended—

(a) by the deletion of sub-regulation (1) thereof and the substitution therefor of the following—

Amendment
of
regulation
11.

"(1) A member when called out for active service shall receive the pay and allowances appropriate to his rank at the rates prescribed in the Special Constabulary Pay Code.";

(b) by the deletion of sub-regulation (2) thereof.

4. The Schedule to the principal regulations is amended—

Amendment
of the
Schedule.

(a) by the addition of the word "FIRST" before the word "SCHEDULE" in the heading thereof;

(b) by the deletion of the words "while called out for active service" in the first line of regulation 3 and in the sixth line of sub-regulation (1) of regulation 4 thereof.

Addition
of a
Second
Schedule.

5. The principal regulations are amended by the addition after the First Schedule of the following Schedule—

"SECOND SCHEDULE. [reg. 2]

Constable	= Private
Corporal	= Corporal
Sergeant	= Sergeant
Sub-Inspector	= Second Lieutenant
Assistant Superintendent of Police	= Captain
Superintendent of Police	= Major
Senior Superintendent of Police	= Lieutenant-Colonel".

Deputy Clerk of Councils.

COUNCIL CHAMBER,

13th January, 1953.

Explanatory Note.

Heretofore, the pay and allowances which members of the Special Constabulary were eligible to receive have been equated to Police Force rates, and not to the rates applicable to the Royal Hong Kong Defence Force and the Essential Services Corps. This is now felt to be inequitable, and the effect of these regulations is to make members of the Special Constabulary, when called out for active service or in training, eligible to receive the same rates of pay and allowances as other members of the emergency services would be eligible to receive under the same circumstances.

(Secretariat 2/2761/47)

THE EMERGENCY REGULATIONS ORDINANCE.
(Chapter 241).

EMERGENCY (SPECIAL CONSTABULARY) (AMENDMENT)
(NO. 2) REGULATIONS, 1953.

In exercise of the powers conferred by section 2 of the Emergency Regulations Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Emergency Citation. (Special Constabulary) (Amendment) (No. 2) Regulations, 1953.

2. The Second Schedule to the Emergency (Special Constabulary) Regulations is amended by the insertion after the words "Sub-Inspector = Second Lieutenant" of the following—
Amendment of the Second Schedule. (G.N.A. 270/50).

"Inspector = Lieutenant".

Clerk of Councils.

COUNCIL CHAMBER,

10th February, 1953.

(Secretariat 2/2761/47).

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THE EMERGENCY REGULATIONS ORDINANCE.
(Chapter 241).

THE EMERGENCY (SQUATTER CLEARANCE) REGULATIONS, 1953.

In exercise of the powers conferred by section 2 of the Emergency Regulations Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Emergency Citation. (Squatter Clearance) Regulations, 1953.

2. In these regulations—

“building authority” has the meaning assigned by section 2 of the Buildings Ordinance;

Inter-
pretation.

(Cap. 123).

“lease” includes an agreement for a lease;

“unlawful structure” means—

(a) any temporary or permanent structure or part thereof erected or maintained—

(i) without lawful authority on Crown land,

(ii) otherwise than in accordance with the terms of the lease or permit on land held on lease or permit from the Crown,

(iii) without the authority of the lessee or permittee on land held on lease or permit from the Crown,

(iv) without the approval of the building authority in cases where such approval is required, or

(v) by a squatter;

(b) any cave or tunnel occupied by a squatter or other person without lawful authority.

3. A competent authority shall be a person appointed by name or office by the Governor in writing for the purposes of these regulations. Any such appointment may be made in respect of the whole or any part of the Colony but shall be deemed to extend to the whole of the Colony unless otherwise expressed.

Powers in respect of squatters and unlawful structures on Crown land.

- 4. A competent authority may—
 - (a) evict from any unlawful structure upon Crown land any squatter or other occupant thereof,
 - (b) remove from Crown land or from any portion thereof any squatter or trespasser,
 - (c) take possession of, demolish and remove any unlawful structure upon Crown land.

Competent authority may require lessee or permittee of land to remove squatters and unlawful structure,

- 5. (1) A competent authority may by notice in writing require the lessee of land held on lease from the Crown or the permittee of land held on permit from the Crown—
 - (a) to evict from any unlawful structure upon such land any squatter or other occupant thereof,
 - (b) to remove from such land or from any portion thereof any squatter or trespasser,
 - (c) to take possession of, demolish and remove any unlawful structure upon such land.
- (2) Any notice given by a competent authority under sub-regulation (1) may specify—
 - (a) the time within which the requirement is to be completed; and
 - (b) that any work to be done in pursuance of a requirement under paragraph (c) of sub-regulation (1) shall be at the expense of the lessee or permittee, as the case may be.
- (3) Upon notice as aforesaid being given, the lessee or permittee, as the case may be, shall act in accordance with the terms thereof.

Power of competent authority in respect of squatters and unlawful structures on land on lease and on permit.

- 6. (1) Wherever—
 - (a) a lessee or permittee cannot readily be found or for any other reason notice cannot be given as provided in sub-regulation (1) of regulation 5;
 - (b) a competent authority is satisfied that it is necessary or desirable that such notice should be dispensed with; or
 - (c) a lessee or permittee does not comply with such notice,
- a competent authority may, without giving such notice or any further notice, as the case may be, enter upon land held on lease or permit from the Crown and exercise thereon the powers provided by paragraphs (a), (b) and (c) of sub-regulation (1) of regulation 5.

(2) Wherever a competent authority acting under sub-regulation (1) takes possession of, demolishes or removes any unlawful structure, the cost of such demolition or such removal may, in the discretion of a competent authority, be recovered from the lessee or the permittee, as the case may be.

7. (1) Wherever any power has been exercised under regulations 4, 5 and 6 or under any requirement made thereunder a competent authority may give such directions and take such measures as he may consider desirable or necessary to prevent the re-occupation of any land or of any unlawful structure thereon by squatters and trespassers or the erection on such land of unlawful structures. Power of competent authority to prevent reoccupation of land by squatters.

(2) Without prejudice to the generality of sub-regulation (1), a competent authority may require a lessee or permittee of land on lease or permit from the Crown to employ watchmen at his own expense for the purposes of that sub-regulation.

(3) Wherever a competent authority for the purposes of sub-regulation (1) employs watchmen on land on lease or permit from the Crown, the cost thereof may, in the discretion of a competent authority be recovered from the lessee or permittee as the case may be.

8. (1) A competent authority may recover by action in the District Court any sum due under sub-regulation (2) of regulation 6 or sub-regulation (3) of regulation 7 and the District Court shall have jurisdiction notwithstanding that such sum exceeds five thousand dollars. Recovery of sums due by lessee or permittee.

(2) If a lessee does not satisfy a judgment obtained under sub-regulation (1), a right of re-entry upon the land leased shall be deemed to have accrued to Her Majesty under section 2 of the Crown Rights (Re-Entry) Ordinance and the provisions of that Ordinance shall apply. (Cap. 126).

9. Where any requirement is made or notice or direction given under these regulations, it shall not, save where express provision is made therefor, be necessary for such requirement, notice or direction to be in writing and the competent authority may bring any requirement, notice or direction to the notice of all persons who in his opinion ought to have notice thereof in such manner as he thinks fit. Publicity of notices and directions.

10. (1) Where any power is conferred upon any officer or person by these regulations or by any requirement, notice or direction made or given thereunder, such power may be exercised Exercise of power and penalties for dis-

obedience and obstruction.

by that officer or person and by other persons acting by direction, and that officer or person and any other persons so acting may use all force reasonably necessary for the exercise of that power.

(2) Any person who—

- (a) wilfully disobeys a requirement, notice or direction made or given by any officer or person in the exercise of any power he may exercise by reason of sub-regulation (1); or
- (b) resists or obstructs such officer or person in the exercise of such power,

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

Regulations do not confer any rights upon permittees of land save as expressly provided.

11. For the avoidance of doubt it is hereby declared that nothing in these regulations shall be deemed to confer upon a permittee of land held on permit from the Crown any power or right other than is expressly provided herein and that nothing in these regulations and nothing done hereunder shall be deemed to constitute a waiver by the Crown of the breach of any condition of any permit on which land is held or to limit any power or right of the Crown or its officers to cancel any such permit for breach of any condition thereof or for any other lawful cause.

Repeal G.N.A. 242/48.

12. The Public Health (Sanitary Provisions) Regulations, 1948, are repealed.

COUNCIL CHAMBER,
29th December, 1953.



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 Public Health (Sanitary Provisions) Regulations, 1948, and improve the machinery for squatter clearance, in the light of experience which has shown up several defects in the existing provisions.

The three principal defects were—

- (a) the absence of a single controlling authority, the Deputy Director of Health Services, Director of Public Works and Commissioner of Police being given parallel powers;

- (b) restriction of the conditions under which clearances could be effected to matters affecting public health, whereas the prevention of fire and promotion of orderly development were of almost equal importance; and

- (c) the absence of any power to remove persons as well as structures.

All these defects are remedied in the new regulations, which give the competent authority power to remove squatters, trespassers and unlawful structures from Crown land, and to require lessees and permittees to do the same on leased land and land held on permit, and in default of action by a lessee or permittee, to carry out the removal charging the lessee or permittee for the cost thereof. There is also power to take such measures as may be necessary to prevent re-erection of unlawful structures, or reoccupation by squatters of land once cleared.

“Squatter” has not been defined in the regulations because it is a well-known legal term which has been interpreted judicially as “a person who has taken possession of a piece of land and occupied it by buildings or by cultivation, and has, by so taking possession of it, asserted a right to it”.

(Secretariat 3/4802/53)

FERRIES ORDINANCE.

(Chapter 104).

EXCLUDED FERRIES (NO. 1) (RESCISSION) REGULATIONS, 1953.

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 Excluded Ferries Citation. (No. 1) (Rescission) Regulations, 1953.

2. The Excluded Ferries (No. 1) Regulations are hereby rescinded.


Deputy Clerk of Councils.

Rescission
of the
Excluded
Ferries
(No. 1)
Regula-
tions.
(Vol. IX,
p. 212).

COUNCIL CHAMBER,

17th January, 1953.

(Secretariat 2/5481/47)

FERRIES ORDINANCE.

(Chapter 104).

EXCLUDED FERRIES (RESCISSION) (No. 2) REGULATIONS, 1953.

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 Excluded Ferries Citation (Rescission) (No. 2) Regulations, 1953.

2. The Excluded Ferries Regulations, 1952, are hereby rescinded.

Rescission
of the
Excluded
Ferries
Regula-
tions, 1952.
(G.N.A.
66/52).



Deputy Clerk of Councils.

COUNCIL CHAMBER,
26th January, 1953.

(Secretariat 1/5481/52)

THE FERRIES ORDINANCE.

(Chapter 104).

THE EXCLUDED FERRIES REGULATIONS, 1953.

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 Excluded Ferries Regulations, 1953, and shall come into operation on the 28th day of May, 1953. Citation and commencement.

2. The ferry named hereunder is excluded from the operation of the Ordinance so long as— Ferry excluded from operation of Ordinance.

- (a) no exclusive and conflicting licence is granted under the Ordinance; and
- (b) the number of vessels serving the ferry runs is adequate to maintain a service and schedule approved by the Director of Marine; and
- (c) all directions which may be given by the Director of Marine in respect of—
 - (i) ferry points or piers and their erection, use and maintenance, and
 - (ii) intermediate places or ports of call, are complied with; and
- (d) only vessels licensed and approved for the purpose by the Director of Marine are employed; and
- (e) the fares and charges at any time taken and made are approved by the Director of Marine:

Provided that notwithstanding the above prescribed conditions, the period of exclusion shall be for a period of two years terminating on the 28th day of May, 1955, determinable nevertheless during such period of exclusion by the Director of Marine on one month's notice being given.

Excluded Ferry.

The Ferry of Yue Lai Kwok between Hong Hom and Shaukiwan.

Rescission. 3. The regulations published as Government Notification No. A.67 of 1951 in Supplement No. 2 of the *Gazette* of the 13th April, 1951, are rescinded.



Deputy Clerk of Councils.

COUNCIL CHAMBER,
14th May, 1953.

(Secretariat 6/5481/50)

HAWKERS ORDINANCE.

(Chapter 157).

HAWKERS (AMENDMENT) BY-LAWS, 1953.

In exercise of the powers conferred by section 2 of the Hawkers Ordinance, the Urban Council has made the following by-laws—

1. These by-laws may be cited as the Hawkers (Amendment) Citation. By-laws, 1953.

2. By-law 8 under the heading "GENERAL BY-LAWS FOR ALL CLASSES OF HAWKERS" of the Hawkers By-laws (hereinafter referred to as the principal by-laws) is rescinded and replaced by the following—

Rescission and replacement of by-law 8 under the heading "General By-laws for all classes of hawkers". (Vol. X, p. 208).

"Expiry and renewal of licence and fee for renewal.

8. (1) Every annual licence for the Island of Hong Kong shall expire on the 30th September.

(2) Every annual licence for Kowloon and New Kowloon shall expire on the 31st March, provided that licences due to expire on the 30th September, 1953, shall be renewable for a period of 6 months, and half fees only shall be payable for the period 1st October, 1953, to 31st March, 1954.

(3) Licences shall be renewed by endorsement on the licence upon payment of the appropriate annual licence fee, unless the Council in its absolute discretion shall otherwise direct."

3. By-law 19 under the heading "GENERAL BY-LAWS FOR ALL CLASSES OF HAWKERS" of the principal by-laws is amended by—

Amendment of by-law 19 under the heading "General By-laws for all classes of hawkers".

(a) the deletion of the words "street or public thoroughfare" from the first and second lines of the definition of "hawker" and the substitution therefor of the following—

"public place";

(b) the addition of the following after the definition of "hawker"—

" "public place" includes all piers, thoroughfares, streets, roads, lanes, alleys, courts, squares, archways, waterways, passages, paths, playgrounds, gardens, ways and places to which the public have access either continuously or periodically, whether the same are the property of the Crown or of private persons;".

Amendment of by-law 20 under the heading "General By-laws for all classes of hawkers".

4. By-law 20 under the heading "GENERAL BY-LAWS FOR ALL CLASSES OF HAWKERS" of the principal by-laws is amended by the deletion of the figure "10" from the tenth line thereof and the substitution therefor of the following—

"11".

Amendment of by-law 8 under the sub-heading "Class 1.—Stallholder hawkers".

5. By-law 8 under the sub-heading "Class 1.—Stallholder Hawkets" of the principal by-laws is amended by the addition after the word "width" at the end thereof of the following—

" : Provided that the presence of a water drum not exceeding fifty gallons capacity beside a cooked food stall, and of two narrow benches, seven feet and four feet in length, along the two free sides of such stall, shall not be regarded as an extension to the stall".

Amendment of by-law 10 under the sub-heading "Class 1.—Stallholder hawkers".

6. By-law 10 under the sub-heading "Class 1.—Stallholder Hawkets" of the principal by-laws is amended by the deletion of the full-stop at the end thereof and the addition of the following—

"or kerosene: Provided that stoves and containers for kerosene shall be of a pattern approved by the Council."

Insertion of new by-law 6B under the sub-heading "Class 2.—Fixed pitch hawkers".

7. The principal by-laws are amended by the insertion after by-law 6A under the sub-heading "Class 2.—Fixed Pitch Hawkets" of the following—

"Approved type of fixed pitch stall.

6B. Only fixed pitch stalls of a pattern approved by the Council and similar to the models exhibited at the offices of the Council, shall be used: Provided that under special traffic conditions this requirement may be waived and two baskets only will be allowed."

8. The principal by-laws are amended by the insertion after by-law 8 under the sub-heading "Class 2.—Fixed Pitch Hawkets" of the following—

Insertion of new by-law 8A under the sub-heading "Class 2.—Fixed pitch hawkets".

"Refuse bin.

8A. Every fixed pitch hawker trading in food commodities shall provide and maintain to the satisfaction of the Council a covered iron receptacle for refuse."

9. The principal by-laws are amended by the addition after by-law 10 under the sub-heading "Class 2.—Fixed Pitch Hawkets" of the following—

Addition of new by-law 11 under the sub-heading "Class 2.—Fixed pitch hawkets".

"Employment of assistant.

11. (1) Every licensee shall employ at his pitch only such assistant as the Council may approve. The name and photograph of the assistant so approved shall be endorsed on the licence and a fee of \$5.00 shall be paid for every such endorsement.

(2) The Council shall issue to every approved assistant a lapel card bearing his name, photograph, licence number of the pitch, particulars of pitch and class of goods to be sold, and the assistant shall at all times when employed at the pitch, wear the said lapel card on his clothing externally in a conspicuous place so as to be clearly visible. A fee of \$1.00 shall be paid for every assistant's lapel card.

(3) In any case where an assistant has been approved by the Council both the assistant and the licensee shall be held jointly and severally responsible for the due observance of these by-laws."

10. Part I under the heading "Island of Hong Kong" of Appendix II of the principal by-laws is amended by the deletion of the words "no licences." in column 4 of item 2 thereof and the substitution therefor of the following—

Amendment of Part I of Appendix II.

"\$20.00".

11. Part II under the heading "Kowloon and New Kowloon" of Appendix II of the principal by-laws is amended by the deletion of—

Amendment of Part II of Appendix II.

(a) the words "no licences." in columns 3 and 4 of item 1 thereof and the substitution therefor of the symbols and figures "\$100.00" and "\$20.00" respectively;