

Revocation  
and replace-  
ment of  
rule 26.

3. Rule 26 of the principal rules is revoked and replaced by the following—

“Notification of absence of a probationer. 26. Where a probationer is absent without leave from an approved institution, the superintendent thereof shall forthwith notify the Principal Probation Officer and the probation officer entrusted with the supervision of the probationer.”.

Amendment  
of rules  
30 and 31.

4. Rules 30 and 31 of the principal rules are amended by the deletion of the word “detained” wherever the same occurs and the substitution therefor of the following—

“in residence”.

Amendment  
of rule 35.

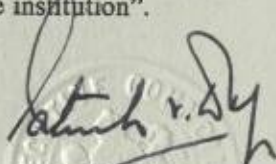
5. Rule 35 of the principal rules is amended—

(a) by the deletion of the word “detained” wherever the same occurs and the substitution therefor of the following—

“in residence”; and

(b) by the deletion in paragraph (4) of the words “a probation officer” and the substitution therefor of the following—

“the superintendent of the institution”.

  
Clerk of Councils.

COUNCIL CHAMBER,  
2nd April, 1963.

*Explanatory Note.*

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

The purpose of these rules is to amend the Probation of Offenders Rules, 1958 to enable them to conform more accurately to the spirit and purpose of probation orders and to give the superintendent of an approved institution under those rules more specific power to grant to a probationer leave of absence.

(Secretariat GR27/3231/53)

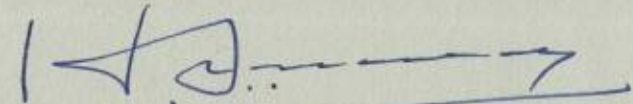
THE JUVENILE OFFENDERS ORDINANCE.  
(Chapter 226).

PLACES OF DETENTION (JUVENILE OFFENDERS)  
APPOINTMENT, 1963.

In exercise of the powers conferred by section 19 of the Juvenile Offenders Ordinance, the Commissioner of Police has made the following Appointment—

1. This Appointment may be cited as the Places of Detention Citation. (Juvenile Offenders) Appointment, 1963.

2. The Commissioner of Police has appointed with effect from 26th day of March, 1963, the Begonia Road Boys Home situate at Begonia Road, Yau Yat Chuen, Kowloon, as a place of detention for all the purposes of the Juvenile Offenders Ordinance. Appointment of places of detention. (Cap. 226).



Commissioner of Police.

26th March, 1963.

(Secretariat GR2/5091/55)

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

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 14) 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. 14) 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 830,001 to 845,000 and the family, if any, of such holder.


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

By Command,

2nd April, 1963.

(Secretariat D/RPO)

  
Colonial Secretary.



PROBATION OF OFFENDERS ORDINANCE, 1956.

(No. 57 of 1956).

**PROBATION OF OFFENDERS (APPROVED INSTITUTION)  
ORDER, 1963.**

In exercise of the powers conferred upon him by section 11 of the Probation of Offenders Ordinance, 1956, His Excellency the Governor has made the following Order—

1. This Order may be cited as the Probation of Offenders Citation.  
(Approved Institution) Order, 1963.

2. The Begonia Road Boys Home is hereby approved for the Approval of  
reception of persons who may be required to reside therein by a pro- Institution.  
bation order.

By Command,



Colonial Secretary.

8th April, 1963.

(Secretariat GR27/3231/53)

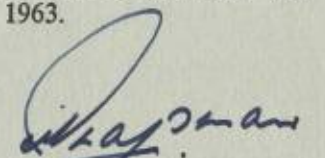


**URBAN COUNCIL (COMMISSIONER FOR RESETTLEMENT)  
ORDINANCE, 1954.**

**(No. 19 of 1954).**

Resolution made and passed by the Legislative Council under section 3 of the Urban Council (Commissioner for Resettlement) Ordinance, 1954, on the 10th day of April, 1963.

Resolved, pursuant to section 3 of the Urban Council (Commissioner for Resettlement) Ordinance, 1954, that the duration of the said Ordinance be extended for the term of one year with effect from the 30th day of April, 1963.



*Deputy Clerk of Councils.*

COUNCIL CHAMBER,  
10th April, 1963.

(Secretariat GR10/3231/54)



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

**SWIMMING POOLS (AMENDMENT) BY-LAWS, 1963.**

In exercise of the powers conferred by section 42 of the Public Health and Urban Services Ordinance, 1960, the Urban Council has made the following by-laws—

1. These by-laws may be cited as the Swimming Pools (Amendment) By-laws, 1963. Citation.

2. By-law 3 of the Swimming Pools By-laws, 1961, is amended in paragraph (1) in the definitions "swimming pool" and "pool" by the deletion of the words "belongs to" and the substitution therefor of the following— Amendment of by-law 3. (G.N.A. 31/61).

"is operated by".

Made by the Urban Council this 5th day of February, 1963.

T S J. WHITLEY,  
Secretary.

Approved by the Legislative Council this 10th day of April, 1963.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
10th April, 1963.

*Explanatory Note.*

*(This Note is not part of the by-laws, but is intended to indicate their general purport).*

The effect of these by-laws is to extend the operation of the Swimming Pools By-laws, 1961, to include swimming pools which are operated by clubs and other similar associations and not only those in which the ownership is vested in such associations.

(Secretariat GR5/3231/6011)



RENT INCREASES (DOMESTIC PREMISES) CONTROL  
ORDINANCE, 1963.

(No. 7 of 1963).

RENT INCREASES (DOMESTIC PREMISES) CONTROL  
(RULES OF COURT) RULES, 1963.

In exercise of the powers conferred by section 20 of the Rent Increases (Domestic Premises) Control Ordinance, 1963, the Chief Justice has made the following rules—

1. These rules may be cited as the Rent Increases (Domestic Premises) Control (Rules of Court) Rules, 1963. Citation.
2. An applicant or appellant may lodge with the Registrar of the District Court (hereinafter referred to as the Registrar) an application or appeal in the appropriate form prescribed in the First Schedule, together with such copies as are necessary for the purpose of service under rule 3. Submission of application and appeals.  
First Schedule.
3. On receipt of any application or appeal filed under rule 2 the Registrar shall cause a copy thereof to be served on the person required to be made the respondent under the Rent Increases (Domestic Premises) Control Ordinance, 1963, (hereinafter referred to as the Ordinance), together with a notification in the form prescribed in the First Schedule of the time and place of the hearing of the application or appeal and of his rights of appearing in person or by counsel or solicitor. Procedure after submission of application or appeal.  
(7 of 1963).  
First Schedule.
4. Where under the Ordinance or these rules time is prescribed for the doing of any act in connexion with an application or appeal to the District Court, the Registrar may, on cause being shown in writing, enlarge such time as he shall see fit. Enlargement of time.
5. Where any application or appeal is withdrawn or settled, the claimant or appellant, as the case may be, shall give notice in writing thereof forthwith to the Registrar and to the respondent. Withdrawal or settlement of application or appeal.
6. Either party may at any time not later than nine days before the date of the hearing give to the other party notice in writing to admit any fact or document and if a party to whom such notice is given neglects to admit such fact or document, the cost of proving the same in evidence at the hearing shall be paid by the party so neglecting or refusing unless the Court otherwise orders. Notice to admit facts and documents.
7. Either party may at any time not later than nine days before the date of the hearing give to the other party a notice in writing to produce at the hearing any document in his possession, and if such notice is Notice to produce conditions.



not complied with, secondary evidence of the contents of such documents may be given by or on behalf of the party who gave such notice.

Application for directions.

8. At any time prior to the date of the hearing application in writing may be made to the Registrar for directions relating to any matter incidental to the hearing of the application or appeal, and upon such application the Registrar may make such order as he thinks fit.

Default in appearance.

9. Where the respondent does not appear at the time and place set down for the hearing, the Court may, on being satisfied that notice of such time and place was served on him, proceed to hear and determine the application or appeal.

Evidence.

10. (1) The Court may permit evidence to be given orally on oath, or declaration or by means of affidavits.

(2) The Court may accept in evidence any certificate purporting to be issued by the Commissioner of Rating and Valuation, in addition to those provided for in the Ordinance, and such certificate shall be prima facie evidence of the facts set out therein.

Service to be effected by parties.

11. Subject to rule 3 service shall be effected by or at the instance of the parties.

Costs.

12. The Court may make such order as to costs as it shall think fit, and may direct by whom such costs shall be assessed. Any such assessment shall be based on the scale of costs applicable for the time being to the District Court in the exercise of its civil jurisdiction.

Fees. Second Schedule.

13. The fees prescribed in column 3 of the Second Schedule shall be payable in respect of the matters specified in column 2 thereof, and in respect of matters not prescribed therein there shall be payable the fees provided for in the rules relating to the civil jurisdiction of the District Court.

FIRST SCHEDULE. [rules 2 & 3]

FORMS.

RENT INCREASES (DOMESTIC PREMISES) CONTROL (RULES OF COURT) RULES, 1963.

FORM I.

Rent Increases Application No. of 196 .

..... Applicant  
..... Respondent

I, ..... (name) being the landlord/tenant or principal tenant/sub-tenant\* of ..... (full description of premises) and having ..... (name) as the

landlord/tenant or principal tenant/sub-tenant\* of such premises, claim that there is/not\* a domestic tenancy/sub-tenancy\* in existence within the meaning of section 4.

The Commissioner of Rating and Valuation has/not\* issued a certificate (copy of which is attached hereto), and I now apply for a review/determination\* and an order declaring that the tenancy/sub-tenancy\* is/not\* a domestic one.

Date .....  
Signature of Applicant or Solicitor.

[Note: \* Delete whichever is not applicable.]

RENT INCREASES (DOMESTIC PREMISES) CONTROL (RULES OF COURT) RULES, 1963.

FORM II. [section 6.]

Rent Increases Application No. of 196 .

..... Applicant/Appellant\*  
vs.  
..... Respondent\*

I, ..... (name) being the landlord/ principal tenant\* of ..... (full description of the premises) gave my tenant/sub-tenant\* notice to quit on ..... (date), and specified therein that I was entitled to possession on the ground that .....

..... (state on which grounds possession is claimed under section 6(2) or (4).)

My tenant/sub-tenant\* ..... (name) has served on me a counter-notice.

The notice to quit should take effect on ..... (date) and I apply for an order for possession.

Date .....  
Signature of Applicant or Solicitor.

[Note: \* Delete whichever is not applicable.]

RENT INCREASES (DOMESTIC PREMISES) CONTROL (RULES OF COURT) RULES, 1963.

FORM III. [section 10.]

Rent Increases Application No. of 196 .

..... Applicant/Appellant\*  
vs.  
..... Respondent\*

I, ..... (name) being the landlord of ..... (full description of premises) have received a provisional certificate, a copy of which is attached hereto, specifying that a fair increase in rent would be ..... and have also received a notice of objection from my tenant ..... (name), and the said notice of objection is attached hereto.

I apply for a determination of the facts disputed and for confirmation of the provisional certificate/an order\* for such increase in rent as the Court considers reasonable.

Date .....  
Signature of Applicant or Solicitor.

[Note: This application must be filed with the Registrar of the Victoria/Kowloon/Fanling District Court\* within 14 days of the service on the landlord of the notice of objection.

\* Delete whichever is not applicable.]

RENT INCREASES (DOMESTIC PREMISES) CONTROL  
(RULES OF COURT) RULES, 1963.

FORM IV. [section 12]

Rent Increases Appeal No. .... of 196 .  
..... Appellant  
vs.  
..... Respondent

I, ..... (name) being the landlord of ..... (full description of premises), and having ..... (name) as the tenant of such premises, have received a certificate issued under section 11(4) specifying that no increase in rent is justified/that an increase in rent of ..... (amount) is fair and reasonable in the circumstances of the tenancy.\* A copy of the certificate is attached hereto.

I appeal against such certificate and apply for an order for an increase in rent of ..... (amount), or such other increase as the Court may think fair in the circumstances of the tenancy.

Date .....  
Signature of Appellant or Solicitor.

[Note: \* Delete whichever is not applicable.]

RENT INCREASES (DOMESTIC PREMISES) CONTROL  
(RULES OF COURT) RULES, 1963.

FORM V. [section 13.]

Rent Increases Application No. .... of 196 .  
..... Applicant/Appellant\*  
vs.  
..... Respondent\*

I, ..... (name) being the landlord of ..... (full description of premises), and having ..... (name) as the tenant of such premises, have received a certificate issued under section 11(2)/(3)\* specifying that an increase of only 10 per cent being wholly unreasonable a fair increase would be ..... (amount)/setting out the views of the panel members consulted by the Commissioner and his own opinion that an increase limited to 10 per cent would not be wholly unreasonable.\* A copy of the certificate is attached hereto.

I apply for an order for an increase in rent of ..... (amount), or such other increase as the Court may think fair in the circumstances of the tenancy.

Date .....  
Signature of Applicant or Solicitor.

[Note: \* Delete whichever is not applicable.]

RENT INCREASES (DOMESTIC PREMISES) CONTROL  
(RULES OF COURT) RULES, 1963.

FORM VI.

Rent Increases Application No. .... of 196 .  
..... Applicant  
vs.  
..... Respondent

Notice is hereby given that the application/appeal, a copy of which is served on you together with this Notice, will be heard at ..... o'clock in the fore/afternoon on the ..... day of ..... 196 , at the Victoria/Kowloon/Fanling District Court, and that you may appear in person or be represented by counsel or solicitor; in the event, however, of your failing to appear personally or by your legal representative the Court may proceed to hear and determine the application/appeal.

Date .....  
Registrar of the District Court.

## SECOND SCHEDULE.

[rule 13.]

## FEES.

1. Filing of application or notice of appeal under rule 2 .....	\$6.00
2. Notice of withdrawal or settlement .....	\$1.00
3. Application for directions under rule 8 including order .....	\$4.00
4. Filing any affidavit or declaration .....	\$2.00
5. Filing any notice or document not hereinbefore referred to .....	\$1.00

Made this 3rd day of April, 1963.

*Michael Goggin*

Chief Justice.

(Secretariat BL2/741/63)

HONG KONG AIR NAVIGATION (GENERAL)  
REGULATIONS, 1963.

## ARRANGEMENT OF REGULATIONS.

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COLONIAL AIR NAVIGATION ORDER, 1961.  
HONG KONG AIR NAVIGATION (GENERAL)  
REGULATIONS, 1963.

In exercise of the powers conferred by Article 77 of the Colonial Air Navigation Order, 1961, the Governor has made the following regulations—

1. These regulations may be cited as the Hong Kong Air Navigation (General) Regulations, 1963, and shall come into operation on the 1st day of May, 1963.

2. (1) In these regulations, "the Order" means the Colonial Air Navigation Order, 1961.

(2) Expressions used in these regulations shall, unless the context otherwise requires, have the same respective meanings as in the Order.

(3) "Aeroplane", where the context so permits, shall include "landplane", "seaplane" and "amphibian".

3. (1) Every load sheet required by paragraph (4) of Article 23 of the Order shall contain the following particulars—

- (a) the nationality mark of the aircraft to which the load sheet relates, and the registration mark assigned to that aircraft by the Governor;
- (b) particulars of the flight to which the load sheet relates;
- (c) the total weight of the aircraft as loaded for that flight;
- (d) the weights of the several items from which the total weight of the aircraft, as so loaded, has been calculated including in particular the weight of the aircraft prepared for service and the respective total weights of the passengers, crew, baggage and cargo intended to be carried on the flight;
- (e) the manner in which the load is distributed and the resulting position of the centre of gravity of the aircraft which may be given approximately if and to the extent that the relevant certificate of airworthiness so permits,

and shall include at the foot or end of the load sheet a certificate, signed by the person referred to in paragraph (1) of Article 23 of the Order as responsible for the loading of the aircraft, that the aircraft has been loaded in accordance with the written instructions furnished to him by the operator of the aircraft pursuant to the said Article 23.

(2) For the purpose of calculating the total weight of the aircraft the respective total weights of the passengers and crew entered in the load sheet shall be computed from the actual weight of each person and for that purpose each person shall be separately weighed:

Citation and commencement.

Interpretation.  
(S.I. 1961/2316, G.N.A. 12/62).

Load sheets.

Provided that in the case of an aircraft with a total seating capacity of twelve or more persons and subject to the provisions of paragraph (3) the said weights may be calculated according to the following table, and the load sheet shall bear a notation to that effect.

TABLE.

Males over 12 years of age .....	165 lb.
Females over 12 years of age .....	143 lb.
Children aged 2 years or more, but not over 12 years of age .....	85 lb.
Infants under 2 years of age .....	17 lb.

(3) The commander of the aircraft shall, if in his opinion it is necessary to do so in the interests of the safety of the aircraft, require any or all of the passengers and crew to be actually weighed for the purpose of the entry to be made in the load sheet.

4. (1) In this regulation—

"approach to landing" means that portion of the flight of the aircraft in which it is descending below a height of 1,000 feet above the critical height of the relevant minimum for landing;

"critical height" means the minimum height above the elevation of the aerodrome to which an approach to landing can safely be continued without visual reference to the ground;

"minimum weather conditions", in relation to an aerodrome, means the limiting meteorological conditions, and, where appropriate, the critical height, specified for the purpose of determining the conditions in which an aircraft cannot safely take off or land, as the case may be, at that aerodrome and the expression "relevant minimum" shall be construed accordingly;

"specified", in relation to an aircraft, means specified in or ascertainable by reference to the operations manual relating to that aircraft.

(2) In compliance with paragraph (2) of Article 21 of the Order and paragraph (xii) of Part A of the Tenth Schedule thereto, the operator of every aircraft to which that Article applies shall establish and include in the operations manual relating to the aircraft, particulars of minimum weather conditions appropriate to every aerodrome of intended departure or landing and every alternate aerodrome:

Provided that, in respect of aerodromes to be used only on a flight which is not a scheduled journey or any part thereof, it shall be sufficient to include in the operations manual data and instructions by means of which the appropriate minimum weather conditions can be calculated by the commander of the aircraft.

Minimum weather conditions—aircraft registered in the Colony.

(3) The minimum weather conditions specified shall not, in respect of any aerodrome, be less favourable than any declared in respect of that aerodrome by the competent authority, unless that authority otherwise permits in writing.

(4) In establishing minimum weather conditions for the purposes of this regulation the operator of the aircraft shall take into account the following matters—

- (a) the type and performance and handling characteristics of the aircraft and any relevant conditions in its certificate of airworthiness;
- (b) the composition of its crew;
- (c) the physical characteristics of the relevant aerodrome and its surroundings;
- (d) the dimensions of the runways which may be selected for use;
- (e) whether or not there are in use at the relevant aerodrome any aids, visual or otherwise, to assist aircraft in approach, landing or take-off, being aids which the crew of the aircraft are trained and equipped to use; the nature of any such aids that are in use; and the procedures for approach, landing and take-off which may be adopted according to the existence or absence of such aids,

and shall establish in relation to each runway which may be selected for use minimum weather conditions appropriate to each set of circumstances which can reasonably be expected.

(5) With reference to paragraph (3) of Article 24 of the Order, an aircraft shall not commence a flight at a time when—

- (a) the weather conditions at the aerodrome of departure are less favourable than the minimum weather conditions specified for take-off; or
- (b) according to the information available to the commander of the aircraft it would not be able, without contravening paragraph (6), to commence or continue an approach to landing at the aerodrome of intended destination at the estimated time of arrival there and at any alternate aerodrome at any time at which according to a reasonable estimate the aircraft would arrive there.

(6) With reference to paragraph (3) of Article 24 of the Order, an aircraft shall not—

- (a) commence or continue an approach to landing at any aerodrome in weather conditions less favourable than the minimum weather conditions specified for landing; or

(b) continue an approach to landing at any aerodrome by flying below the critical height of the relevant minimum for landing if from that height the approach to landing cannot be completed entirely by visual reference to the ground.

(7) If according to the information available an aircraft would as regards any flight be required by the Rules of the Air and Air Traffic Control to be flown in accordance with the Instrument Flight Rules at the aerodrome of intended landing, the commander of the aircraft shall select prior to take-off an alternate aerodrome unless no aerodrome suitable for that purpose is available.

(8) An aeroplane registered in the Colony in respect of which there is in force under the Order a certificate of airworthiness in which the aeroplane is designated as being of performance group D shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aeroplanes, at night or when the cloud ceiling or visibility prevailing at the aerodrome of departure and forecast for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome are less than 1,000 feet and one mile respectively.

5. (1) The assessment of the ability of an aeroplane to comply with the requirements of regulations 6 to 9 inclusive (relating to weight and performance) shall be based on the specified information as to its performance:

Weight and performance: general provisions.

Provided that, in the case of an aeroplane in respect of which there is in force under the Order a certificate of airworthiness which does not include a performance group classification, the assessment may be based on the best information available to the commander of the aeroplane, in so far as the relevant information is not specified.

(2) In assessing the ability of an aeroplane to comply with condition 7 in the First Schedule, conditions 4 and 5 in the Second Schedule, sub-paragraph (b) of paragraph (1) of condition 2 and paragraph (2) of condition 2 in the Fourth Schedule, account may be taken of any reduction of the weight of the aeroplane which may be achieved after the failure of a power unit by such jettisoning of fuel as is feasible and prudent in the circumstances of the flight and in accordance with the flight manual included in the certificate of airworthiness relating to the aeroplane.

First Schedule.  
Second Schedule.  
Fourth Schedule.

(3) In regulations 5 to 9 inclusive, unless the context otherwise requires—

“emergency distance available” means the distance from the point on the surface of the aerodrome at which the aeroplane can commence its take-off run to the nearest point in the direction of take-off at which the aeroplane cannot roll over the surface of the

aerodrome and be brought to rest in an emergency without risk of accident;

“landing distance available” means the distance from the point on the surface of the aerodrome above which the aeroplane can commence its landing, having regard to the obstructions in its approach path, to the nearest point in the direction of landing at which the surface of the aerodrome is incapable of bearing the weight of the aeroplane under normal operating conditions or at which there is an obstacle capable of affecting the safety of the aeroplane;

“specified”, in relation to an aeroplane, means specified in, or ascertainable by reference to—

- (a) the certificate of airworthiness in force under the Order in respect of that aeroplane; or
- (b) the flight manual or performance schedule included in that certificate;

“take-off distance available” means either the distance from the point on the surface of the aerodrome at which the aeroplane can commence its take-off run to the nearest obstacle in the direction of take-off projecting above the surface of the aerodrome and capable of affecting the safety of the aeroplane or one and one half times the take-off run available, whichever is the less;

“take-off run available” means the distance from the point on the surface of the aerodrome at which the aeroplane can commence its take-off run to the nearest point in the direction of take-off at which the surface of the aerodrome is incapable of bearing the weight of the aeroplane under normal operating conditions.

- (4) For the purposes of regulations 5 to 9 inclusive—
  - (a) the weight of the aeroplane at the commencement of the take-off run shall be taken to be its gross weight including everything and everyone carried in or on it at the commencement of the take-off run;
  - (b) the landing weight of the aeroplane shall be taken to be the weight of the aeroplane at the estimated time of landing allowing for the weight of the fuel and oil expected to be used on the flight to the aerodrome at which it is intended to land or alternate aerodrome, as the case may be;
  - (c) where any distance referred to in paragraph (3) has been declared in respect of any aerodrome by the authority responsible for regulating air navigation over the territory of the Contracting State in which the aerodrome is situate, and in the case of an aerodrome in the Colony, notified, that distance shall be deemed to be the relevant distance.

(5) Nothing in regulations 5 to 9 inclusive shall apply to any aeroplanes flying solely for the purpose of training persons to perform duties in aeroplanes.

6. With reference to paragraph (1) of Article 24 of the Order, an aeroplane registered in the Colony in respect of which there is in force under the Order a certificate of airworthiness which does not include a performance group classification shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aeroplanes, unless the weight of the aeroplane at the commencement of the take-off run is such that such of the conditions in the First Schedule as apply to that aeroplane are satisfied.

Weight and performance of public transport aeroplanes having no performance group classification in their certificates of airworthiness. First Schedule.

7. With reference to paragraph (1) of Article 24 of the Order an aeroplane registered in the Colony in respect of which there is in force under the Order a certificate of airworthiness in which the aeroplane is designated as being of performance group A shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aeroplanes, unless the weight of the aeroplane at the commencement of the take-off run is such that the conditions in the Second Schedule are satisfied.

Weight and performance of public transport aeroplanes classified as aeroplanes of performance group A in their certificates of airworthiness. Second Schedule.

8. With reference to paragraph (1) of Article 24 of the Order an aeroplane registered in the Colony in respect of which there is in force under the Order a certificate of airworthiness in which the aeroplane is designated as being of performance group C or of performance group D shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aeroplanes, unless the weight of the aeroplane at the commencement of the take-off run is such that the conditions in the Third Schedule are satisfied.

Weight and performance of public transport aeroplanes classified as aeroplanes of performance group C or D in their certificates of airworthiness. Third Schedule.

9. With reference to paragraph (1) of Article 24 of the Order an aeroplane in respect of which there is in force under the Order a certificate of airworthiness designating the aeroplane as being of performance group X shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aeroplanes, unless the weight of the aeroplane at the commencement of the take-off run is such that the conditions in the Fourth Schedule are satisfied.

Weight and performance of public transport aeroplanes classified as aeroplanes of performance group X in their certificates of airworthiness. Fourth Schedule.

Noise and vibration caused by aircraft on aerodromes.

10. With reference to Article 64 of the Order, the conditions under which noise and vibration may be caused by aircraft, including military aircraft, on Government aerodromes, licensed aerodromes or on aerodromes at which the manufacture, repair or maintenance of aircraft is carried out by persons carrying on business as manufacturers or repairers of aircraft, shall be as follows, that is to say, that, whether in the course of the manufacture of the aircraft or otherwise—

- (a) the aircraft is taking off or landing; or
- (b) the aircraft is moving on the ground or water; or
- (c) the engines are being operated in the aircraft—
  - (i) for the purpose of ensuring their satisfactory performance;
  - (ii) for the purpose of bringing them to a proper temperature in preparation for, or at the end of, a flight; or
  - (iii) for the purpose of ensuring that the instruments, accessories or other components of the aircraft are in a satisfactory condition.

Revocation.  
(G.N.A. 30/56).  
(G.N.A. 117/55).

11. The Hong Kong Air Navigation (Radio) Regulations, 1956, and the Hong Kong Air Navigation (General) Regulations, 1955, are revoked.

#### FIRST SCHEDULE.

[reg. 6.]

##### CONDITIONS APPLICABLE TO AEROPLANES HAVING NO PERFORMANCE GROUP CLASSIFICATION IN THEIR CERTIFICATES OF AIRWORTHINESS.

Conditions 1 and 2 apply to all aeroplanes to which regulation 6 applies.

Conditions 3 to 9 apply to all aeroplanes to which regulation 6 applies—

- (i) of which the specified maximum total weight authorized exceeds 12,500 lb.; or
- (ii) of which the specified maximum total weight authorized does not exceed 12,500 lb. and which comply with neither paragraph (a) nor paragraph (b) of condition 1.

Conditions 10 to 17 inclusive apply to all aeroplanes to which regulation 6 applies, of which the specified maximum total weight authorized does not exceed 12,500 lb., and which comply with paragraph (a) or paragraph (b) of condition 1 or with both those conditions.

1. Either—

- (a) the wing loading of the aeroplanes does not exceed 20 lb. per square foot; or
- (b) the stalling speed of the aeroplane in the landing configuration does not exceed 60 knots; or
- (c) the aeroplane, with any one of its power units inoperative and the remaining power unit or units operating within the maximum continuous power conditions specified, is capable of a gradient of climb of at least 1 in 200 at an altitude of 5,000 feet in the specified international standard atmosphere.

2. The weight of the aeroplane at the commencement of the take-off run does not exceed the maximum take-off weight, if any, specified for the altitude and the air temperature at the aerodrome at which the take-off is to be made.

3. (1) The distance required by the aeroplane to attain a height of 50 feet, with all power units operating within the maximum take-off power conditions specified, does not exceed the take-off run available at the aerodrome at which the take-off is to be made.

(2) The distance required by the aeroplane to attain a height of 50 feet with all power units operating within the maximum take-off power conditions specified, when multiplied by a factor of either 1.33 for aeroplanes having two power units or by a factor of 1.18 for aeroplanes having four power units, does not exceed the emergency distance available at the aerodrome at which the take-off is to be made.

(3) For the purposes of paragraphs (1) and (2) the distance required by the aeroplane to attain a height of 50 feet shall be that appropriate to—

- (a) the weight of the aeroplane at the commencement of the take-off run;
- (b) the altitude at the aerodrome;
- (c) the air temperature at the aerodrome;
- (d) the slope of the surface of the aerodrome in the direction of take-off over the take-off run available and the emergency distance available, respectively; and
- (e) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off.

4. (1) The take-off flight path with one power unit inoperative and the remaining power unit or units operating within the maximum take-off power conditions specified, appropriate to—

- (a) the weight of the aeroplane at the commencement of the take-off run;
- (b) the altitude at the aerodrome;
- (c) the air temperature at the aerodrome;
- (d) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,

and plotted from a point 50 feet above the end of the appropriate factored distance required for take-off under paragraph (2) of condition 3 at the aerodrome at which the take-off is to be made, shows that the aeroplane will clear any obstacle in its path by a vertical interval of at least 35 feet except that if it is intended that an aeroplane shall change its direction by more than 15° the vertical interval shall be not less than 50 feet during the change of direction.

(2) For the purpose of paragraph (1) an obstacle shall be deemed to be in the path of the aeroplane if the distance from the obstacle to the nearest point on the ground below the intended line of flight does not exceed—

- (a) a distance of 200 feet plus half the wing span of the aeroplane plus one-eighth of the distance from such point to the end of the take-off distance available, measured along the intended line of flight; or
  - (b) 5,000 feet,
- whichever is the less.

(3) In assessing the ability of the aeroplane to satisfy this condition, it shall not be assumed to make a change of direction of a radius less than a radius of steady turn corresponding to an angle of bank of 15°.

5. The aeroplane will, in the meteorological conditions expected for the flight, in the event of any one power unit becoming inoperative at any point on its route or on any planned diversion therefrom and with the other power units

or unit operating within the maximum continuous power conditions specified, be capable of continuing the flight clearing obstacles within 10 nautical miles either side of the intended track by a vertical interval of at least—

- (a) 1,000 feet when the gradient of the flight path is not less than zero; or
- (b) 2,000 feet when the gradient of the flight path is less than zero,

to an aerodrome at which it can comply with condition 9, and on arrival over such aerodrome the flight path shall have a positive gradient of not less than 1 in 200 at 1,500 feet above the aerodrome.

6. The aeroplane will, in the meteorological conditions expected for the flight, at any point on its route or on any planned diversion therefrom, be capable of climbing at a gradient of at least 1 in 50, with all power units operating within the maximum continuous power conditions specified, at the following altitudes—
  - (a) the minimum altitudes for safe flight on each stage of the route to be flown or of any planned diversion therefrom specified in, or calculated from the information contained in, the operations manual relating to the aeroplane; and
  - (b) the minimum altitudes necessary for compliance with conditions 5 and 7, as appropriate.
7. If on the route to be flown or any planned diversion therefrom, the aeroplane will be engaged in a flight over water during which at any point it may be more than 90 minutes flying time in still air from the nearest shore, it will, in the event of two power units becoming inoperative during such time and with the other power units or unit operating within the maximum continuous power conditions specified, be capable of continuing the flight having regard to the meteorological conditions expected for the flight, clearing all obstacles within 10 nautical miles either side of the intended track by a vertical interval of at least 1,000 feet, to an aerodrome at which a safe landing can be made.
8. The landing weight of the aeroplane will not exceed the maximum landing weight, if any, specified for the altitude and the expected air temperature for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome.
9. The distance required by the aeroplane to land from a height of 50 feet does not, at the aerodrome at which it is intended to land and at any alternate aerodrome, exceed 70 per cent of the landing distance available on—
  - (i) the most suitable runway for a landing in still air conditions; and
  - (ii) the runway that may be required for landing because of the forecast wind conditions,
 the distance required to land from a height of 50 feet being taken to be that appropriate to—
  - (a) the landing weight;
  - (b) the altitude at the aerodrome;
  - (c) the temperature in the specified international standard atmosphere appropriate to the altitude at the aerodrome;
  - (d) (i) a level surface in the case of runways usable in both directions; (ii) the average slope of the runway in the case of runways usable in only one direction; and
  - (e) (i) still air conditions in the case of the most suitable runway for a landing in still air conditions; (ii) not more than 50 per cent of the forecast wind component opposite to the direction of landing or not less than 150 per cent of the forecast wind component in the direction of landing in the case of the runway that may be required for landing because of the forecast wind conditions.

10. If the aeroplane is engaged in a flight at night or when the cloud ceiling or visibility prevailing at the aerodrome of departure and forecast for the estimated time of landing at the aerodrome of destination or at any alternate aerodrome, are less than 1,000 feet and one mile respectively, it will, with any one of its power units inoperative and the remaining power unit or units operating within the maximum continuous power conditions specified, be capable of climbing at a gradient of at least 1 in 200 at an altitude of 2,500 feet in the specified international standard atmosphere.
11. (1) The distance required by the aeroplane to attain a height of 50 feet, with all power units operating within the maximum take-off power conditions specified, does not exceed the take-off run available at the aerodrome at which the take-off is to be made.
  - (2) The distance required by the aeroplane to attain a height of 50 feet, with all power units operating within the maximum take-off power conditions specified, when multiplied by a factor of 1.33 does not exceed the emergency distance available at the aerodrome at which the take-off is to be made.
  - (3) For the purposes of paragraphs (1) and (2) the distance required by the aeroplane to attain a height of 50 feet shall be that appropriate to—
    - (a) the weight of the aeroplane at the commencement of the take-off run;
    - (b) the altitude at the aerodrome;
    - (c) the temperature in the specified international standard atmosphere appropriate to the altitude at the aerodrome, or, if greater, the air temperature at the aerodrome less 15° Centigrade;
    - (d) the slope of the surface of the aerodrome in the direction of take-off over the take-off run available and the emergency distance available, respectively; and
    - (e) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off.
12. The take-off flight path, with all power units operating within the maximum take-off power conditions specified, appropriate to—
  - (a) the weight of the aeroplane at the commencement of the take-off run;
  - (b) the altitude at the aerodrome;
  - (c) the temperature in the specified international standard atmosphere appropriate to the altitude at the aerodrome, or, if greater, the air temperature at the aerodrome less 15° Centigrade; and
  - (d) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,
 and plotted from a point 50 feet above the end of the factored distance required for take-off under paragraph (2) of condition 11, at the aerodrome at which the take-off is to be made, shows that the aeroplane will clear any obstacle lying within 200 feet plus half the wing span of the aeroplane on either side of its path by a vertical interval of at least 35 feet. In assessing the ability of the aeroplane to satisfy this condition it shall not be assumed to make a change of direction of a radius less than a radius of steady turn corresponding to an angle of bank of 15°.
13. The aeroplane will, in the meteorological conditions expected for the flight, in the event of any one power unit becoming inoperative at any point on its route or on any planned diversion therefrom and with the other power unit or units, if any, operating within the maximum continuous power conditions specified, be capable of continuing the flight so as to reach a point above a place at which a safe landing can be made at a suitable height for such landing.
14. The aeroplane will, in the meteorological conditions expected for the flight, at any point on its route or any planned diversion therefrom, be capable of climbing at a gradient of at least 1 in 50, with all power units operating

within the maximum continuous power conditions specified, at the following altitudes—

- (a) the minimum altitudes for safe flight on each stage of the route to be flown or on any planned diversion therefrom specified in, or calculated from, the information contained in the operations manual relating to the aeroplane; and
  - (b) the minimum altitudes necessary for compliance with condition 13.
15. If on the route to be flown or any planned diversion therefrom the aeroplane will be engaged in a flight over water during which at any point it may be more than 30 minutes flying time in still air from the nearest shore, it will, in the event of one power unit becoming inoperative during such time and with the other power unit or units operating within the maximum continuous power conditions specified, be capable of climbing at a gradient of at least 1 in 200 at an altitude of 5,000 feet in the specified international standard atmosphere.
16. The landing weight of the aeroplane will not exceed the maximum landing weight, if any, specified for the altitude and the expected air temperature for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome.
17. The distance required by the aeroplane to land from a height of 50 feet does not, at the aerodrome at which it is intended to land and at any alternate aerodrome, exceed 70 per cent, or, if a visual approach and landing will be possible in the meteorological conditions forecast for the estimated time of landing, 80 per cent, of the landing distance available on—
- (i) the most suitable runway for a landing in still air conditions; and
  - (ii) the runway that may be required for landing because of the forecast wind conditions,
- the distance required to land from a height of 50 feet being taken to be that appropriate to—
- (a) the landing weight;
  - (b) the altitude at the aerodrome;
  - (c) the temperature in the specified international standard atmosphere appropriate to the altitude at the aerodrome;
  - (d) (i) a level surface in the case of runways usable in both directions; (ii) the average slope of the runway in the case of runways usable in only one direction; and
  - (e) (i) still air conditions in the case of the most suitable runway for a landing in still air conditions; (ii) not more than 50 per cent of the forecast wind component opposite to the direction of landing or not less than 150 per cent of the forecast wind component in the direction of landing in the case of the runway that may be required for landing because of the forecast wind conditions.

#### SECOND SCHEDULE.

[reg. 7.]

##### CONDITIONS APPLICABLE TO AEROPLANES CLASSIFIED AS AEROPLANES OF PERFORMANCE GROUP A IN THEIR CERTIFICATES OF AIRWORTHINESS.

1. That weight does not exceed the maximum take-off weight for altitude and temperature specified for the altitude and the air temperature at the aerodrome at which the take-off is to be made.
2. The take-off run, take-off distance and the emergency distance respectively required for take-off, specified as being appropriate to—
  - (a) the weight of the aeroplane at the commencement of the take-off run;

- (b) the altitude at the aerodrome;
  - (c) the air temperature at the aerodrome;
  - (d) the slope of the surface of the aerodrome in the direction of take-off over the take-off run available, the take-off distance available and emergency distance available, respectively; and
  - (e) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,
- do not exceed the take-off run, the take-off distance and the emergency distance available, respectively, at the aerodrome at which the take-off is to be made; in ascertaining the emergency distance required, the point at which the pilot is assumed to decide to discontinue the take-off shall not be nearer to the start of the take-off run than the point at which, in ascertaining the take-off run required and the take-off distance required, he is assumed to decide to continue the take-off, in the event of power unit failure.
3. (1) The net take-off flight path with one power unit inoperative, specified as being appropriate to—
    - (a) the weight of the aeroplane at the commencement of the take-off run;
    - (b) the altitude at the aerodrome;
    - (c) the air temperature at the aerodrome; and
    - (d) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,

and plotted from a point 35 feet or 50 feet, as appropriate, above the end of the take-off distance required at the aerodrome at which the take-off is to be made to a height of 1,500 feet above the aerodrome, shows that the aeroplane will clear any obstacle in its path by a vertical interval of at least 35 feet, except that if it is intended that the aeroplane shall change its direction of flight by more than 15° the vertical interval shall not be less than 50 feet during the change of direction.

(2) For the purpose of paragraph (1) an obstacle shall be deemed to be in the path of the aeroplane if the distance from the obstacle to the nearest point on the ground below the intended line of flight of the aeroplane does not exceed—

- (a) a distance of 200 feet plus half the wing span of the aeroplane plus one-eighth of the distance from such point to the end of the take-off distance available, measured along the intended line of flight of the aeroplane; or
  - (b) 5,000 feet,
- whichever is the less.

(3) In assessing the ability of the aeroplane to satisfy this condition, it shall not be assumed to make a change of direction of a radius less than the radius of steady turn specified.

4. The aeroplane will, in the meteorological conditions expected for the flight, in the event of any one power unit becoming inoperative at any point on its route or on any planned diversion therefrom and with the other power units or unit operating within the maximum continuous power conditions specified, be capable of continuing the flight, clearing by a vertical interval of at least 2,000 feet obstacles within 5 nautical miles either side of the intended track, to an aerodrome at which it can comply with condition 7, relating to an alternate aerodrome, and on arrival over such aerodrome the gradient of the specified net flight path with one power unit inoperative shall not be less than zero at 1,500 feet above the aerodrome; and in assessing the ability of the aeroplane to satisfy this condition it shall not be assumed to be capable of flying at an altitude exceeding the specified maximum permissible altitude for power unit restarting.

5. The aeroplane will, in the meteorological conditions expected for the flight, in the event of any two power units becoming inoperative at any point along the route or on any planned diversion therefrom more than 90 minutes flying time in still air at the all power units operating economical cruising speed from the nearest aerodrome at which it can comply with condition 7, relating to an alternate aerodrome, be capable of continuing the flight with all other power units operating within the specified maximum continuous power conditions, clearing by a vertical interval of at least 2,000 feet obstacles within 5 nautical miles either side of the intended track, to such an aerodrome, and on arrival over such aerodrome the gradient of the specified net flight path with two power units inoperative shall not be less than zero at 1,500 feet above the aerodrome; and in assessing the ability of the aeroplane to satisfy this condition it shall not be assumed to be capable of flying at an altitude exceeding the specified maximum permissible altitude for power unit restarting.
6. The landing weight of the aeroplane will not exceed the maximum landing weight specified for the altitude and the expected air temperature for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome.
7. (1) The landing distances required, respectively specified as being appropriate to aerodromes of destination and alternate aerodromes, do not exceed at the aerodrome at which it is intended to land or at any alternate aerodrome, as the case may be, the landing distance available on—
- the most suitable runway for a landing in still air conditions; and
  - the runway that may be required for landing because of the forecast wind conditions;
- Provided that if an alternate aerodrome is designated in the flight plan, the specified landing distance required may be that appropriate to an alternate aerodrome when assessing the ability of the aeroplane to satisfy this condition at the aerodrome of destination in respect of the runway that may be required for landing because of the forecast wind conditions.
- (2) For the purposes of paragraph (1) the landing distance required shall be that specified as being appropriate to—
- the landing weight;
  - the altitude at the aerodrome;
  - the temperature in the specified international standard atmosphere appropriate to the altitude at the aerodrome;
  - (i) a level surface in the case of runways usable in both directions; (ii) the average slope of the runway in the case of runways usable in only one direction; and
  - (i) still air conditions in the case of the most suitable runway for a landing in still air conditions; (ii) not more than 50 per cent of the forecast wind component opposite to the direction of landing or not less than 150 per cent of the forecast wind component in the direction of landing in the case of the runway that may be required for landing because of the forecast wind conditions.

### THIRD SCHEDULE.

[reg. 8.]

#### CONDITIONS APPLICABLE TO AEROPLANES CLASSIFIED AS AEROPLANES OF PERFORMANCE GROUP C OR D IN THEIR CERTIFICATE OF AIRWORTHINESS.

1. That weight does not exceed the maximum take-off weight specified for the altitude and the air temperature at the aerodrome at which the take-off is to be made.

2. The take-off run required and the take-off distance required, specified as being appropriate to—
- the weight of the aeroplane at the commencement of the take-off run;
  - the altitude at the aerodrome;
  - the air temperature at the aerodrome;
  - the average slope of the surface of the aerodrome in the direction of take-off over the emergency distance available;
  - not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,
- do not exceed the take-off run available and the emergency distance available, respectively, at the aerodrome at which the take-off is to be made.
3. The net take-off flight path with all power units operating, specified as being appropriate to—
- the weight of the aeroplane at the commencement of the take-off run;
  - the altitude at the aerodrome;
  - the air temperature at the aerodrome;
  - not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,
- and plotted from a point 50 feet above the end of the take-off distance required at the aerodrome at which the take-off is to be made to the point at which the aeroplane reaches the minimum altitude for safe flight on the first stage of the route to be flown stated in or calculated from the information contained in the operations manual relating to the aeroplane, shows that the aeroplane will clear by a safe margin any obstacle the distance from which to the nearest point on the ground below the intended line of flight of the aeroplane does not exceed 200 feet plus half the wing span of the aeroplane. In assessing the ability of the aeroplane to satisfy this condition it shall not be assumed to make a change of direction of a radius less than the specified radius of steady turn.
4. The aeroplane will, if it is designated in its certificate of airworthiness as an aeroplane of performance group C and if it is necessary for it to be flown solely by reference to instruments for any period before reaching the minimum altitude for safe flight on the first stage of the route to be flown, stated in, or calculated from the information contained in, the operations manual, during such period also satisfy condition 3 in the Second Schedule.
5. The aeroplane will, in the meteorological conditions expected for the flight, in the event of any one power unit becoming inoperative at any point of its route or on any planned diversion therefrom, and with the other power units or power unit, if any, operating within the specified maximum continuous power conditions—
- in the case of an aeroplane designated as an aeroplane of performance group C, be capable of continuing the flight at altitudes not less than the relevant minimum altitudes for safe flight stated in, or calculated from the information contained in, the operations manual to a point 1,500 feet above an aerodrome at which a safe landing can be made and after arrival at that point be capable of maintaining that height;
  - in the case of an aeroplane designated as an aeroplane of performance group D, be capable of continuing the flight to a point 1,000 feet above a place at which a safe landing can be made:

Provided that in assessing the ability of the aeroplane to satisfy this condition it shall not be assumed to be capable of flying at any point on its route at an altitude exceeding the performance ceiling with all power units operating specified as being appropriate to its estimated weight at that point.

6. The landing weight of the aeroplane will not exceed the maximum landing weight specified for the altitude and the expected air temperature for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome.
7. The distance required by the aeroplane to land from a height of 50 feet does not, at the aerodrome at which it is intended to land and at any alternate aerodrome, exceed 70 per cent of the landing distance available on the most suitable runway for a landing in still air conditions, or on the runway that may be required for landing because of the forecast wind conditions, and for the purposes of this condition the distance required to land from a height of 50 feet shall be taken to be that specified as being appropriate to—
- the landing weight;
  - the altitude at the aerodrome;
  - the expected air temperature for the estimated time of landing at the aerodrome;
  - (i) a level surface in the case of runways usable in both directions; (ii) the average slope of the runway in the case of runways usable in only one direction; and
  - (i) still air conditions in the case of the most suitable runway for a landing in still air conditions; (ii) not more than 50 per cent of the forecast wind component opposite to the direction of landing or not less than 150 per cent of the forecast wind component in the direction of landing in the case of the runway that may be required for landing because of the forecast wind conditions.

## FOURTH SCHEDULE.

[reg. 9.]

CONDITIONS APPLICABLE TO AEROPLANES CLASSIFIED AS  
AEROPLANES OF PERFORMANCE GROUP X IN THEIR  
CERTIFICATES OF AIRWORTHINESS.

1. (1) That weight does not exceed the maximum take-off weight specified for the altitude at the aerodrome at which the take-off is to be made, or for the altitude and the air temperature at such aerodrome, as the case may be.
- (2) The minimum effective take-off runway length required, specified as being appropriate to—
- the weight of the aeroplane at the commencement of the take-off run;
  - the altitude at the aerodrome;
  - the air temperature at the time of take-off;
  - the overall slope of the take-off run available; and
  - not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,
- does not exceed the take-off run available at the aerodrome at which the take-off is to be made.
- (3) (a) The take-off flight path with one power unit inoperative, specified as being appropriate to—
- the weight of the aeroplane at the commencement of the take-off run;
  - the altitude at the aerodrome; and
  - not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off,
- and plotted from a point 50 feet above the end of the minimum effective take-off runway length required at the aerodrome at which the take-off

- is to be made, shows that the aeroplane will thereafter clear any obstacle in its path by a vertical interval of not less than the greater of 50 feet or 35 feet plus one-hundredth of the distance from the point on the ground below the intended line of flight of the aeroplane nearest to the obstacle to the end of the take-off distance available, measured along the intended line of flight of the aeroplane.
- (b) For the purpose of sub-paragraph (a) an obstacle shall be deemed to be in the path of the aeroplane if the distance from the obstacle to the nearest point on the ground below the intended line of flight does not exceed—
- a distance of 200 feet plus half the wing span of the aeroplane plus one-eighth of the distance from such point to the end of the take-off distance available, measured along the intended line of flight; or
  - 5,000 feet,
- whichever is the less.
- (c) In assessing the ability of the aeroplane to satisfy this condition, insofar as it relates to flight path, it shall not be assumed to make a change of direction of a radius less than the radius of steady turn corresponding to an angle of bank of 15°.
2. (1) (a) Subject to sub-paragraph (b), the weight of the aeroplane at any point on the route or any planned diversion therefrom, having regard to the fuel and oil expected to be consumed up to that point, shall be such that the aeroplane, with one power unit inoperative and the other power unit or units operating within the maximum continuous power conditions specified, will be capable of a rate of climb of at least  $K(V_{so}/100)^2$  feet per minute at an altitude not less than the minimum altitude for safe flight stated in or calculated from the information contained in the operations manual, where  $V_{so}$  is in knots and  $K$  has the value of  $797-1060/N$ ,  $N$  being the number of power units installed.
- (b) As an alternative to sub-paragraph (a), the aeroplane may be flown at an altitude from which, in the event of failure of one power unit, it is capable of reaching an aerodrome where a landing can be made in accordance with paragraph (2) of condition 3 relating to an alternate aerodrome. In that case, the weight of the aeroplane shall be such that, with the remaining power unit or units operating within the maximum continuous power conditions specified, it is capable of maintaining a minimum altitude on the route to such aerodrome of 2,000 feet above all obstacles within 5 nautical miles on either side of the intended track; and
- the rate of climb, specified for the appropriate weight and altitude, used in calculating the flight path shall be reduced by an amount equal to  $K(V_{so}/100)^2$  feet per minute;
  - the aeroplane shall comply with the climb requirements of sub-paragraph (a) at 1,000 feet above the chosen aerodrome;
  - account shall be taken of the effect of wind and temperature on the flight path; and
  - the weight of the aeroplane may be assumed to be progressively reduced by normal consumption of fuel and oil.
- (2) An aeroplane having four power units shall, if any two power units become inoperative at any point along the route or any planned diversion therefrom, being a point more than 90 minutes flying time (assuming all power units to be operating) from the nearest aerodrome at which a landing can be made in compliance with paragraph (2) of condition 3 relating to an alternate aerodrome, be capable of continuing the flight at an altitude of not less than 1,000 feet above ground level to a point above that aerodrome. In assessing the ability of the aeroplane to satisfy this condition, it shall be assumed that the remaining power units will operate within the specified maximum continuous power conditions, and account shall be taken of the temperature and wind conditions expected for the flight.

3. (1) The landing weight of the aeroplane will not exceed the maximum landing weight specified for the altitude at the aerodrome at which it is intended to land and at any alternate aerodrome.
- (2) The required landing runway lengths respectively specified as being appropriate to the aerodromes of intended destination and the alternate aerodromes do not exceed at the aerodrome at which it is intended to land or at any alternate aerodrome, as the case may be, the landing distance available on—
- (i) the most suitable runway for a landing in still air conditions; and
- (ii) the runway that may be required for landing because of the forecast wind conditions,
- the required landing runway lengths being taken to be those specified as being appropriate to—
- (a) the landing weight;
- (b) the altitude at the aerodrome;
- (c) still air conditions in the case of the most suitable runway for a landing in still air conditions; and
- (d) not more than 50 per cent of the forecast wind component opposite to the direction of landing not less than 150 per cent of the forecast wind component in the direction of landing in the case of the runway that may be required for landing because of the forecast wind conditions.

By Command,



17th April, 1963.

(Secretariat GR16/951/50)

PRISONS ORDINANCE, 1954.

(No. 17 of 1954).

PRISON (AMENDMENT) RULES, 1963.

In exercise of the powers conferred by section 27 of the Prisons Ordinance, 1954, the Governor in Council has made the following rules—

1. These rules may be cited as the Prison (Amendment) Rules, Citation. 1963.
2. Rules 214 and 215 of the Prison Rules, 1954, together with the sub-heading applying thereto, are revoked and replaced by the following—
  - (3) DEPORTEES AND PERSONS CONVICTED UNDER THE ILLEGAL STRIKES AND LOCK-OUTS ORDINANCE.
 

Revocation and replacement of rules 214 and 215. (17 of 1954, Schedule).
  214. Persons who are—
    - (a) detained in prison under the provisions of the Deportation of Aliens Ordinance, or the Deportation (British Subjects) Ordinance; or
    - (b) imprisoned solely as the consequence of a sentence imposed by a court for an offence under section 3 of the Illegal Strikes and Lock-outs Ordinance,

shall not be required to engage in useful work as prescribed by rule 37.”

Inapplicability to certain prisoners of general requirement to do work. (Cap. 240). (Cap. 239). (Cap. 61).

Clerk of Councils.

COUNCIL CHAMBER,  
23rd April, 1963.

*Explanatory Note.*

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

By Article 1 of International Labour Convention number 105, Members of the International Labour Organization who have ratified the agreement undertake not to make use of compulsory labour as a punishment for participation in strikes. The United Kingdom Government has ratified this Convention and declared it to be applicable to Hong Kong.

The object of these rules is to amend the law so that prisoners convicted under section 3 of the Illegal Strikes and Lock-outs Ordinance, and not imprisoned at the same time for any other offence, shall not be required to work in prison.

(Secretariat GR23/3/5683/58)

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

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 16) 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. 16) 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 860,001 to 880,000 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.



22nd April, 1963.

(Secretariat D/RPO)



ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

ROAD TRAFFIC (TEMPORARY CAR PARKS)  
REGULATIONS, 1963.

In exercise of the powers conferred by section 3 of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Road Traffic (Temporary Car Parks) Regulations, 1963. Citation.

2. In these regulations, unless the context otherwise requires— Interpreta-  
tion.  
“monthly pass”, in respect of a temporary car park, means a pass issued in accordance with regulation 23 of the Road Traffic (Parking and Waiting) Regulations, 1958, by the person in whom the management of that temporary car park is vested under regulation 5 of these regulations; (G.N.A.  
77/58).

“temporary car park” means a place designated by the Commissioner as a temporary car park in accordance with regulation 3.

3. (1) The Commissioner may by notification published in the *Gazette* designate any place, not on a carriageway, as a temporary car park and in such notification may limit the use of such car park to any particular class or type of motor vehicle, and by notification published in the *Gazette* may revoke or amend any such designation. Designation  
and delinea-  
tion of  
temporary  
car parks.

(2) The Commissioner may indicate the designation of a temporary car park by enclosing it in such manner as to him may seem fit.

(3) The exercise by the Commissioner of his functions under this regulation shall not render him subject to any liability in respect of the loss or damage to any vehicle in a temporary car park or to the contents of any such vehicle.

(4) Any place designated in accordance with this regulation shall be deemed to be a road for the purpose of the application thereto of the Road Traffic Ordinance, 1957, and of any regulation made there- (39 of 1957).  
under.

4. (1) The Commissioner shall cause to be erected at, in and outside every temporary car park such signs as he shall deem necessary for the regulation of parking therein and in particular signs indicating the place where motor vehicles may enter the car park and the type or class of motor vehicle which is permitted to be parked in the car park. Signs at  
temporary  
car parks.



(2) The Commissioner shall cause every temporary car park to be divided up in such manner as he shall consider necessary into spaces for the accommodation of vehicles.

Management  
of temporary  
car parks.

5. (1) On the designation of a temporary car park in accordance with regulation 3, the Governor may direct that either—

- (a) the management of the car park shall be vested in the Urban Council who shall be responsible, by the employment of such members of the Urban Services Department as shall be made available for that purpose, for the collection of all fees payable for the use of the car park and all such fees shall be paid into the general revenue of the Colony; or
- (b) the management of the car park shall be put up for public tender and vested in such person as the Colonial Secretary shall decide in accordance with paragraph (2).

(2) If in accordance with paragraph (1) the Governor directs that the management of a temporary car park shall be put up for public tender the Colonial Secretary may vest the management of the car park in any person tendering for such upon such terms and conditions as the Colonial Secretary considers appropriate.

Attendants.

6. (1) In the case of a temporary car park the management of which has been vested in the Urban Council in accordance with sub-paragraph (a) of paragraph (1) of regulation 5, every attendant shall—

- (a) be appointed by the Director of Urban Services;
- (b) wear such uniform and display such badge as may be prescribed by the Director of Urban Services; and
- (c) carry such evidence, under the hand of the Secretary of the Urban Council, of his appointment as an attendant as shall be prescribed by the Director of Urban Services.

(2) In the case of a temporary car park the management of which has been vested in a person other than the Urban Council in accordance with sub-paragraph (b) of paragraph (1) of regulation 5, every attendant shall—

- (a) be appointed by the successful tenderer subject to the approval of the Commissioner;
- (b) wear such uniform as shall be approved by the Commissioner; and
- (c) carry such evidence, under the hand of the successful tenderer, of his appointment as an attendant as shall be prescribed by the Commissioner.

(3) Every attendant in a temporary car park shall produce to any person in the car park having reasonable grounds for asking for the same, such evidence of his appointment as is hereinbefore referred to.

7. (1) Except in the case of a motor vehicle on which is displayed a current monthly pass valid for the temporary car park concerned, there shall be payable in respect of every motor vehicle using a temporary car park, for the period or each of the periods specified in the Schedule during which the motor vehicle is, or is deemed under paragraph (5) to have been, in the temporary car park, the appropriate fee or fees set out in the Schedule, whether such vehicle is in the car park for the whole of any such period or for part only thereof and whether such vehicle was placed in the car park before, at or after the commencement of the period:

Fees for use  
of temporary  
car parks.

Schedule.

Provided that the use of temporary car parks on general holidays and between the hours of 7.00 p.m. on one day and 8.00 a.m. on the next following day shall be free of charge.

(2) The driver of a motor vehicle shall before or at the time of parking the vehicle in a temporary car park pay to an attendant at the car park the fee or fees (if any) payable under paragraph (1), calculated on the period during which he intends to leave the vehicle in the car park, and on such payment shall be issued by the attendant with a ticket indicating the date of issue, the amount of the fee paid and the period for which the fee is paid.

(3) Where, at the time when the motor vehicle is parked in the temporary car park, no fee is paid pursuant to paragraph (2), by reason of the proviso to paragraph (1), the attendant shall nevertheless issue to the driver a ticket which shall indicate its date of issue and that no fee has been paid therefor.

(4) Before any motor vehicle is removed from a temporary car park, the person desiring to remove the same shall produce to an attendant at the car park the ticket issued under paragraph (2) or (3), and if, at the time of such removal, the period for which payment has been made for the use of the car park as indicated on the ticket issued under paragraph (2), or the period of parking free of charge under the proviso to paragraph (1) on the date indicated on the ticket issued under paragraph (3), as the case may be, has expired, the person desiring to remove the motor vehicle shall thereupon, before removal, pay to the attendant the fees or additional fees thereby incurred:

Provided that this paragraph shall not apply to a person removing a motor vehicle pursuant to regulation 10.

Schedule.

(5) Where the person desiring to remove a motor vehicle from a temporary car park fails or is unable to produce a ticket as aforesaid, he shall, before removing the vehicle, pay to the attendant the appropriate fee specified in the Schedule, calculated as if the vehicle had been parked in the car park from the hour of 8.00 a.m. immediately preceding the time of departure, and upon such payment the attendant shall issue to him a receipt indicating the registration mark of the vehicle, the date and time of departure and the fee paid:

Provided that—

- (a) nothing in this paragraph shall be construed as a waiver or remission of any fee payable for the use of the car park by the vehicle during any period prior to the hour of 8.00 a.m. immediately preceding the time of departure of the vehicle and any fee payable in respect of any such period may be charged in addition to the fee payable pursuant to this paragraph; and
  - (b) this paragraph shall not apply to a person removing a vehicle pursuant to regulation 10.
- (6) No person shall remove a motor vehicle from a temporary car park unless the whole of the fee or fees (if any) payable under this regulation in respect of that vehicle has been paid:

Provided that this paragraph shall not apply to the removal of any vehicle in accordance with regulation 10.

Monthly passes.  
(G.N.A. 77/58).

8. (1) A monthly pass issued under regulation 23 of the Road Traffic (Parking and Waiting) Regulations, 1958, shall, subject to the availability of space for the due parking of the motor vehicle, entitle the driver of such motor vehicle as is prescribed in the monthly pass to park the motor vehicle, subject to regulation 10, at any time during the currency of the monthly pass, in any temporary car park the management of which is, under regulation 5, vested in the person who issued the monthly pass except a temporary car park the use of which is limited under paragraph (1) of regulation 3 to motor vehicles of a class or type which does not include the particular motor vehicle prescribed in the monthly pass.

(2) A duplicate monthly pass issued under the aforesaid regulations shall, for the purposes of these regulations, have the same effect as the original monthly pass.

Register to be kept.

9. At 6 o'clock each morning an attendant on duty in a temporary car park shall enter in a register the registration mark of every motor vehicle in the car park at such time and, in the case of a vehicle exhibiting a current monthly pass for that car park, that fact, and shall date and sign such register and such register shall be retained at the car

park for not less than two months from the date of the last entry therein and, in calculating any fees payable under these regulations, such register completed and signed by an attendant shall be *prima facie* evidence that the motor vehicles whose registration marks are recorded therein were in the car park on the date and at the time set forth in the register.

10. (1) No motor vehicle shall be parked or allowed to wait in a temporary car park for more than seven days. Removal of vehicles.

(2) A police officer in uniform of the rank of inspector or above shall have the same power to take away or cause to be taken away any motor vehicle which appears to have been parked or allowed to wait in a temporary car park in contravention of paragraph (1) as such officer has under regulation 7 of the Road Traffic (Parking and Waiting) Regulations, 1958, and paragraphs (2), (3) and (4) of that regulation shall apply in respect of any vehicle so taken away as if references therein to parking fees were construed as references to fees payable under regulation 7 of these regulations and as if the reference in subparagraph (b) of paragraph (4) of that regulation to charges incurred in carrying out the provisions of those regulations were construed as a reference to charges incurred in carrying out the provisions of these regulations. (G.N.A. 77/58).

11. (1) The driver of a motor vehicle in a temporary car park shall obey— Offences by drivers.

- (a) all lawful directions given to him by an attendant; and
  - (b) all signs and signals exhibited in the car park for the direction or regulation of motor vehicles therein.
- (2) When a motor vehicle has been parked in a temporary car park, the driver and all passengers therein shall leave the car park as soon as is practicable thereafter by such means of exit from the car park as is indicated by signs displayed for that purpose.
- (3) On demand the driver of a motor vehicle in a temporary car park shall give his name and address to an attendant.
- (4) No person shall sound a warning instrument in a temporary car park.
- (5) No person shall park a motor vehicle in a temporary car park in such manner that the vehicle unnecessarily projects over any line or other mark which divides the space in which the vehicle is parked from any other place.

12. (1) No person other than—

- (a) an attendant or any person employed at the car park in the course of his duties;
- (b) a police officer in the course of his duties;

Offences in relation to temporary car parks.

- (c) a person driving the motor vehicle into the car park or a person coming to the car park to remove a motor vehicle therefrom;
- (d) a passenger in a motor vehicle entering a car park or a person intending to leave the car park as a passenger in a motor vehicle;
- (e) a person authorized to clean motor vehicles in accordance with regulation 13,

shall enter a temporary car park or any part thereof without having first obtained the permission of an attendant on duty at the car park.

(2) No person shall walk in any part of a temporary car park reserved exclusively for the passage of motor vehicles.

(3) No person shall remain in a temporary car park after he has been lawfully ordered to leave the car park by an attendant.

(4) No person shall, without lawful authority, mutilate, deface or alter any ticket issued under these regulations.

(5) No person shall, without lawful authority, tamper with or interfere with a motor vehicle in a temporary car park.

13. (1) No person other than the owner thereof or a full-time employee of the owner shall clean a motor vehicle in a temporary car park or be in a temporary car park for the purpose of cleaning the vehicle unless he is in possession of a valid cleaner's permit issued by the Commissioner under regulation 16 of the Road Traffic (Parking and Waiting) Regulations, 1958.

(2) The Colonial Secretary may, in respect of a temporary car park the management of which is not vested in the Urban Council under regulation 5, grant to any person upon the conditions specified in paragraph (3) and upon such terms and other conditions as he considers desirable, the exclusive right to contract with the owners of motor vehicles using such a car park, for the cleaning of their motor vehicles therein.

(3) The granting of every such right shall be upon condition that—

- (a) such person shall employ in such work only persons holding a cleaner's permit issued under regulation 16 of the aforementioned regulations; and
- (b) the fees charged for such cleaning shall not exceed such fees as may be specified by the Colonial Secretary in the grant of such right.

(4) No such person or employee of such a person shall interfere or otherwise tamper with any motor vehicle unless he is duly authorized to do so by the registered owner of the motor vehicle.

Cleaning of  
vehicles in  
temporary  
car parks.

(G.N.A.  
77/58).

(5) The Government shall not be responsible for nor shall accept any liability in respect of any injury or damage caused to any motor vehicle or to any person or thing by any person to whom such right as is referred to in paragraph (2) has been granted in respect of a temporary car park or by any person in the employ of such a person.

14. Any person who contravenes any of the provisions of paragraph (6) of regulation 7, regulation 11, regulation 12, or paragraphs (1) and (4) of regulation 13, shall be guilty of an offence and shall be liable, on summary conviction, to a fine of five hundred dollars.

Offences and  
penalties.

15. These regulations shall apply to vehicles and persons in the public service of the Crown in the same manner as Parts III, IV, V and VI of the Road Traffic Ordinance, 1957, are applied by subsection (1) of section 31 of that Ordinance save and except that no fee shall be payable for the use of a temporary car park by a vehicle owned by and in the service of the Government.

Application  
to the  
Crown.  
(39 of 1957).

#### SCHEDULE.

[reg. 7.]

##### FEES FOR USE OF TEMPORARY CAR PARKS.

- |   |     |
|---|-----|
| 1. For any unbroken period between the hours of 8.00 a.m. and 2.00 p.m. on the same day .....   | \$1 |
| 2. For any unbroken period between the hours of 1.00 p.m. and 7.00 p.m. on the same day, other than a period for which a fee is paid under item 1 ..... | \$1 |

*Robert D. J.*  
Clerk of Councils.

COUNCIL CHAMBER,

30th April, 1963.

(Secretariat GR6/2781/61)

ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

**ROAD TRAFFIC (DRIVING LICENCES) (AMENDMENT)  
REGULATIONS, 1963.**

In exercise of the powers conferred by section 5 of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Road Traffic (Driving Licences) (Amendment) Regulations, 1963.

2. Regulation 13 of the Road Traffic (Driving Licences) Regulations, 1956, is amended by the deletion in paragraph (2) of the word "fifty" and the substitution therefor of the following—

"two hundred".

Amendment  
of regulation  
13.  
(G.N.A.  
88/56).



Clerk of Councils.

COUNCIL CHAMBER,  
30th April, 1963.

(Secretariat TC164/62)





STAMP ORDINANCE.

(Chapter 117).

STAMP (BANK AUTHORIZATION) (No. 2) ORDER, 1963.

In exercise of the power vested in me by section 15 of the Stamp Ordinance, I hereby make the following Order—

ORDER.

1. This Order may be cited as the Stamp (Bank Authorization) Citation. (No. 2) Order, 1963.

2. The bank specified in the Schedule to this Order is hereby authorized to compound for the payment of duty on unstamped cheques subject to the conditions stated in paragraphs (a), (b) and (c) of subsection (1) of section 15 of the Ordinance.

Specified bank authorized to compound for the payment of certain duty.

SCHEDULE.

Hong Nin Savings Bank, Ltd.

*Financial Secretary.*

27th April, 1963.

(Secretariat FIN18/2321/49)

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

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 17) 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. 17) 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 880,001 to 890,000 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.

1st May, 1963.

(Secretariat D/RPO)

IMMIGRATION (CONTROL AND OFFENCES)  
ORDINANCE, 1958.  
(No. 34 of 1958).

IMMIGRATION (CONTROL AND OFFENCES) (AMENDMENT)  
REGULATIONS, 1963.

In exercise of the powers conferred by section 42 of the Immigration (Control and Offences) Ordinance, 1958, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Immigration (Control and Offences) (Amendment) Regulations, 1963. Citation.

2. Regulation 10 of the Immigration (Control and Offences) Regulations, 1961 (hereinafter referred to as the principal regulations) is amended— Amendment of regulation 10. (G.N.A. 92/61).

(a) by the insertion in paragraph (3), after the words “on payment of the ”, of the following—

“appropriate”; and

(b) by the insertion at the end thereof of the following—

“(4) The Director may issue an entry permit on payment of the reduced fee, in respect of any person who is desirous of entering the Colony from China or Macau between the 1st day of July and the 1st day of September or between fourteen days before and fourteen days after Chinese New Year's Day, for the purpose only of a holiday, if the Director is satisfied that, on the date of entry, such person either—

(a) is or will be under the age of 18 years; or

(b) is or will be between the ages of 18 years and 26 years and is in receipt of full time education in China or in Macau.”.

3. The Sixth Schedule to the principal regulations is amended by the insertion, after item 12, in the columns headed “Item”, “Document or circumstance” and “Fee” and as shown hereunder, of the following— Amendment of Sixth Schedule.

“12A. Entry permit—

Reduced rate ..... 1”.

  
Clerk of Councils.

COUNCIL CHAMBER,  
30th April, 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 amend the Immigration (Control and Offences) Regulations, 1961 to enable an entry permit to be issued to a person under the age of 18 years and, at certain times of the year, to a *bona fide* student, between the ages of 18 and 26 years, at a reduced fee of \$1 instead of the full fee of \$20.

(Secretariat CR1/5/4841/60)



## DISTRESS FOR RENT ORDINANCE.

(Chapter 7).

**DISTRESS FOR RENT (AMENDMENT OF FEES) ORDER, 1963.**

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 (Amendment of Fees) Order, 1963. Citation.

2. Item 3 of the First Schedule to the Distress for Rent Ordinance is amended by the deletion of the sum "\$5.00" and the substitution therefor of the following— Amendment of First Schedule. (Cap. 7).

"\$8.00".

  
Clerk of Councils.

COUNCIL CHAMBER,  
7th May, 1963.

*Explanatory Note.*

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

The effect of this Order is to bring the fee chargeable under the Distress for Rent Ordinance for the services of watchmen placed in charge of property distrained under the Ordinance into line with that charged under the Supreme Court Fees Rules, 1955, as amended by the Supreme Court Fees (Amendment) Rules, 1963, for the similar services of court bailiffs.

(Secretariat GR2/3231/53)

PRISONS ORDINANCE, 1954.

(No. 17 of 1954).

**PRISON (AMENDMENT) (NO. 2) RULES, 1963.**

In exercise of the powers conferred by section 27 of the Prisons Ordinance, 1954, the Governor in Council has made the following rules—

1. These rules may be cited as the Prison (Amendment) (No. 2) Rules, 1963. Citation.

2. Rule 38 of the Prison Rules, 1954 (hereinafter referred to as the principal rules) is revoked and replaced by the following—

"Payment. 38. A prisoner who works and a prisoner who, through no fault of his own, is unable to work, may receive payment in accordance with rates, in each case, approved by the Commissioner."

Revocation and replacement of rule 38. (17 of 1954, Schedule).

3. Rule 68 of the principal rules is amended by the insertion, after the words and comma "one sentence or cumulative sentences," of the following—

Amendment of rule 68.

"or committed to prison for non-payment of a fine, a forfeited recognizance or other sum of money ordered to be paid,".

  
Clerk of Councils.

COUNCIL CHAMBER,  
7th May, 1963.

*Explanatory Note.*

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

These rules make minor amendments to the Prison Rules, 1954. By rule 2, rule 38 of the principal rules is replaced by a new rule which enables payment to be made not only to a prisoner who works but also to a prisoner who, through no fault of his own, is unable to work. By rule 3, rule 68 of the principal rules is amended to enable a person committed to prison for non-payment of a fine, etc., to earn remission in the same way as a prisoner sentenced to imprisonment.

(Secretariat GR48/2961/46II)

TRAINING CENTRES ORDINANCE, 1953.

(No. 5 of 1953).

**TRAINING CENTRES (AMENDMENT) REGULATIONS, 1963.**

In exercise of the powers conferred by section 10 of the Training Centres Ordinance, 1953, the Governor in Council has made the following regulations—

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

2. Regulation 12 of the Training Centres Regulations, 1953 is amended by the deletion in paragraph (3) of the words and full stop "inmates may receive payment for work." and the substitution thereof of the following—


Amendment  
of regula-  
tion 12.  
(5 of 1953,  
Schedule).

"an inmate who works and an inmate who, through no fault of his own, is unable to work, may receive payment in accordance with rates, in each case, approved by the Commissioner."

COUNCIL CHAMBER,

7th May, 1963.

(Secretariat GR48/2961/46II)

  
Clerk of Councils.



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

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 18) 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. 18) 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.

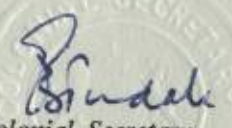
Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 890,001 to 900,000 and the family, if any, of such holder.


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

By Command,

7th May, 1963.

(Secretariat D/RPO)

  
Colonial Secretary.



BIRTHS AND DEATHS REGISTRATION ORDINANCE.  
(Chapter 174).

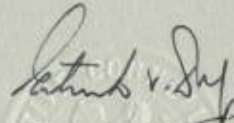
**BIRTHS AND DEATHS REGISTRATION (AMENDMENT OF  
FIRST SCHEDULE) REGULATIONS, 1963.**

In exercise of the powers conferred by section 29 of the Births and Deaths Registration Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Births and Deaths Registration (Amendment of First Schedule) Regulations, 1963. Citation.

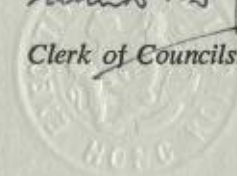
2. The First Schedule to the Births and Deaths Registration Ordinance is amended, under the heading "BIRTH REGISTER OFFICES", by the addition after item 21 of the following new item— Amendment of First Schedule. (Cap. 174).

"22. Kwun Tong Kwun Tong District Birth Registry."

  
Clerk of Councils.

COUNCIL CHAMBER,  
14th May, 1963.

(Secretariat GR19/3231/48)



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

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 19) 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. 19) 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 900,001 to 920,000 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.



14th May, 1963.

(Secretariat D/RPO)

ANIMALS (CONTROL OF EXPERIMENTS) ORDINANCE, 1963.  
(No. 18 of 1963).

**ANIMALS (CONTROL OF EXPERIMENTS)  
REGULATIONS, 1963.**

In exercise of the powers conferred by section 13 of the Animals (Control of Experiments) Ordinance, 1963, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Animals (Control of Experiments) Regulations, 1963. Citation.
2. Applications for a licence under section 7 of the Ordinance, an endorsement under section 8 of the Ordinance, a teaching permit under section 9 of the Ordinance and an endorsement under section 10 of the Ordinance shall be made in Form 1 of the Schedule to the Director of Medical and Health Services. Applica-  
tions.  
  
Schedule,  
Form 1.
3. Upon application being made in accordance with the provisions of regulation 2, the Director of Medical and Health Services may grant to the applicant a licence, endorsement or permit, as the case may be, in the forms numbered 2, 3, 4 and 5 in the Schedule with such variations, additions or conditions as he may think fit. Forms of  
licences, etc.  
  
Schedule,  
Forms 2, 3,  
4 & 5.
4. Every licensee shall keep up-to-date a book in the form set out as Form 6 in the Schedule in which he shall record the particulars therein indicated of all experiments performed by him. Records.  
  
Schedule,  
Form 6.
5. Every licensee shall render to the Director of Medical and Health Services on or before the 1st day of January each year a return in the form set out as Form 7 in the Schedule of all experiments performed by him during the preceding twelve months, or for the period from the date of coming into operation of these regulations to the following 1st day of January, as the case may be. Returns.  
  
Schedule,  
Form 7.

SCHEDULE.

FORM 1.

[reg. 2.]

*Application Form.*

To: D.M.H.S.

I,

of

on the grounds hereinafter mentioned, hereby apply for—

- (a) a Licence under section 7 of the Animals (Control of Experiments) Ordinance, 1963.
- (b) an endorsement/thereto/\*to my existing Licence No. dated /under section 8 of the said Ordinance.
- (c) a teaching permit under section 9 of the said Ordinance.
- (d) an endorsement to/the said Licence/\*my existing Licence No. dated /under section 10.

Grounds for application.

Type of experiment(s).

Purpose of experiment(s).

Place where experiment(s) may be conducted.

Qualifications of Applicant and any posts held.

Dated .....

Signed .....

\* Delete as appropriate.

FORM 2.

[reg. 3.]

*Licence to Conduct Experiments.*

Name:

Address:

By virtue of section 7 of the Animals (Control of Experiments) Ordinance, 1963, the above-named is hereby licensed to conduct the type of experiment(s), at the place(s) and upon the conditions, hereinafter mentioned.

Type of experiment(s).

Place(s) where experiment(s) may be conducted.

Conditions.

1. Such experiment(s) may only be conducted for the following purposes—

(a)

Dated , 196 .

.....  
Licensing Authority.

FORM 3.

[reg. 3.]

(to be endorsed on reverse of Form 2 or attached thereto).

*Endorsement to Authorize Experiments  
to Attain Manual Skill.*

By virtue of section 8 of the Animals (Control of Experiments) Ordinance, 1963, the holder of this Licence is hereby authorized to perform the type of experiment(s), at the place(s) for the period and subject to the conditions hereinafter mentioned, for the purpose of attaining manual skill.

Type of experiment(s).

Place(s) where experiment(s) may be conducted.

Period of this authorization.

From:

To:

Conditions.

Dated , 196 .

.....  
Licensing Authority.

FORM 4.

[reg. 3.]

*Teaching Permit.*

Name:

Address:

By virtue of section 9 of the Animals (Control of Experiments) Ordinance, 1963, the above-named is hereby permitted to perform the type of experiment(s), at the place(s), for the period and subject to the conditions hereinafter mentioned for the purpose of illustrating lecture(s).

Type of experiment(s).

Place(s) where experiment(s) may be conducted.

Period of this permit.

From:

To:

Conditions.

Dated , 196 .

.....  
Licensing Authority.

FORM 5. [reg. 3]

(to be endorsed on reverse of Form 2 or attached thereto).

*Endorsement to Authorize Experiments without Anaesthetics or without Destroying the Animal.*

By virtue of section 10 of the Animals (Control of Experiments) Ordinance, 1963, the holder of this Licence is hereby authorized to perform the type of experiment(s), at the place(s), for the period and subject to the conditions hereinafter mentioned, without administering any anaesthetic to the animal concerned or without killing the animal concerned before it recovers from the influence of any anaesthetic administered.

Type of experiment(s).

Place(s) where experiment(s) may be conducted.

Period of this permit.

From: To:

Conditions.

Dated , 196 .

Licensing Authority.

FORM 6. [reg. 4]

*Record of Experiments.*

Name of Licensee:

Date of experiment	Place where performed	Animal used	Purpose of experiment	If animal dead, state how died	Nature of experiments (if performed under teaching permit or under special endorsement this should be stated).

FORM 7. [reg. 5.]

*Return of Experiments.*

Name of Licensee:

No. and date of Licence:

Period covered by return: From To

Number of experiments conducted	Place(s) where performed	Kinds and number of animals used	Purpose of experiments (e.g. manual skill 3 illustrating lectures 5, etc.)	Any teaching permits, lectures and other endorsements applicable during the period

Dated , 196 .

Signed ..... (Licensee)

*[Signature]*  
Clerk of Councils.

COUNCIL CHAMBER,  
23rd May, 1963.

(Secretariat GR3231/57)

EXPORTATION (COTTON MANUFACTURES)  
REGULATIONS, 1962.

EXPORTATION (COTTON MANUFACTURES) (AMENDMENT  
OF SCHEDULE) ORDER, 1963.

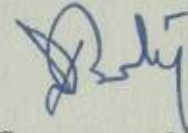
In exercise of the powers conferred by regulation 6 of the Exportation (Cotton Manufactures) Regulations, 1962, the Director of Commerce and Industry has made the following Order—

1. This Order may be cited as the Exportation (Cotton Manufactures) (Amendment of Schedule) Order, 1963. Citation.

2. The Schedule to the Exportation (Cotton Manufactures) Regulations, 1962, is amended by the addition thereto of the following items— Amendment  
of Schedule.  
(G.N.A.  
64/62).

“4. Federal Republic of Germany      Fabrics made on a hand loom.

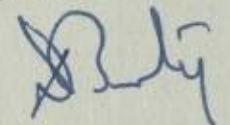
5. Norway      Fabrics made on a hand loom.”.



*Director of Commerce and Industry.*

16th May, 1963.

I hereby make this Order to take legal effect from the date of its publication in the *Hong Kong Government Gazette*.



*Director of Commerce and Industry.*

16th May, 1963.

(Secretariat FIN15/3231/61)



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

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 20) 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. 20) 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 920,001 to 935,000 and the family, if any, of such holder.

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

By Command,



21st May, 1963.

(Secretariat D/RPO)

SUPREME COURT ORDINANCE.

(Chapter 4).

SUPREME COURT FEES (AMENDMENT) (NO. 2) RULES, 1963.

In exercise of the powers conferred by section 37 of the Supreme Court Ordinance, the Rules Committee hereby makes the following rules—

1. These rules may be cited as the Supreme Court Fees (Amendment) (No. 2) Rules, 1963. Citation.
2. Rule 3 of the Supreme Court Fees Rules, 1955 (hereinafter referred to as the principal rules) is amended by— Amendment of rule 3. (G.N.A. 135/55).
  - (a) being re-numbered as paragraph (1) thereof; and
  - (b) the insertion of the following new paragraph—

“(2) The Registrar may reduce, remit or defer payment of any fee specified in the First, Second, Third or Fourth Schedule as he may think fit in any particular case and shall in every case where he exercises this power endorse on the relevant document a note of such reduction, remission or deferment and the reason therefor.”.
3. The First Schedule to the principal rules is amended— Amendment of First Schedule.
  - (a) by the deletion of items 8 and 9 and the substitution thereof of the following—

“8. Amending any document filed (including sealing)	6.00
9. Certificate of non-appearance or that no defence has been filed .....	4.00”;
  - (b) by the deletion of item 13;
  - (c) by the deletion of item 38 and the substitution thereof of the following—

“38. Attendance of an expert witness (whether a Government official or not) to give any evidence in the court when called as an expert witness—Such fee as shall be assessed by the judge or the Registrar as being reasonable in the circumstances, and including such sum as the judge or the Registrar shall think fit as a qualified fee, such fee in the case of a Government official to be paid in cash to the Registrar.



38A. Attendance of any Government official to give evidence in the court other than as an expert witness—

per hour or portion of an hour of attendance in court, the fee to be paid to the Registrar in cash ..... 20.00;

- (d) by the deletion of items 42 and 43;
- (e) by the deletion of item 46 and the substitution therefor of the following—

“46. Setting and filing judgment or decree or decretal order including judgment in default of appearance or pleading, and order under O. 2 r. 19 of the Code and orders of *mandamus* (other than in criminal proceedings), *certiorari* and prohibition ..... 30.00

And if the trial, hearing or further consideration occupies more than two days then for each additional day or part of a day after the first two days a further fee of ..... 10.00”

4. The principal rules is amended by the addition at the end thereof, of the following new Schedule—

Addition of new Schedule.

“FOURTH SCHEDULE.

FULL COURT AND THE APPELLATE JURISDICTION.

- 1. Setting down every civil appeal, motion or summons for hearing ..... 30.00
- 2. Any other matter or proceeding not herein specified—  
The same fee as is charged from time to time in the Original Jurisdiction in respect of a similar matter or proceeding.”

Dated the 3rd day of May, 1963.

*Michael Hogan*  
Chief Justice.

*SA [Signature]*  
Member.

*[Signature]*  
Member.

(Secretariat GR39/2961/46)

SUPREME COURT ORDINANCE.

(Chapter 4).

CODE OF CIVIL PROCEDURE (AMENDMENT) RULES, 1963.

In exercise of the powers conferred by section 37 of the Supreme Court Ordinance, the Rules Committee hereby makes the following rules—

1. These rules may be cited as the Code of Civil Procedure Citation. (Amendment) Rules, 1963.

2. Order II of the Code of Civil Procedure (hereinafter referred to as the Code) is amended by the deletion, in rule 21, of the words “signed by the Registrar and”. Amendment of Order II. (Vol. VII, p. 40).

3. Order XXI of the Code is amended by the insertion in rule 6, after the word “solicitor”, of the following— Amendment of Order XXI.  
“nominated or”.

4. Order XXIII of the Code is amended by the deletion, in rule 10, of the word “offence” and the substitution therefor of the following— Amendment of Order XXIII.  
“office”.

5. Order XXVI of the Code is amended by the deletion, in paragraph (1) of rule 15, of the words “one thousand dollars” and the substitution therefor of the following— Amendment of Order XXVI.  
“five thousand dollars”.

Dated the 3rd day of May, 1963.

*Michael Hogan*  
Chief Justice.

*SA [Signature]*  
Member.

*[Signature]*  
Member.

Pursuant to section 37(6)(d) of the Supreme Court Ordinance I hereby certify that the foregoing rules have been made by the requisite quorum of the Rules Committee under and by virtue of section 37(6) of the said Ordinance.

*Michael Hogan*  
Chief Justice.

(Secretariat GR39/2961/46)

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

REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 21) 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. 21) 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 935,001 to 950,000 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.



28th May, 1963.

(Secretariat D/RPO)

**FOOD BUSINESS (NEW TERRITORIES) REGULATIONS, 1963.**

**ARRANGEMENT OF REGULATIONS.**

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

## FOOD BUSINESS (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 Food Business (New Territories) Regulations, 1963, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*. Citation and commencement.
2. These regulations apply to the New Territories only. Application.
3. (1) In these regulations, unless the context otherwise requires— Interpretation.
  - "air conditioning plant" includes any kind of mechanical ventilation system which contains a device for reducing or increasing the temperature of the air in any building or any part thereof below or above the temperature of the external air;
  - "bottled" means contained in an unopened hermetically sealed bottle, tin or container;
  - "Director" means the Director of Urban Services;
  - "drinks" means non-alcoholic liquids for human consumption, but does not include water;
  - "food business" has the meaning assigned to it in regulation 4;
  - "food premises" means any premises on or from which there is carried on any food business and the expression "premises" includes a vessel and a stall;
  - "food room" means any room, (being, or being part of, any food premises) where any person engages in the handling of open food or in the cleaning of equipment for the purposes of a food business, but does not include a room in which the only handling of food which occurs is in the course of serving food for consumption therein;
  - "latrine fitment" and "latrine" have the meaning assigned to them in the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959; (G.N.A. 76/59).

"meat" means the flesh of—

- (a) cattle (including buffaloes), goats, sheep and swine; and
- (b) horses, mules, hinnies and donkeys, if intended for human consumption;

"open food" means—

- (a) uncooked perishable food; and
- (b) food 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 which has to be subjected to a process of milling, refining or cooking (other than food referred to at (a) and food in the course of preparation) for the purpose of rendering it fit for human consumption;

"plan" includes a sketch;

"preparation" in relation to food includes manufacture and any form of cooking or other treatment or preparation for sale;

"proprietor" means the owner of or the person for the time being appearing to have charge of a food business; and in the case of a licensed food business the licensee thereof;

"sanitary fitment" includes any kind of ablution or sanitary facility;

"shell fish" means molluscs and crustaceans;

"soil drain" means any pipe or gutter which receives soil matter or which receives waste from a sanitary convenience;

"soil fitment" has the meaning assigned to it in the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959;

"stall" includes any stand, marquee, mobile canteen, and any vehicle whether movable or not which is used for the sale of food.

(2) A person shall be deemed for the purposes of these regulations to engage in the handling of food if for the purposes of a food business he carries out or assists in the carrying out of any process or operation in the sale of food or in the preparation, transport, storage, packing, wrapping, exposure for sale, service, or delivery of food.

(3) For the purposes of these regulations, the supply of food, otherwise than by sale at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food, and references to purchasing and purchasers shall be construed accordingly; and where in connexion with any business in the course of which food

is supplied the place where food is served to the customers is different from the place where the food is prepared, both those places shall be deemed to be places in which food is sold.

(4) In determining for the purposes of these regulations whether any matter involves risk of contamination to any food, regard shall be had to the extent to which contamination in the respect in question is immaterial because of—

- (a) the nature of the food; or
- (b) the manner in which the food is packed; or
- (c) any process to which the food is to be subjected before sale to the consumer, being a process to which food of that nature is normally so subjected.

4. (1) In these regulations, unless the context otherwise requires, the expression "food business" means, subject to the succeeding provisions of this regulation, any trade or business for the purpose of which any person engages in the handling of food.

Interpretation of food business.

(2) The said expression does not include any agricultural activity, any canteen in any naval, military or air force establishment or provided in any school or work place for the use exclusively of the pupils of the school and the persons employed in the work place, respectively, any club or (except so far as the handling of food may be involved in the course of a retail business or in the course of supplying food for immediate consumption) so much of any trade or business as consists of the handling of food at, in or upon—

- (a) any dock, wharf or warehouse; or
- (b) except in the case of any business involving the transport of meat, whether cooked or uncooked, any premises or place occupied by a carrier of foods for the purposes of his trade as such a carrier; or
- (c) any slaughterhouse; or
- (d) any premises or place occupied by a wholesaler of raw vegetables and used exclusively for the purpose of his trade or business as such a wholesaler; or
- (e) any premises which—
  - (i) are used exclusively for the storage of food manufactured and packed by the occupier thereof; and
  - (ii) are situated outside the curtilage of the premises used for the manufacture or packing of that food; and
  - (iii) are not used for the storage of any open food.

## PART II.

## GENERAL REQUIREMENTS RELATING TO FOOD BUSINESSES.

Cleanliness  
and repair  
of food  
premises.

5. (1) Every person who carries on any food business shall at all times cause the walls, floors, doors, windows, ceiling, woodwork and all other parts of the structure of any food premises used by him in the course of such food business to be kept clean and free from noxious matters and to be kept in such good order, repair and condition as to—

- (a) enable them to be effectively cleaned; and
- (b) prevent, so far as is reasonably practicable, infestation by rats, mice and insects and the entry of birds.

(2) No person engaged in any food business shall place or permit to be placed or to remain placed any furniture or equipment, other than such as can be moved without difficulty by one man, so near to any wall in any food premises as to obstruct access to any part of such wall, or of such furniture or equipment, for the purpose of cleaning.

(3) No person engaged in any food business shall knowingly suffer or permit—

- (a) in any food premises, the presence of rats, mice or insects; or
- (b) in any food room, the presence of live birds or animals.

(4) If it appears to the Director on the report of any health officer or health inspector that any food premises, or any part thereof, are or is, by reason of uncleanliness or structural repair or condition, in such a state as to be unfit for use in any food business, the Director may cause a notice to be served upon the proprietor of such food business requiring him to cleanse, disinfest, limewash, repair or modify such food premises, or such part thereof, in such manner and within such time as shall be specified in the notice and, in the opinion of the Director, be necessary to render such premises or such part thereof fit for use as food premises.

(5) Any proprietor who fails to comply with any of the requirements of a notice served under paragraph (4) shall—

- (a) be guilty of an offence; and
- (b) the Director may cause such work as may be necessary for compliance with the requirements of the notice to be carried out and may recover any expenses incurred thereby from the proprietor.

Cleanliness  
of equipment,  
etc.

6. Every person who carries on any food business shall at all times cause all furniture, articles, equipment and utensils with which food comes into contact, or is liable to come into contact, in the course of such business to be kept clean and free from noxious matters and in proper repair and free from cracks or chipping.

7. No person shall, for the purposes of any food business, give out any food, or arrange for or permit the giving out of any food, for preparation or packing by another person on or about any domestic premises.

Prohibition  
of prepara-  
tion of food  
in domestic  
premises.

8. No person shall use or permit the use of any food room for the purpose of a dwelling place, nor the use of any dwelling place as a food room.

Prohibition  
of use of  
food rooms  
for dwelling  
purposes.

9. (1) No person shall spit in any food room, and no person shall spit in any other part of any food premises except into a spittoon or other receptacle provided for that purpose.

Restriction  
on spitting.

(2) Where the proprietor of any food business provides in any food premises spittoons or other receptacles, he shall cause each such spittoon or receptacle to contain disinfectant fluid and to be cleansed, and the fluid renewed, not less than once in every twenty-four hours.

(3) In the case of any food business in respect of which a licence is required under Part IV, the proprietor thereof shall, unless exempted in writing by the Director, cause one or more notices prohibiting spitting, written in English and Chinese, to be continuously displayed in a conspicuous manner in every food premises.

10. Every person engaged in any food business shall, while so engaged, take all such steps as may be reasonably necessary to protect the food from risk of contamination or deterioration, and in particular, without prejudice to the generality of the foregoing, no person shall—

Protection  
of food  
from risk  
of con-  
tamination.

- (a) so place, or cause, suffer or permit any other person so to place, any open food as to involve any risk of contamination; or
- (b) wrap up or otherwise bring any open food into direct contact with any printed newspaper or other unclean paper or wrapping material.

11. (1) No person in the course of any food business shall store (including display for sale) or suffer or permit the storage of any open food other than uncooked perishable food, except in a suitable container so designed and constructed as to prevent, so far as is reasonably practicable, the access of dust, insects and vermin:

Storage of  
open foods.

Provided that nothing in this paragraph shall be construed to prevent such reasonable exposure of food as may be necessary in the course of carrying on the business.

(2) No person shall knowingly suffer the existence of any dust, insects or vermin within any such container referred to in paragraph (1).

Transport of open food.

12. No person in the course of any food business shall transport, or cause, suffer or permit to be transported, any open food in the open air except so far as may be necessary for the purpose of loading or unloading any vehicle or container, unless such open food is adequately protected by suitable material from risk of contamination or deterioration.

Restriction on the use of open spaces.

13. (1) No person shall for the purpose of any food business use, or cause, suffer or permit to be used, any yard, alley, street, open space, roof top or open deck space for the preparation or storage of open food or for the washing, cleansing or storage of any equipment or utensil used in the preparation or service of food.

(2) Nothing in this regulation shall be construed to prevent—

- (a) any process in the manufacture or preparation of food in the open air which could not reasonably be carried on elsewhere having regard to the circumstances; but where the process of the trade necessitates the use of open spaces, every such open space shall be surfaced and drained to the satisfaction of the Director; or
- (b) the carrying on of any food business from a stall:

Provided that for the purpose of this sub-paragraph no open food shall be placed lower than eighteen inches from the ground unless it is adequately protected from any risk of contamination.

Use of wet refrigerators, etc.

14. No person in the course of any food business shall keep, or cause, suffer or permit to be kept, any drink contained in bottles in a wet refrigerator or immersion cooler unless such bottles are placed in an upright position and the level of the water in the refrigerator or cooler, as the case may be, is not less than three inches below the mouths of the bottles.

Cleanliness and repair of food rooms.

15. (1) The walls, floors, doors, ceilings, woodwork and all other parts of the structure of every food room shall be kept clean and shall be kept in such good order, repair and condition as to—

- (a) enable them to be effectively cleaned; and
- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice or insects or the entry of birds.

(2) Where after the commencement of these regulations any works affecting the structure of a food room, other than mere removal of part of the structure, are executed, the structure affected by such works shall after the completion of the works be such as to—

- (a) enable it to be effectively cleaned; and
- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice and insects and the entry of birds.

16. No refuse or filth, whether solid or liquid, shall be deposited or allowed to accumulate in a food room except so far as may be unavoidable for the proper carrying on of the food business.

Accumulation of refuse in food rooms.

17. No proprietor shall use, or suffer or permit to be used, in the preparation of any food, any table, sideboard, bench or like article of furniture the surface of which comes into contact with any food, or is liable to come into contact with any food, unless such surface is made of smooth close jointed hardwood or a smooth impervious material.

Certain tables, etc. to be surfaced with hardwood or impervious material.

18. No person shall lie down, sit or stand upon any table, sideboard, bench or other article of furniture the surface of which comes into contact with any food or is liable to come into contact with any food.

Prevention of lying or sitting on certain tables, etc.

19. No person engaged in any food business shall use, or cause, suffer or permit to be used, in the course of such food business any crockery, glassware or other utensil used in the preparation or consumption of food, which has not, since the last preceding occasion on which it was used for any purpose, been—

Sterilization and storage of utensils.

(a) cleansed in the following manner—

- (i) washed clean; and
- (ii) immersed in boiling water, other than the water used for the washing at (i), for not less than one minute; and
- (iii) dried by evaporation or with a clean, light coloured drying cloth; and

(b) unless immediately required for further use, stored in a cupboard rendered proof against the access of dust, insects and vermin.

20. No person engaged in any food business involving the serving of meals to customers shall provide for the use of any customer any napkin or cleansing towel unless, since the last preceding occasion upon which such napkin or cleansing towel was used for any purpose, it has been immersed for not less than one minute in boiling water used exclusively for that purpose.

Cleansing of napkins, etc.

21. No person engaged in any food business shall hang up or otherwise place any garments while not in use in such a place or in such a manner as to, or to be liable to, come into contact with or to be suspended directly above any open food; and no person shall hang up or otherwise place any such garments in any food room.

Prevention of contamination by contact with clothing.

22. Every person who engages in the handling of food in any food business shall while so engaged—

Personal cleanliness.

- (a) keep as clean as may be reasonably practicable all parts of his person which may be liable to come into contact with food;

- (b) keep as clean as may be reasonably practicable all parts of his clothing, overclothing or overalls which may be liable to come into contact with food;
- (c) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing;
- (d) refrain from the use of tobacco while he is handling any open food or is in any food room.

Immunization of persons engaged in food businesses against certain diseases.

23. (1) No person shall be engaged in or take any part in any food business 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 in or taking part in all or any particular food businesses to be immunized against such other diseases as shall be specified in such notification.

(3) Any person who fails to comply with any of the requirements of any notification published under paragraph (2) shall be guilty of an offence against this regulation.

Restriction on employment of persons likely to spread diseases.

24. (1) No person engaged in any food business who is suffering from a discharging wound or sore on any exposed part of the body, or from a discharge of the ear or from attacks of diarrhoea or vomiting or from sore throat shall take any part in the handling of open food:

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

(2) Any person engaged in the course of any food business in any food room or in any room in which food is served or in the handling of open food shall, if so required in writing by a health officer, submit himself to medical examination at such time and place as such health officer shall direct and if, after 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 health officer may notify such person in writing to that effect and thereafter such person shall forthwith cease to work or take part in the same or any other food business.

(3) A notification made under paragraph (2) shall remain effective until cancelled by a further notification by a health officer declaring such first mentioned notification is to be cancelled.

(4) Subject to the proviso to paragraph (1), no person shall cause, suffer or permit any other person whom he knows or has reason to believe to be suffering from any of the complaints mentioned in such paragraph (1) to take any part in the handling of open food in any food business; and no person shall cause or suffer or permit any other person in respect of whom he knows or has reason to believe a notification made under paragraph (2) is effective to be engaged in the course of any food business in any food room or in any room in which food is served or in the handling of any open food.

25. (1) The Director may in his discretion supply to any food business an inspection book or form for the use of health inspectors.

Inspection books, etc.

(2) Where such inspection book or form is provided by the Director, the proprietor of the food business to which it has been supplied shall cause it to be kept at all times on the food premises concerned and available for use by any health inspector visiting the premises.

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

26. No person shall cause the introduction by injection or by any other means into the tissues of the carcase or offals of any animal or bird sold or to be sold as food for human consumption any water or other fluid or air or any gaseous mixture or have in his possession any instrument designed or adapted for such purpose.

Fluids, etc. not to be injected into carcasses.

27. Where in the course of any food business the flesh of any horse, mule, hinny or donkey is sold, or offered or exposed for sale, it shall, at the time of the sale, or offer or exposure for sale, be clearly labelled "HORSE FLESH" in English lettering and Chinese characters of sufficient size to be easily legible to every customer.

Horse flesh to be labelled as such.

28. No person shall collect for sale for human consumption any shell fish in the waters of the Harbour adjacent to the New Territories.

Prohibition against the collection of shell fish in certain places.

### PART III.

#### PROHIBITED AND RESTRICTED FOODS.

29. No person shall sell, or offer or expose for sale, or possess for sale or for use in the preparation of any article of food for sale, any of the foods specified in the First Schedule.

Prohibition of the sale, etc. of articles specified in the First Schedule.

Restriction  
on the sale,  
etc. of  
articles  
specified  
in the Second  
Schedule.

30. (1) Except with the permission in writing of the Director, no person shall sell, offer or expose for sale, or possess for sale or for use in the preparation of any article of food for sale, any of the foods specified in the Second Schedule:

Provided that the provisions of this paragraph shall not apply to the hawking of live poultry in any place or area for the time being set aside by the Director pursuant to paragraph (2) of regulation 4 of the Hawker (New Territories) Regulations, 1963.

(2) Every permission granted under paragraph (1) shall—

(a) if granted to an applicant who is already in possession of a valid licence granted by the Director under any of the following regulations, namely—

(i) these regulations,

(ii) the Milk (New Territories) Regulations, 1963,

(iii) the Frozen Confections (New Territories) Regulations, 1963,

(iv) the Hawker (New Territories) Regulations, 1963,

be granted free of charge and shall be valid for so long as the licence is valid;

(b) if granted to an applicant who is the lessee of a market stall leased to him—

(i) by the Director, on behalf of the Crown, under the provisions of the Public Markets (New Territories) Regulations, 1963, or

(ii) by the owner, within the meaning of the Private Markets (New Territories) Regulations, 1963, of a private market under the provisions of those regulations,

be granted free of charge and shall be valid for the duration of the lease; and

(c) if granted to an applicant to whom neither the provisions of sub-paragraph (a) nor of sub-paragraph (b) apply, expire annually on the 31st day of March and be granted subject to the payment in advance to the Government of the appropriate fee prescribed in the third column of the Second Schedule:

Provided that, where such permission is granted on or after the 1st day of October 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 permission granted under this regulation has been lost or destroyed, the Director may upon payment of a fee of two dollars issue a duplicate thereof.

(L.N. 64/63).

(L.N. 65/63).

Second  
Schedule.

(4) For the avoidance of doubt, nothing in this regulation shall be construed to exempt any person from complying with any other licensing requirements prescribed by these or any other regulations.

#### PART IV.

##### LICENSING OF CERTAIN FOOD BUSINESSES.

31. (1) Except under and in accordance with a licence granted by the Director under this regulation, no person shall carry on any of the following food businesses—

(a) any food factory, not being a milk factory or a frozen confection factory; or

(b) any restaurant; or

(c) any siu mei or lo mei shop; or

(d) any fresh provision shop.

(2) For the purposes of this regulation and of the Third Schedule, the expression—

“food factory” means any food business which involves the manufacture or preparation of food for sale for human consumption, but does not include a restaurant or a hawker’s stall;

“fresh provision shop” means any food business which involves the sale of fresh or frozen beef, mutton, pork, fish (including live fish), poultry (including live poultry), fruit or vegetables, but does not include a restaurant, market stall or any business carried on by a hawker;

“frozen confection factory” means any food business which involves, within the meaning of the Frozen Confections (New Territories) Regulations, 1963, the manufacture of any frozen confection; (L.N. 65/63).

“milk factory” means any food business which involves, within the meaning of the Milk (New Territories) Regulations, 1963, the processing or reconstitution of milk; (L.N. 64/63).

“restaurant” means any food business which involves the sale of meals or unbottled non-alcoholic drinks to customers, but does not include a hawker’s stall;

“siu mei and lo mei shop” means any food business which involves the sale by retail of siu mei or lo mei, but does not include a restaurant or any business carried on by a hawker.

(3) Without prejudice to anything contained in the Ordinance relating to licences, any licence granted under this regulation may, as a condition thereof, prohibit or restrict the carrying on at or from the

Licensing  
of food  
businesses.

Third  
Schedule.

same food premises to which such licence relates, any kind of food business or other business except that specified in such licence.

(4) Every licence, other than a temporary licence, granted under this regulation shall be renewable annually on the day specified in the fifth column of the Third Schedule.

Third  
Schedule.

(5) The grant or renewal of every such licence shall be subject to the payment in advance to the Government of the appropriate fee prescribed in the fourth column of the Third Schedule for the class of licence issued:

Provided—

- (i) that where any such licence is issued in the second half of any year of licence the fee payable in respect of that year of licence shall be one-half of the fee prescribed; and
  - (ii) that a temporary licence for any period not exceeding seven days may be granted upon payment of a fee of five dollars.
- (6) Where the Director is satisfied that any licence granted under these regulations is lost or destroyed, the Director may upon payment of a fee of five dollars issue a duplicate thereof.

Application  
for licence.

32. Every application for a licence under regulation 31 shall be made in writing addressed to the Director and accompanied by three copies of a plan, as nearly as may be to scale, of the whole of the food premises (excluding a stall) to which such licence will relate, and, so far as may be applicable having regard to the nature of business, including the following particulars—

- (a) space allocated to the cooking, preparation or handling of open food;
- (b) space allocated to the storage of any kind of open food;
- (c) space allocated to the serving of meals to customers;
- (d) space allocated to the cleansing, drying or storage for ready use of utensils;
- (e) sanitary fitments and drainage works;
- (f) cloakrooms, passageways and open spaces;
- (g) all means of exit, entry and internal communications;
- (h) all windows or ducts providing ventilation or, in the case of ventilation by mechanical means, such means;
- (i) the siting of all furniture of a substantial and permanent nature including food manufacturing or preparation plant, cooking ranges, refrigeration or cooling equipment, fixed sideboards, washbasins or sinks, drying racks, water tanks and other like equipment;

(j) means of refuse storage and disposal.

(2) Every plan submitted for approval under paragraph (1) shall be accompanied by a statement in writing declaring—

(a) the class of licence required; and  
where applicable—

- (b) the type of heating equipment and fuel intended to be used; and
- (c) the type and country of manufacture of any air conditioning plant intended to be installed.

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

33. (1) No licence shall be granted under regulation 31 unless the Director is satisfied, in relation to the premises in respect of which the application for such licence was made, that—

Conditions  
for issue  
of licence.

- (a) the plan referred to in regulation 32 has been approved by the Director and the premises conform thereto;
- (b) the means of ventilation provided, whether natural or mechanical or partly natural and partly mechanical, are sufficient in every part of the premises, other than any part used exclusively for storage purposes to safeguard in that respect the maximum number of persons likely to be in such part of the premises at any one time;
- (c) sanitary fitments are provided to a standard not less than that required by the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959:

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

Provided that in the case of any premises to which such regulations do not apply, the Director may approve such lesser standard as, having regard to considerations of public health and the circumstances of the case, he may consider adequate;

- (d) public mains water is laid on to the premises and that adequate tank storage suitably protected against access of dust and mosquitoes is provided:

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

- (e) no food room contains any soil fitment or latrine fitment or communicates directly with a room or other place which contains a soil fitment or latrine fitment;

- (f) the floors and internal surfaces of the walls of every food room 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 coved;
- (g) the ceilings of every food room are rendered impervious to dust;
- (h) in the opinion of the Director, the facilities for cleansing equipment and utensils used in the preparation, service or consumption of food on the premises is adequate having regard to the nature of the food business to be intended;
- (i) except where adequate provision is made elsewhere, suitable and sufficient cupboard or locker accommodation is provided for clothing and footwear not worn during working hours of all persons engaged in the handling of food on or about the premises:

Provided that—

- (i) this requirement shall not apply to food premises upon which no open food is handled; and
- (ii) this requirement may be waived or modified by the Director by notice in writing;
- (j) in the case of restaurants, the space allocated respectively to—
  - (i) kitchens, and
  - (ii) preparation of food and cleansing of utensils,
 is not less in proportion to the space allocated to the serving of meals than that prescribed in the Fourth Schedule;
- (k) the surface of every article of furniture referred to in regulation 17 is capable of being lit to a standard of not less than 8 foot-candles, and the top plates of every stove and cooking range is capable of being lit to a standard of not less than 6 foot-candles, either by natural or artificial lighting or partly by natural and partly by artificial lighting; and
- (l) any heating equipment or air conditioning plant provided is properly installed and, having regard to the nature of the premises, is not likely to be dangerous.

(2) Where the premises in respect of which such application is made are a vessel, the provisions of paragraph (1) shall apply subject to such modification as is appropriate.

**34.** After the grant or renewal of any licence under these regulations, except with the written permission of the Director, no licensee shall, in respect of the premises in relation to which such licence was granted, cause or permit—

- (a) any alteration or addition which would result in deviation from the plan approved under regulation 32; or

- (b) any alteration in respect of any matter specified in regulation 33; or
- (c) in relation to any heating equipment, any alteration of any part of such equipment or any change in the type of fuel used therein.

## PART V.

### OFFENCES AND MISCELLANEOUS.

**35.** (1) Any person who—

- (a) contravenes any of the provisions of regulation 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 26, 28, 29 or 34 or of paragraph (1), (2) or (3) of regulation 5, paragraph (1) of regulation 23, paragraph (1), (4) or (5) of regulation 24, paragraph (2) or (3) of regulation 25, paragraph (1) of regulation 30 or paragraph (1) of regulation 31;
- (b) fails to comply with any of the requirements of a notice served upon him under the provisions of paragraph (4) of regulation 5;
- (c) fails to comply with any of the requirements of a notification published in the *Gazette* under the provisions of paragraph (2) of regulation 23; or
- (d) being a person engaged in the course of any food business, in any food room or in any room in which food is served or in the handling of open food—
  - (i) fails to submit himself to medical examination when required to do so under the provisions of paragraph (2) of regulation 24; or
  - (ii) fails to cease to work or to take part in any food business when required to do so by the provisions of that paragraph,

shall be guilty of an offence.

(2) In the event of any contravention of any of the provisions of regulation 15, 16 or 27, the licensee of the food business in relation to 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 on summary conviction to a fine of two thousand dollars and 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.

Offences and penalties.

Fourth Schedule.

Restriction on alteration of premises or fittings after grant of licence.

Name in which proceedings for offences may be brought.

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

Transitional provisions. (Vol. IX, p. 89).

Fourth Schedule.

36. 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.

37. The following rules of the New Territories Rules are revoked, that is to say—

- (a) all those provisions of rules 2, 3, 4, 5, 6, 7, 9, 10, 12, 13, 20 and 21 which are applicable to any food business within the meaning of these regulations; and
- (b) all the rules set out in the New Territories Rules under the general headings—

RULES FOR FOOD SHOPS  
 RULES FOR RESTAURANTS  
 RULES FOR FOOD FACTORIES  
 RULES FOR PASTEURIZATION PLANTS AND MILK SHOPS  
 RULES FOR HAWKERS  
 RULES FOR ICE CREAM SHOPS.

38. (1) Any licence or permit granted under any of the provisions of the New Territories Rules which are revoked by these regulations which is in force at the commencement of these regulations shall be deemed to be a licence granted under regulation 31 of these regulations, so far as the provisions of that regulation are applicable.

(2) Any plan of any premises which has been approved under any of the provisions of the New Territories Rules which are revoked by these regulations shall be deemed to have been approved under the provisions of regulation 32 of these regulations.

(3) Upon application for the renewal of any licence under regulation 31 which is a licence under that regulation by virtue of the provisions of paragraph (1) of this regulation, the Director shall grant to the applicant a renewal thereof.

(4) Notwithstanding anything contained in paragraphs (1) and (2), but subject to the provisions of paragraph (3), where it appears to the Director that any food premises in relation to which a licence or permit was granted under any of the provisions of any of the New Territories Rules revoked by these regulations, and whether or not a plan thereof was approved under any such regulations, are in any particular, otherwise than in relation to the Fourth Schedule, unsatisfactory having regard to the provisions of these regulations, the Director may serve upon the licensee a notice requiring him, as a condition precedent to any renewal of the licence subsequent to the renewal thereof provided for in paragraph (3), to carry out or cause to be carried out such

alterations or additions in respect of such premises as may be specified in the notice, and, if he thinks fit, to provide him with a plan of such premises in the manner required by the provisions of regulation 32.

(5) Where the date of expiration of any licence granted under any of the provisions of the New Territories Rules revoked by these regulations relating to food businesses does not coincide with the date of expiration of the corresponding licence specified in the Third Schedule to these regulations, the licence which such first mentioned licence is deemed to be by virtue of this regulation shall not expire until the date of expiration thereof specified in the said Third Schedule, 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.

(6) Nothing in these regulations shall entitle any person to a refund of the whole or any part of any fee paid under any of the New Territories Rules which are revoked by these regulations.

FIRST SCHEDULE. [reg. 29.]

PROHIBITED FOODS.

Item.	Description of food.
1.	The following Chinese dishes— Yu Sang (魚生).
2.	Fresh or frozen meat of animals which have been slaughtered in the Colony otherwise than in a Government slaughterhouse or in a slaughterhouse approved by the District Commissioner, New Territories, in respect of the New Territories or the Urban Council in respect of the urban areas.
3.	Shell fish which have been collected in contravention of regulation 28 of these regulations or of by-law 28 of the Food Business By-laws, 1960.

SECOND SCHEDULE. [reg. 30(1).]

RESTRICTED FOODS.

Item.	Description of food.	Annual Fee.
1.	Fresh or frozen meat, excluding meat specified in the First Schedule .....	\$ 20
2.	Fresh or frozen game .....	20
3.	Fresh, frozen or live fish, excluding live fish on a fish farm ...	—
4.	Fresh, frozen or live poultry, excluding live poultry on a poultry farm .....	—

Third Schedule.

Item.	Description of food.	Annual Fee. \$
5.	Fresh or frozen shell fish, excluding shell fish specified in the First Schedule .....	20
6.	Imported or dried meat or imported meat which has been otherwise treated or prepared .....	—
7.	Imported intestines or other parts of any animal which are prepared in the form of sausage casings .....	—
8.	Imported pies, sausages or other prepared or manufactured articles of food which contain any meat or cooked or dried meat other than fat .....	—
9.	Milk, being milk to which the Milk (New Territories) Regulations, 1963, apply .....	30
10.(a)	Soft ice cream .....	50
(b)	Other frozen confections .....	20
11.	Chinese herb tea .....	25
12.	Non-bottled drinks .....	20
13.	Siu Mei (燒味) or Lo Mei (滷味) .....	—
14.	Cut fruit .....	—
15.	Leung Fan (涼粉) .....	—
16.	Man Tau Lo (饅頭蟲) .....	—

## THIRD SCHEDULE.

[reg. 31.]

## LICENSING FEES.

Class of licence.	Nature of business.	Size of premises by reference to floor area.	Fee. \$	Date of renewal.
A.	Food Factories.			
	1. General.	Not exceeding 1,500 sq. ft.	120	} 1st October.
		1,501—3,500 sq. ft. ...	240	
		Exceeding 3,500 sq. ft.	500	
	2. Bakeries.	Not exceeding 1,500 sq. ft.	60	} 1st January.
		1,501—3,500 sq. ft. ...	120	
		Exceeding 3,500 sq. ft.	250	
B.	Restaurants.			
	1. General.	Not exceeding 1,500 sq. ft.	120	} 1st July.
		1,501—3,500 sq. ft. ...	240	
		Exceeding 3,500 sq. ft.	500	
	2. Marine.	Not exceeding 1,500 sq. ft.	120	} 1st July.
		1,501—3,500 sq. ft. ...	240	
		Exceeding 3,500 sq. ft.	500	
	3. Light refreshment not involving heating on the premises except for making tea and hot drinks excluding soups.	Not exceeding 1,500 sq. ft.	60	} 1st July.
		1,501—3,500 sq. ft. ...	120	
		Exceeding 3,500 sq. ft.	250	

Class of licence.	Nature of business.	Size of premises by reference to floor area.	Fee. \$	Date of renewal.
C.	Siu Mei and Lo Mei Shops.			
	General.	All sizes .....	150	1st April.
D.	Fresh Provision Shops.			
	For sale of—			
	1. Beef or mutton	All sizes .....	250	} 1st April.
	2. Pork	All sizes .....	250	
	3. Fish (including live fish)	All sizes .....	250	
	4. Poultry (including live poultry)	All sizes .....	250	
	5. Fruit or vegetables	All sizes .....	80	

Note: Where, in the case of Class D licences, more than one class of licence is required by the same applicant, the aggregate fee shall not exceed \$500.

## FOURTH SCHEDULE.

[reg. 33(1)(j).]

## APPORTIONMENT OF SPACE IN RESTAURANTS.

## Class B1 and B2 restaurants.

Seating accom. in sq. ft.	Kitchen accom. in sq. ft.	Aggregate area of kitchen, food preparation room and scullery accom. in sq. ft.
700 or less	Not less than 60	Not less than $\frac{1}{4}$ of the total area of seating accommodation.
701—800	" " " 100	Not less than 350 sq. ft.
801—900	" " " "	" " " 360 " "
901—1,000	" " " "	" " " 370 " "
1,001—1,100	" " " "	" " " 380 " "
1,101—1,170	" " " "	" " " 390 " "
1,171 or over	" " " 150	Not less than $\frac{1}{4}$ of the total area of seating accommodation.

COUNCIL CHAMBER,  
4th June, 1963.

*John V. S. P.*  
Clerk of Councils.