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28. Stamp Ordinance, 1921. (No. 8 of 1921.) —Contd.

Regulations enforced by the Japanese in Hong Kong between the 26th day of November, 1942 and the 1st day of September, 1945, shall be wholly exempt from duty."

(2) Section 35A. (2) The Ordinance is amended by the addition after section 35 of the following—

"Instru-  
ments  
confirma-  
tory of  
Japanese  
occupation  
transac-  
tions.

**35A.** (1) Wherever the Land Officer certifies that in his opinion an assignment or re-assignment has been made by the appropriate parties solely for the purpose of carrying into effect a transaction or a series of transactions in respect whereof an instrument or a series of instruments has been registered or recorded in the Japanese House Registration Office and of effectuating by an assignment or re-assignment in the form in common use in the Colony the transaction or series of transactions which to him appears to have been intended to be effected by such instrument or series of instruments, then such assignment or re-assignment shall be exempt from *ad valorem* duty but shall be stamped in accordance with Head 17 of the Schedule hereto.

(2) For the purpose of this section the Japanese House Registration Office shall mean the office in which during the Japanese occupation were kept registers or records of houses and buildings and documents in relation thereto.

(3) The certificate under subsection (1) shall be endorsed upon the instrument in question and a Land Office fee of ten dollars shall be payable therefor. The Collector on production of the certificate under subsection (1) and of the instrument in question shall

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endorse thereon a certificate to the effect that the same is under this section exempt from *ad valorem* duty.

(4) This section shall not apply to any instrument executed in contravention of the Moratorium Proclamation of the British Military Administration dated the 13th day of September, 1945."

29. Judgments (Facilities for Enforcement) Ordinance, 1921. (No. 32 of 1921.)

(1) Section 2. (1) Section 2 is amended by the deletion in the first and second lines of subsection (2) of the words "Subject to any rules that may be made by the Chief Justice under section 5," and the substitution therefor of the following—

"Subject to rules of court,".

(2) Section 3. (2) Section 3 is amended by the deletion in the first and second lines of subsection (4) of the words "The rules which it shall be lawful for the Chief Justice to make under section 5 shall provide—" and the substitution therefor of the following—

"Rules of court shall provide—".

(3) Section 5. (3) Section 5 is repealed and replaced by the following —

"Rules of  
Court.  
10 & 11  
Geo. 5,  
c.81, s.11.

**5.** Provision may be made by rules of court under section 32 of the Supreme Court Ordinance, 1873, for regulating the practice and procedure, (including scales of fees and evidence), in respect of proceedings of any kind under this Ordinance."

30. Wild Birds Ordinance, 1922. (No. 15 of 1922.)

Section 12.

Section 12 is amended by the deletion in the last line of section 12 of the words "fifty

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30. Wild Birds Ordinance, 1922. (No. 15 of 1922.) —Contd.	dollars" and the substitution therefor of the following— "two hundred and fifty dollars".
31. Female Domestic Service Ordinance, 1923. (No. 1 of 1923.)	
(1) Long title.	(1) The long title is repealed and replaced by the following— "An Ordinance to prohibit the employment or possession of mui tsai or the employment of female domestic servants below a certain age and for purposes ancillary thereto."
(2) Sections 4, 5 and 6.	(2) Sections 4, 5 and 6 are repealed and replaced by the following— <b>4.</b> No person shall have in his employment any mui tsai. <b>5.</b> No person shall bring or cause to be brought any mui tsai into the Colony. Notwithstanding anything contained in section 20 of the Magistrates Ordinance, 1932, any complaint or information in respect of an offence against this section may be made or laid at any time. <b>6.</b> No person shall have in his employment any female domestic servant under the age of twelve years."
32. Chinese Certificates (Fees) Ordinance, 1923. (No. 6 of 1923.)	
The whole Ordinance.	The Ordinance is repealed.

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33. Secretary for Chinese Affairs Incorporation Ordinance, 1928. (No. 3 of 1928.)	
(1) Section 7.	(1) Section 7 is repealed and replaced by the following— "7. The Corporation will continue to hold the pieces or parcels of ground which were vested in them on the 10th day of April, 1928, except such of the same as may at any time be disposed of under subsection (2) of section 3 hereof, together with all rights, easements and appurtenances belonging or appertaining thereto, or therewith usually held, occupied and enjoyed— (a) in the case of premises held under Crown lease, for the term granted thereby and subject to the payment of the rent and the performance of the covenants and conditions reserved thereby and contained therein; and (b) in the case of there being no Crown lease, for the term and subject to the payment of the rent and performance of the covenants and conditions to be implied in all the circumstances of the case, and in every case whatsoever subject to the trusts on which the respective pieces or parcels of ground were held immediately before the 10th day of April, 1928."
(2) Schedule.	(2) The Schedule is repealed.
34. Watchmen Ordinance, 1928. (No. 6 of 1928.)	
The whole Ordinance.	The Ordinance is repealed.

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35. Pawnbrokers  
Ordinance, 1930.  
(No. 16 of 1930.)

Section 16.

Section 16 (as enacted by Ordinance No. 57 of 1948) is repealed and replaced by the following—

“16. (1) On the tender of any such ticket together with the full amount then due for principal and simple interest, if made within six months from the day of making the loan in the case of goods pawned in any part of the New Territories other than New Kowloon, and four months from the day of making the loan in the case of goods pawned elsewhere in the Colony, the pawnbroker shall deliver up the goods described therein to the person so tendering.

(2) The Governor in Council may by regulation prescribe periods in substitution for the periods of six months and of four months specified in subsection (1) hereof.”

36. Dutiable  
Commodities  
Ordinance, 1931.  
(No. 36 of 1931.)

(1) Section 2.

(1) Section 2 is amended by the deletion in subsection (2) of the expressions “British Empire” and “Empire” where in such subsection such expressions occur and the substitution therefor of the following—

“Commonwealth”.

(2) Section 3.

(2) Section 3 is amended by the repeal of subsection (1) and the substitution therefor of the following—

“(1) This Ordinance shall apply to alcoholic liquors, tobacco, hydrocarbon oils, table waters, proprietary medicines and toilet preparations.”

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36. Dutiable  
Commodities  
Ordinance, 1931.  
(No. 36 of 1931.)  
—Contd.

(3) Section 7.

(3) Section 7 is amended by the addition at the end thereof of the following—

“(3) a list of general bonded warehouses and a list of licensed warehouses shall be published in the *Gazette* in January of each year and additions thereto or deletions therefrom shall be similarly published within one month of such addition or deletion becoming necessary.”

(4) Section 11.

(4) Section 11 is amended by the deletion in subsections (3), (4) and (5) of the expressions “suitable badge of office”, “badge” and “badge of office” and the substitution therefor of the following—

“warrant”.

(5) Section 39.

(5) Section 39 is amended by the deletion in the last line of the words “twenty-five dollars” and the substitution therefor of the following—

“fifty dollars”.

(6) Section 42.

(6) Section 42 is amended—

(a) by the repeal of paragraphs (1), (2) and (3) and the substitution therefor of the following—

“(a) for a first offence, to a fine not exceeding five thousand dollars and to imprisonment for any term not exceeding six months;

(b) for every subsequent offence, to a fine not exceeding ten thousand dollars and to imprisonment for any term not exceeding twelve months.”;

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36. Dutiable  
Commodities  
Ordinance, 1931.  
(No. 36 of 1931.)  
—Contd.

(b) by the deletion of the words "for a first, second or subsequent offence there were substituted a fine not exceeding two thousand dollars" in the seventeenth, eighteenth and nineteenth lines and the substitution therefor of the following—

"for a first or subsequent offence there were substituted a fine not exceeding ten thousand dollars".

(7) Section 68. (7) Section 68 is amended by the deletion in the first line of the words "Any European officer of police" and the substitution therefor of the following—

"Any police officer".

(8) Sections 79 to 84. (8) There shall be added after Part IV (section 78) Parts V and VI as follows—

PART V.—TABLE WATERS.

Application. 79. This Part shall only apply in the application of the Ordinance to table waters.

Interpretation. 80. The following expressions shall have the meaning specified—

"table waters" includes any aerated waters and any beverages sold or kept for sale in bottles, other than syrups or other liquids intended to be consumed only in a diluted form;

"gallon" means twelve reputed pints or six reputed quarts.

PART VI.—PROPRIETARY MEDICINES AND TOILET PREPARATIONS.

Application. 81. This Part shall only apply in the application of the Ordinance to proprietary medicines and toilet preparations.

Interpretation. 82. The following expressions shall have the meanings specified—

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36. Dutiable  
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Ordinance, 1931.  
(No. 36 of 1931.)  
—Contd.

"f.o.b." means the price free on board charged to the consignee in Hong Kong and is calculated less any discounts or rebates which the manufacturer may have permitted the purchaser;

"proprietary medicine" means any medicine or prophylactic recommended to the public by advertisement, label or otherwise in writing as efficacious for the prevention, cure or relief of any malady, ailment, infirmity or disorder affecting human beings and

(a) which is sold under a trade name or trade mark to the use of which any person has or claims or purports to have an exclusive right; or

(b) of which any person has or claims or purports to have the exclusive right of manufacture or for the making of which any person has or claims or purports to have any secret;

"toilet preparation" means any substance commonly used for the toilet and includes—

- toilet soap;
- shaving soap and cream;
- tooth paste or powder and liquid preparations for dental purposes or mouth washes;
- perfumed spirits;
- toilet paste or powder;
- toilet cream;
- hair dye;

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36. Dutiable  
Commodities  
Ordinance, 1931.  
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—Contd.

scented sachets;  
lipstick, rouge and grease  
paint;  
preparations for use in medi-  
cine and chiropody;  
preparations, whether medi-  
cinal or not, for use on the  
hair, face or body;  
bath salts and essences;  
smelling salts;  
prepared Fuller's earth:

Provided that the expressions  
"proprietary medicine" and  
"toilet preparation" do not in-  
clude any substances made and  
sold under a name or synonym  
specified in the British Pharma-  
copoeia or the British Pharma-  
ceutical Codex.

Exchange  
Rate.

83. The Governor in Council may  
by notification in the *Gazette* specify  
the rate of exchange applicable for the  
purpose of calculating the Hong Kong  
dollar equivalent of foreign currencies.

Ascertain-  
ment of  
price.

84. The Director of Commerce and  
Industry shall have the right to require  
the importer to produce consular or  
other certified invoices, and where such  
invoices are not produced or where the  
information on such invoices is not  
considered correct, he may fix a price  
which shall be deemed to be the price  
for the calculation of duty."

37. Estate Duty  
Ordinance, 1932.  
(No. 3 of 1932.)

- (1) Section 8. (1) Section 8 is amended—  
(a) by the addition after subsection (6) of the  
following—

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37. Estate Duty  
Ordinance, 1932.  
(No. 3 of 1932.)  
—Contd.

"Provided that unless the Commis-  
sioner in any particular case with the  
approval of the Governor in Council  
otherwise directs—

(a) in the case of any death occurring  
on or before the 7th day of  
December, 1941, no interest  
under this subsection shall be  
payable in respect of the period  
from the 8th day of December,  
1941, to the 2nd day of March,  
1946, and no part of the said  
period shall be taken into con-  
sideration for the purpose of  
computation of the period of six  
months referred to in this subsec-  
tion, and

(b) in the case of any death occurring  
subsequent to the 7th day of  
December, 1941, and prior to the  
2nd day of March, 1946, the latter  
date shall be substituted for the  
date of death referred to in the  
third and fifth lines of this sub-  
section."

(b) by the addition after subsection (7) of the  
following—

"(8) Where the estate duty pay-  
able exceeds two hundred dollars it  
may be paid either by means of  
stamps or by such other means as the  
Commissioner may from time to time  
direct."

(2) Section 12. (2) Section 12 is amended by the addition after  
subsection (1) of the following—

"Provided also that unless the Commis-  
sioner in any particular case with the  
approval of the Governor in Council other-  
wise directs—

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37. Estate Duty Ordinance, 1932. (No. 3 of 1932.) —Contd.

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- (a) in the case of any death occurring before the 8th day of December, 1941, the period from such date to the 2nd day of March, 1946, shall not be taken into consideration for the purposes of this subsection, and
- (b) in the case of any death occurring on or after the 8th day of December, 1941, and before the 2nd day of March, 1946, the latter date shall be substituted for the date of the death referred to in the third and sixteenth lines of this subsection."

- (3) Section 16. (3) Section 16 is amended by the addition at the end thereof of the following—

"Provided that in respect of deaths occurring on or between the 8th day of June, 1941, and the 1st day of March, 1946, the Commissioner in lieu of the Governor in Council may remit the payment of any estate duty or order the refund of the whole or any portion of any estate duty, and for the purpose of the exercise of such discretion the Commissioner shall take into account the provisions of paragraph 1 of Order No. 3, made on the 1st day of March, 1946, under Proclamation No. 16 made by the British Military Administration, as amended from time to time, whether that Order shall have been repealed or not."

- (4) Section 16A. (4) The Ordinance is amended by the insertion after section 16 of the following—

"16A. Where the Commissioner is satisfied—

- (a) that estate duty has become payable on property passing on a death between the 8th day of December, 1941, and the 16th day of September, 1945, of a person who—

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37. Estate Duty Ordinance, 1932. (No. 3 of 1932.) —Contd.

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- (i) dies from wounds inflicted, accident occurring or disease contracted, within three years before death, on active service against the enemy on land or sea or in the air or on service which in the opinion of the Commissioner is of a warlike nature or involves the same risk as active service and such person was at the time when the wounds were inflicted or when the accident occurred or disease was contracted subject to any naval military or air force discipline, or

- (ii) dies from injuries received within three years of death and which were in the opinion of the Commissioner caused by operations of war or received during internment or imprisonment in the Colony or in any territory controlled at the time of such internment or imprisonment by a sovereign or state then at war with His Majesty or dies from any cause which in the opinion of the Commissioner was attributable to such internment or imprisonment; and

- (b) that subsequent estate duty has again become payable during the same period on the same property or any part thereof on another such death, being the death of a person to whom that property or that part thereof passed on the earlier death,

then the whole of the estate duty payable on the later death on that property or that part thereof shall be remitted or, if paid, shall be repaid. That property or that part thereof shall not be aggregated with any other property passing on a later death for the purpose of determining the rate of estate duty."

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38. Empire

Preference  
Ordinance, 1932.  
(No. 32 of 1932.)

(1) The short title, the long title, and throughout the Ordinance.

(2) Section 2.

(3) Section 3.

(1) For the expressions "Empire" and "British Empire" wherever they appear there shall be substituted the following—

"Commonwealth".

(2) The first definition in section 2 is repealed and replaced by the following—

" "Commonwealth" bears the meaning given thereto by section 3 of the Interpretation Ordinance, 1950."

(3) Section 3 is amended by the addition as subsection (3) thereof of the following—

"(3) Where it appears to the Governor in Council that such special licence fee has been paid in respect of a private motor vehicle brought into and kept in the Colony for a period not exceeding three months on the occasion of or in connexion with a temporary stay in the Colony of the owner of the vehicle, the Governor in Council shall without prejudice to the provisions of any other enactment have power in his discretion to order that such special licence fee shall in whole or in part be refunded."

39. Prisons

Ordinance, 1932.  
(No. 38 of 1932.)

Section 3.

Section 3 is repealed and replaced by the following—

"3. The sites and buildings and prisons known as Stanley Prison, Victoria Remand Prison, Lai Chi Kok Female Prison, the Prison Ward of Queen Mary Hospital, and the Prison Ward of Kowloon Hospital, shall be prisons duly set apart under section 2."

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40. Companies

Ordinance, 1932.  
(No. 39 of 1932.)

(1) Section 277.

(2) Section 279.

41. Summary Offences

Ordinance, 1932.  
(No. 40 of 1932.)

(1) Section 5.

(2) Section 12.

(3) Section 14.

(4) Section 23.

42. Hong Kong

Dollar Loan  
Ordinance, 1934.  
(No. 11 of 1934.)

(1) Section 3.

(2) Section 5.

(3) Schedule.

(1) Section 277 is amended by the addition after subsection (7) thereof of the following—

"(8) If because of the absence of an address of a liquidator or the absence of an address of any subscriber to the memorandum, or for any other reason, the registrar considers that a notice to be sent under this section is unlikely to come to the knowledge of the addressee, it shall be sufficient compliance with the requirements of this section if in lieu of the sending of such a notice the registrar shall cause to be inserted in the *Gazette* in each such case an advertisement to the like effect as such notice."

(2) Section 279 is amended by the deletion in the third line of the words "with the Colonial Treasurer or".

(1) Section 5 is repealed.

(2) Section 12 is repealed.

(3) Section 14 is repealed.

(4) Section 23 is amended by the repeal of subsection (4).

(1) Section 3 is repealed.

(2) Section 5 is amended by the repeal of subsections (10), (11) and (12).

(3) The Schedule is repealed.

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43. Colonial  
(Bahamas and  
Leeward  
Islands)  
Light Dues  
Ordinance, 1934.  
(No. 15 of 1934.)

(1) Section 1.

(1) Section 1 is repealed and replaced by the following—

“Short  
title.

1. This Ordinance may be cited as the Light Dues (Bahamas and Leeward Islands) Ordinance, 1934.”

(2) Sections 2  
and 3.

(2) Sections 2 and 3 are repealed and replaced by the following—

“Significa-  
tion of  
opinion of  
legislature  
under 57 &  
58 Vict.  
c.60.

2. In pursuance of the provisions of subsection (2) of section 670 of the Merchant Shipping Act, 1894, the legislature of the Colony hereby signifies its opinion that the dues fixed by order of His Majesty in Council of the 17th day of December, 1931, or such other dues as may from time to time be substituted therefor by His Majesty in Council, ought to be levied and paid in the Colony.

Dues to be  
leviable.

3. (1) All dues in respect of the lighthouses and buoy specified in the Schedule shall be paid in the Colony by the owner or master of every ship for every occasion on which such ship passes and derives benefit from any of the said lighthouses or the said buoy, provided that such dues have not previously been paid in the United Kingdom or elsewhere in the Commonwealth in respect of the occasion for which such dues are claimed.

(2) Such dues shall be paid at the rate specified in the Schedule, or at such other rate as may be fixed by His Majesty in Council.

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43. Colonial  
(Bahamas and  
Leeward  
Islands)  
Light Dues  
Ordinance, 1934.  
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—Contd.

Procedure.

4. The dues payable under this Ordinance shall be collected and dealt with by the Director of Marine, after deducting the cost of collection, in accordance with such instructions as may from time to time be issued with the authority of the Secretary of State for the Colonies.

Method of  
recovery.

5. The provisions of section 32 of the Merchant Shipping Ordinance, 1899, shall apply to the dues payable under this Ordinance.

Power to  
vary  
Schedule.

6. The Governor in Council may, by notification in the *Gazette*, vary the Schedule.”

(3) Appendix.

(3) The Appendix is deleted.

(4) Schedule.

(4) The Schedule is repealed and replaced by the following—

“SCHEDULE.

	Latitude.	Longitude.	Rate.
Lighthouses.			
Abaco .....	25° 51' N.	77° 11' W.	} Three- pence per ton.
Great Isaac .....	26° 02' N.	79° 06' W.	
Cay Lobos .....	22° 23' N.	77° 36' W.	
Elbow Cay .....	26° 32' N.	76° 57' W.	
Great Stirrup Cay .....	25° 50' N.	77° 54' W.	
Castle Island .....	22° 07' N.	74° 20' W.	
Inagua .....	20° 56' N.	73° 40' W.	
Bird Rock .....	22° 51' N.	74° 22' W.	} A half- penny per ton.
Watling Island ...	24° 06' N.	74° 26' W.	
Sombrero Island ..	18° 36' N.	63° 28' W.	
Buoy.			
Matanilla Shoal...	27° 23' N.	79° 06' W.	Three- pence per ton.”

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44. Trustee

Ordinance, 1934.  
(No. 18 of 1934.)

(1) Section 79. (1) Section 79 is repealed.

(2) Section 82. (2) Section 82 is amended by the repeal of paragraph (n) of subsection (1).

(3) Section 86. (3) Section 86 is amended by the addition at the end thereof of the following—

“Provided also that nothing in this section shall be deemed to derogate from the provisions of sections 38 and 40.”

(4) Section 106A. (4) Section 106A (as enacted by Ordinance No. 17 of 1939) is repealed and replaced by the following—

“106A. (1) Notwithstanding the foregoing, any company lawfully carrying on banking business in the Colony and having a capital (in stock or shares) for the time being issued of not less than four million dollars (of which not less than one million six hundred thousand dollars shall have been paid up in cash) may with the consent of the Governor in Council be registered as a Trust Company: Provided that the Governor in Council shall not give such consent unless he is satisfied that the extent and nature of the company's business in the Colony is sufficient to justify such special registration.

(2) Consent of the Governor in Council under subsection (1) shall be notified to the Registrar of Companies who shall register the company in the register prescribed by section 80, issue to it a certificate that the company is registered as a Trust Company, and publish notice thereof in the *Gazette* for four consecutive weeks next following such issue.

(3) The provisions of sections 77, 78, 81, 82, 92, 93, 94, 97 and 101 shall not apply to such company or to such

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(No. 18 of 1934.)  
—Contd.

registration, but subject to such exceptions and to the provisions of the succeeding section the said company shall be invested with all the powers, privileges and immunities and shall be subject to all the liabilities imposed by this Part.”

45. Public Health

(Animals and  
Birds)  
Ordinance, 1935.  
(No. 16 of 1935.)

(1) Section 2. (1) Section 2 is amended—

(a) by the repeal of paragraph (a) of subsection (1) and the substitution therefor of the following—

“(a) “animals” means cattle, sheep, goats, all other ruminating animals, swine, equines, and all other warm-blooded vertebrates except man and birds;”;

(b) by the addition in the seventh line of paragraph (h) of subsection (1) after the word “rabies,” of the following—

“, contagious bovine abortion”.

(2) Section 7. (2) Section 7 is amended—

(a) by the deletion of the words “forty dollars” in the first line of subsection (3) and the substitution therefor of the following—

“one hundred and twenty dollars”;

(b) by the deletion of the words “four hundred dollars” in the second line of subsection (3) and the substitution therefor of the following—

“one thousand two hundred dollars”;

(c) by the deletion of the words “ten dollars” in the second line of subsection (4) and the substitution therefor of the following—

“thirty dollars”.

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46. Dangerous Drugs Ordinance, 1935. (No. 35 of 1935.)

(1) Section 2. (1) Section 2 is amended—

(a) by the repeal of paragraph (j) of subsection (1) and the substitution therefor of the following—

“(j) “Convention” includes the International Opium Convention signed at the Hague on the 23rd day of January, 1912, the similar Convention signed at Geneva on the 19th day of February, 1925, the International Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs signed at Geneva on the 13th day of July, 1931, and any convention or final protocol amending, in supplementation of or in substitution for the same.”;

(b) by the repeal of subsection (2) and the substitution therefor of the following—

“(2) “corresponding law” in this Ordinance means any law stated in a certificate purporting to be issued by or on behalf of the government of any place outside the Colony to be a law providing for the control and regulation in that place of the manufacture, sale, use, export and import of drugs in accordance with the provisions of the Convention, and any statement in any such certificate as to the effect of the law mentioned in the certificate, or any statement in any such certificate that any facts constitute an offence against that law, shall be conclusive. Any such certificate

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46. Dangerous Drugs Ordinance, 1935. (No. 35 of 1935.) —Contd.

shall be admitted in evidence upon production by or on behalf of the Director in any proceeding.”

(2) Section 3. (2) Section 3 is amended by the addition after subsection (3) of the following—

“(3A) The provisions of this Ordinance so far as they relate to the manufacture, import and wholesale trade in dangerous drugs, shall apply to methylmorphine (commonly known as codeine), ethylmorphine (commonly known as dionin) and their respective salts: Provided that nothing in this subsection shall be deemed to control the retail trade in the said drugs or to interfere with medical preparations containing them or with the use of these drugs for medical purposes.”

(3) Section 20. (3) Section 20 is amended—

(a) by the insertion after the words the figures “Geneva Convention, 1931,” in the fourth line of subsection (2) of the following—

“as the same may be amended supplemented or replaced,”;

(b) by the deletion of the words “League of Nations” in the fifth line of subsection (2) and the substitution therefor of the following—

“United Nations”;

(c) by the repeal of subsection (3).

(4) Section 22. (4) Section 22 is amended—

(a) by the insertion after the words and figures “Geneva Convention, 1925” in the fourth line of the following—

“as the same may be amended supplemented or replaced,”;

(b) by the deletion of the words “League of Nations” in the fifth line and the substitution therefor of the following—

“United Nations”.

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47. Official Signatures Fees Ordinance, 1935. (No. 37 of 1935.)	(1) The Ordinance is amended by the addition after section 2 of the following— <p style="margin-left: 2em;">“2A. (1) Where by or under any enactment of the Colony the issue of any document by a public officer is required or authorized, such officer may, in his discretion and subject to any instructions of the Governor, issue a duplicate of such document, and where no fee is otherwise prescribed for such duplicate a fee of five dollars shall be payable therefor unless some less fee shall have been prescribed for the original, in which case such less fee shall be payable for such duplicate.</p> <p style="margin-left: 2em;">(2) Where any alteration, transfer, or endorsement of or addition to any certificate, authorization, consent, licence, permit or exemption by a public officer is required or authorized and where no fee is otherwise prescribed a fee of five dollars shall subject to any instructions of the Governor be payable therefor unless some less fee is prescribed for the original, in which case such less fee shall be payable for such alteration, transfer, endorsement or addition.</p> <p style="margin-left: 2em;">(3) Where an extract of any document book record or instrument may in the opinion of a public officer properly be certified by him as a true extract of such document book record or instrument such officer may subject to any instructions of the Governor certify such extract as being a true copy and where no fee is otherwise provided a fee of five dollars shall subject to any such instructions be payable in respect of such certification.”</p>
(1) Section 2A.	
(2) Schedule.	(2) The Schedule is repealed and replaced as follows—

FIRST COLUMN.	SECOND COLUMN.
47. Official Signatures Fees Ordinance, 1935. (No. 37 of 1935.) —Contd.	“ SCHEDULE. [ss. 2 & 3.] <i>Designation of officer.</i> <i>Fee for signature.</i> The Governor 10. 00 The Colonial Secretary 5. 00 The Financial Secretary 5. 00 The Accountant General 5. 00 The Clerk of Councils 5. 00 The Chief Officer of the Fire Brigade 5. 00.”
48. Defences (Firing Areas) Ordinance, 1936. (No. 1 of 1936.)  Section 10A.	Section 10A is amended by the insertion after the word “may” in the first line of the following—  “by order signified in the <i>Gazette</i> ”.
49. Telecommunication Ordinance, 1936. (No. 18 of 1936.)  Section 40.	Section 40 is repealed and replaced by the following—  “Regulations. Atlantic City Con- vention.  40. Save in so far as they are repugnant to any regulations made under this Ordinance, the Telegraph Regulations, the Telephone Regulations, the Radio Regulations and the Additional Radio Regulations annexed to the Final Acts of the International Telecommunication Convention, Atlantic City, 1947, shall be in force in the Colony, so far as they are applicable thereto, as if such Regulations had been made under the authority of this Ordinance.”

FIRST COLUMN.

SECOND COLUMN.

50. Pleasure Grounds and Bathing Places Regulation Ordinance, 1936. (No. 29 of 1936.)

The Schedule.

The Schedule is amended as follows—

(a) Under Recreation Grounds—

*Delete* "West End Park" *Add* "The Albany";

(b) Under Recreation Grounds (Children's Playgrounds)—

*Delete* "May Road; Kowloon City; Kowloon Tong; No. 2 Playground, Wanchai" *Add* "Kowloon Tong — Junction of Cumberland Road and Essex Crescent; Kowloon Tong — Rutland Quadrant";

(c) Under Places of Public Resort—

*Delete* "Yaumati Typhoon Refuge Promenade; Public Library" *Add* "The area of Crown land at Kowloon known as the Sung Wong T'oi, (an area to be demarcated)";

(d) Under Bathing Places—

*Delete* "Tweed Bay".

51. Incitement to Disaffection Ordinance, 1939. (No. 9 of 1939.)

(1) Section 2. (1) Section 2 is amended by the addition in the third line after the word "Military" of the following—  
", Air Force".

FIRST COLUMN.

SECOND COLUMN.

51. Incitement to Disaffection Ordinance, 1939. (No. 9 of 1939.)  
—Contd.

(2) Section 2A. (2) The Ordinance is amended by the addition after section 2 of the following—

"Assisting or concealing deserters. [cf. 44 & 45 Vict. c.58, s.153.]

2A. If any person—

- (a) knowing that a member of His Majesty's forces, or of the forces, corps, or reserves mentioned in section 2, is about to desert or absent himself without leave, aids or assists him in deserting or absenting himself without leave, or
- (b) knowing such a person to be a deserter or absentee without leave, conceals such person, or aids or assists him in concealing himself, or aids or assists his rescue,

he shall be guilty of an offence against this Ordinance."

52. Registration of Dentists Ordinance, 1940. (No. 1 of 1940.)

Section 7.

Section 7 as amended by Ordinance No. 35 of 1949 is amended by the repeal of the paragraphs (d) and (e) and the remainder of the section to the end thereof and the substitution thereof of the following—

"(d) any person who has been engaged as his principal means of livelihood in the practice of dentistry in the Colony up to the 1st day of July, 1940, has

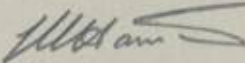
FIRST COLUMN.	SECOND COLUMN.
52. Registration of Dentists Ordinance, 1940. (No. 1 of 1940.) —Contd.	furnished evidence of good character to the satisfaction of the Board, and has made application for registration before the 1st day of January, 1941, or within such further period not exceeding two years as the Board might in special circumstances have allowed;  (e) any person who shall by reason of his professional qualification, experience and skill, satisfy the Board that he is a fit person to be registered under this Ordinance: Provided that every person applying for registration under this paragraph shall furnish such evidence of good character as shall satisfy the Board."
53. Hong Kong Corps of Air Raid Wardens Ordinance, 1940. (No. 6 of 1940.)  The whole Ordinance.	The Ordinance is repealed.
54. Police (Militia Status) Ordinance, 1941. (No. 19 of 1941.)  The whole Ordinance.	The Ordinance is repealed.
55. Law Amendment (Transitional Provisions) Ordinance, 1946. (No. 2 of 1946.)  Schedule III.	Schedule III is amended by the repeal therein of the title and all detail opposite the heading "Order No. 3 being an Order under Estate Duty Ordinance, 1932."

FIRST COLUMN.	SECOND COLUMN.
56. Banking Ordinance, 1948. (No. 2 of 1948.)	
(1) Section 2.	(1) Section 2 is amended by the repeal of the definition of "note-issuing bank".
(2) Section 3.	(2) Section 3 is amended by the addition at the end thereof of the following—  “(3) Notwithstanding this section the Governor in Council may in his discretion grant a special licence to any person who on the 30th day of January, 1948, not being a company carried on, conducted, managed or directed banking business in the Colony, and such banking business shall thereupon be deemed to be a licensed bank to which all the provisions of this Ordinance relating to a licensed bank shall apply. Provided that nothing in this subsection shall affect the operation of section 332 of the Companies Ordinance, 1932.”
(3) Section 4.	(3) Section 4 is amended by the deletion in the second line of the words "continue or commence to".
(4) Section 5.	(4) Section 5 is amended—  (a) by the deletion in the fourth line of subsection (1) of the words "use or continue to";  (b) by the deletion in the sixth line of subsection (1) of the words "continue to".
(5) Section 11.	(5) Section 11 is repealed and replaced by the following—  "Issue of bank notes. <b>11.</b> Nothing in this Ordinance contained shall be taken to authorize the issue in the Colony of any bank notes by a licensed bank other than a note-issuing bank within the meaning of the Currency Ordinance, 1935."
(6) Sections 12 and 13.	(6) Sections 12 and 13 are repealed.

FIRST COLUMN.	SECOND COLUMN.
56. Banking Ordinance, 1948. (No. 2 of 1948.) — <i>Contd.</i>	
(7) Section 13A.	(7) Section 13A (as enacted by Ordinance No. 49 of 1948) is amended by the deletion in the second and third lines of the words "upon the commencement of this Ordinance or from time to time thereafter".
57. Debtor and Creditor (Occupation Period) Ordinance, 1948. (No. 24 of 1948.)	
Section 7.	Section 7 is repealed.
58. Prevention of Corruption Ordinance, 1948. (No. 39 of 1948.)	
Section 6.	Section 6 is amended by the repeal of the proviso thereto and the substitution therefor of the following—  "Provided that nothing in this section shall prevent the infliction—  (a) in addition to imprisonment of such punishment other than imprisonment as may be inflicted under subsection (1) or (2) of section 5; or  (b) in lieu of the punishment provided for by this section of any punishment which by virtue of section 5 may be inflicted for an offence under section 3 or 4."

FIRST COLUMN.	SECOND COLUMN.
59. The Estate Duty (Amendment) Proclamation (Proclamation 24 of the British Military Administration.)	
The whole Proclamation.	The Proclamation is repealed.
60. The Stamp (Occupation Transactions) Proclamation. (Proclamation 29 of the British Military Administration.)	
The whole Proclamation.	The Proclamation is repealed.

Passed the Legislative Council of Hong Kong, this 16th day of August, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 25 OF 1950.

I assent.



*J. H. M. S.*  
Officer Administering the  
Government.

17th August, 1950.

An Ordinance further to amend the Deportation of Aliens Ordinance, 1935.

[18th August, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Deportation of Aliens (Amendment) Ordinance, 1950, and shall be read as one with the Deportation of Aliens Ordinance, 1935, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 39 of  
1935.

2. Section 8 of the principal Ordinance is hereby amended—  
(a) by inserting after the word “sub-section” in the second line of subsection (3) thereof the following—

Amendment  
of section  
8 of the  
principal  
Ordinance.

“(1) or subsection”;

(b) by substituting for the word “eighteen” where it appears in the second and last lines of paragraph (c) of subsection (3) thereof the word “twelve”;

(c) by inserting after the word "Governor" in the last line of subsection (9) the words "unless the Attorney General and the Secretary for Chinese Affairs are both of opinion that such claim is valid in which event the Attorney General shall direct the competent authority that no deportation order should be made. Whenever such claim has been referred to the Governor under this subsection the Governor shall decide whether to accept or reject such claim and shall cause the competent authority to be notified of his decision. It shall be lawful for the competent authority to give effect without further inquiry to the direction of the Attorney General or the decision of the Governor."; and

(d) by inserting after the definition of "competent court" in subsection (18) the following—

" "imprisonment" includes any detention imposed in lieu of imprisonment under sections 13, 14 and 15 of the Juvenile Offenders Ordinance, 1932;".

3. The Second Schedule to the principal Ordinance is hereby repealed and replaced by the Schedule to this Ordinance.

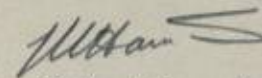
Repeal and replacement of the Second Schedule to the principal Ordinance.

#### SCHEDULE.

1. The Offences against the Person Ordinance, 1865—  
sections 5, 10, 11, 12, 13, 14, 15, 17, 19, 20, 21, 22, 23, 27, 28, 29, 30, 30A, 44, 45 and 45A.
2. The Malicious Damage Ordinance, 1865—  
sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 25, 27, 27A, 28, 29, 30, 33, 36, 37 and 45.
3. Piracy Jure Gentium.
4. The Suppression of Piracy Ordinance, 1868—  
sections 2, 4, 5 and 6.
5. The Vagrancy Ordinance, 1897—  
section 24A (4).
6. The Criminal Intimidation Ordinance, 1920—  
section 3.

7. Any offence under the Forgery Ordinance, 1922.
8. The Arms and Ammunition Ordinance, 1933—  
section 4.
9. The Larceny Ordinance, 1935—  
sections 25, 26, 40, 41, 42, 43, 44, 45, 46 (1) (i), 47, 48 and 51.
10. The Dangerous Drugs Ordinance, 1935—  
sections 6, 7, 8, 9, 10 and 21A (1) (c), (d) and (e).
11. The Protection of Women and Girls Ordinance, 1938—  
sections 3, 4, 5, 6, 8, 10, 12, 17, 18, 19, 20, 21, 22, 23, 25 and 26.
12. Any offence under the Prevention of Corruption Ordinance, 1948.
13. The Societies Ordinance, 1949—  
sections 10, 11 and 12.

Passed the Legislative Council of Hong Kong, this 16th day of August, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 26 OF 1950.



I assent.

*[Signature]*  
Officer Administering the  
Government.

25th August, 1950.

An Ordinance to provide for the licensing and control of marine hawkers.

[1st October, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Marine Hawkers Ordinance, 1950. Short title.

2. In this Ordinance—  
“marine hawker” includes any person who in the waters of the Colony—

*Inter-  
pretation.*

(a) trades in any vessel, or

(b) goes from place to place or goes on board any vessel, selling or exposing for sale any goods, wares or merchandise for immediate delivery, or exposing samples or patterns of any goods, wares or merchandise for subsequent delivery, or selling or offering for sale his skill in handicraft;

“place” includes any boat or vessel or any spot within the waters of the Colony;

“vessel” shall have the meaning assigned thereto in section 2 of the Merchant Shipping Ordinance, 1899.

Ordinance No. 10 of 1899.

Prohibition of trading as marine hawker without licence issued by Director of Marine.

3. Any person who trades as a marine hawker except under and in accordance with a licence issued by the Director of Marine in accordance with regulations made under this Ordinance shall be guilty of an offence.

Power for Governor in Council to make regulations.

4. The Governor in Council may make regulations for the control by registration, licensing or otherwise of marine hawkers and for prescribing fees upon such registration or licensing.

Enactment of regulations in Schedule.

5. The regulations in the Schedule shall be deemed to have been made under this Ordinance and shall be in force except as they may be rescinded, suspended, amended or added to by regulations made under section 4.

Penalties.

6. (1) Any person who commits an offence against this Ordinance shall be liable on summary conviction to a fine of five hundred dollars and to imprisonment for six months.

(2) Any regulation made under this Ordinance may provide that a contravention thereof shall be an offence and a person guilty of such an offence shall be liable on summary conviction to a fine of five hundred dollars and to imprisonment for six months unless a lesser penalty is prescribed by such regulation.

Power of arrest and order of forfeiture.

7. (1) In the absence of a police officer it shall be lawful for any marine officer, health officer, health inspector or revenue officer in whose presence an offence against this Ordinance or any regulation made hereunder has been committed, to arrest the offender and either to give him into the custody of a police officer or take him to the nearest police station: Provided that no such arrest shall be effected unless it is impracticable to proceed against the offender by complaint and summons.

(2) Where an offence against this Ordinance or any regulation hereunder has been committed, a police officer, marine officer, health officer, health inspector or revenue officer may convey or cause to be conveyed before a magistrate the goods,

wares, merchandise, samples or patterns being sold, exposed or delivered, and the utensils or other paraphernalia in the apparent use of the offender, and the magistrate may order the forfeiture of all such goods, wares, merchandise, samples, patterns, utensils or paraphernalia, in addition to or in substitution for any other punishment prescribed, and whether or not any person is convicted in respect of such offence.

8. This Ordinance shall come into operation on the 1st day of October, 1950. Commencement.

### SCHEDULE.

1. These regulations may be cited as the Marine Hawkers Regulations, 1950. Citation.

2. Any person desirous of obtaining a licence to trade as a marine hawker shall apply to the Director of Marine on the form provided for that purpose at the Marine Department and furnish such copies of his photograph not exceeding four as the Director of Marine may require. Application for licence.

3. The annual licence fee to trade as a marine hawker on steamships shall be \$60; and on native craft, \$35. Licence fee.

4. (1) The forms of licences shall be respectively those in Forms Nos. 1 and 2 in the Appendix to these regulations. Forms of licence.

(2) The licence shall specify the commodities or handicraft in which the licensee shall trade.

5. Every licensee shall confine his trade exclusively to that specified in his licence and to the particular area (if any) in the waters of the Colony so specified. Trading area, &c.

6. Every licence shall expire on 30th September following the date on which it is granted. Annual renewals may be granted on payment of fees equivalent to the licence fee. Expiry of licence.

7. (1) The Director of Marine may in his absolute discretion refuse to grant or renew any licence. Discretionary powers of Director of Marine.

(2) The Director of Marine may revoke a licence if the licensee is convicted of any offence against these regulations. He may also revoke a licence on the ground of a breach of any condition of the licence by the licensee or on the ground of the general

unsuitability of the licensee to hold a licence: Provided that revocation for breach of condition or for general unsuitability of the licensee as aforesaid shall not be made until the licensee has been given an opportunity to show cause against such revocation.

Renewal. 8. Renewals if granted shall be endorsed on the licence.

Loss of licence. 9. If the Director of Marine is satisfied that a licence has been lost or destroyed, or accidentally defaced, he may issue a duplicate on payment of a fee of \$5.

Defacement of licence. 10. No person shall alter, deface or make any erasure on a licence, and no person shall use, or have in his possession with a view to use, a licence on which an erasure has been made, or which has been altered or defaced in any way.

Production of licence. 11. When trading, every licensee shall carry his licence and shall produce the same to any police officer, marine officer, health officer, health inspector or revenue officer, on demand. Such officer may retain such licence for examination by the Director of Marine, and such licence shall, unless revoked, be returned to the licensee within a reasonable time.

Boarding of vessels. 12. No licensee shall board any ship without the written permission of the owner or agent and also the permission of the master. No licensee shall board any native craft without the permission of the master.

Refuse, etc. 13. Every licensee shall collect and remove all refuse caused by his trade and shall keep his boat and the implements of his trade clean.

Sub-letting, etc. 14. (1) No licensee shall sub-let, transfer or lend his licence, or lapel card to any other person.  
(2) Every licensee shall attend his trade personally and shall not depute any other person to trade for him in his stead.

Trade cries. 15. (1) No licensee shall use or utter any trade cry or make any objectionable noise for the purpose of attracting attention to his trade.

(2) No licensee shall behave in a manner importunate towards, or calculated to obstruct, disturb or annoy, any person.

16. The Director of Marine shall issue to every licensee a Lapel card. lapel card bearing his name, licence number and particulars of licence, and the licensee shall when trading, wear such lapel card in a conspicuous part of his attire so as to be clearly visible. If a licensee loses his lapel card the fee for a duplicate shall be \$1.

17. No licensee shall trade in a manner likely to obstruct any vessel. Obstruction.

18. No licensee shall trade in— Dangerous goods, &c.

(a) kerosene, gunpowder, firecrackers or any other description of dangerous goods as defined by the Dangerous Goods Ordinance, 1873; Ordinance No. 1 of 1873.

(b) liquor, cigars, tobacco, cigarettes or any other dutiable goods;

(c) marine stores as defined by the Marine Stores Protection Ordinance, 1919. Ordinance No. 13 of 1919.

19. No licensee shall knowingly let fall or throw any refuse into the harbour. Throwing refuse.

20. (1) No licensee shall trade on shore. No trading on shore.

(2) The hours of trade for a licensee on steamships shall be 6 a.m. to 9 p.m. but on ferry vessels the hours of trade shall be 6 a.m. to midnight. For a licensee on native craft the hours of trade shall be 6 a.m. to 9 p.m. but in junk anchorages from 6 a.m. to midnight. No licensee shall trade other than during such hours.

21. (1) Every licensee licensed to sell food shall if he provides eating utensils or chopsticks, provide also an adequate amount of boiling water with which to cleanse such articles after use by one customer and before use by another. Hawking food.

(2) Every such licensee shall be subject to such medical regulations as may be imposed on other handlers of food in restaurants and shall if so required by the Director of Marine, submit himself to periodical medical examination.

22. Contravention by a licensee of regulation 5 or of regulations 10 to 21 inclusive shall be an offence. Offences.

APPENDIX.

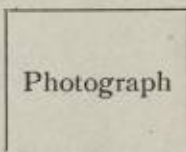
FORM No. 1.  
(Native Craft).

*Marine Hawker's Licence.*

Licence No. \_\_\_\_\_ Date of issue : \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_  
is hereby licensed to sell (here specify the goods) (or trade as  
a \_\_\_\_\_ as the case may be) \_\_\_\_\_  
from licensed boat No. \_\_\_\_\_ and on native craft in the  
harbour of Hong Kong (or as the case may be) until \_\_\_\_\_  
day of \_\_\_\_\_ 19..... subject to the conditions  
and for the further periods endorsed hereon.

*Conditions.*

The licensee shall observe the regulations made under the  
Marine Hawkers Ordinance, 1950.



.....  
*Director of Marine.*

FORM No. 2.  
(Steamship).

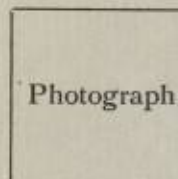
*Marine Hawker's Licence.*

Licence No. \_\_\_\_\_ Date of issue : \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_  
is hereby licensed to sell (here specify the goods) (or trade as  
a \_\_\_\_\_ as the case may be) \_\_\_\_\_ on board  
steamships in the harbour of Hong Kong (or as the case may be)  
until the \_\_\_\_\_ day of \_\_\_\_\_ 19..... subject  
to the conditions and for the further periods endorsed hereon.

*Conditions.*

The licensee shall observe the regulations made under the  
Marine Hawkers Ordinance, 1950.

.....  
*Director of Marine.*



Passed the Legislative Council of Hong Kong, this 24th day  
of August, 1950.

*Clerk of Councils.*

HONG KONG

No. 27 OF 1950.



I assent.

*Officer Administering the  
Government.*

25th August, 1950.

An Ordinance to make provision for the protection of Public Stores.

[1st September, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof :

1. This Ordinance may be cited as the Public Stores Short title. Ordinance, 1950.

2. In this Ordinance—

Inter-  
pretation.

“stores” includes all goods and chattels, and any single store or article.

3. This Ordinance shall apply to all stores under the care, superintendence, or control of a Secretary of State or the Admiralty, or any public department or office, or of any person in the service of His Majesty, and such stores are in this Ordinance

Stores to  
which the  
Ordinance  
applies.

referred to as His Majesty's stores. The Secretary of State, Admiralty, public department, office, or person having the care, superintendence, or control of such stores, are hereinafter in this Ordinance included in the expression "public department".

Marks in Schedule appropriated for public stores.

4. The marks described in the Schedule to this Ordinance may be applied in or on stores therein described in order to denote His Majesty's property in stores so marked; and it shall be lawful for any public department, and the contractors, officers, and workmen of such department, to apply those marks, or any of them, in or on any such stores; and if any person without lawful authority (proof of which authority shall lie on the party accused) applies any of those marks in or on any such stores he shall be guilty of an offence and shall on summary conviction be liable to imprisonment for two years.

Obliteration with intent to concealment.

5. If any person with intent to conceal His Majesty's property in any stores takes out, destroys, or obliterates, wholly or in part, any such mark as aforesaid, or any mark whatsoever denoting the property of His Majesty in any stores, he shall be guilty of felony, and on conviction thereof on indictment shall be liable to imprisonment for seven years.

Power to stop suspected boats, person, etc.

6. A police officer may stop search and detain any vessel boat or vehicle in which there is reason to suspect that any of His Majesty's stores stolen or unlawfully obtained may be found or any person reasonably suspected of having or conveying in any manner any of His Majesty's stores stolen or unlawfully obtained.

Unlawful possession of His Majesty's stores.

7. If any person is brought before a magistrate charged with conveying or with having in his possession or keeping any of His Majesty's stores reasonably suspected of being stolen or unlawfully obtained, and does not give an account to the satisfaction of the court how he came by the same, he shall be deemed guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months.

Prohibition of sweeping, etc. near dockyards, artillery ranges, etc.

8. It shall not be lawful for any person, without permission in writing from the Director of Marine, or from some person authorized by the Director of Marine in that behalf (proof of which permission shall lie on the party accused), to gather or search for stores, or to creep, sweep, or dredge in the sea or any tidal water, within one hundred yards from any vessel belonging to His

Majesty or in His Majesty's service, or from any mooring place or anchoring place appropriated to such vessels, or from any moorings belonging to His Majesty, or from any of His Majesty's wharves, or dock, victualling, or steam factory yards, or from any aerodrome used by the Royal Air Force or the Hong Kong Defence Force, or within one thousand yards from any battery or fort or other place used for firing practice by any of the armed forces of His Majesty or by the Hong Kong Defence Force.

Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months.

9. If stores are found in the possession or keeping of a person being in His Majesty's service, or in the service of a public department, or being a dealer in marine stores or in old metals, or a pawnbroker (within the meaning of any enactments for the time in force relating to such dealers or to pawnbrokers), and he is taken or summoned before a magistrate, and the magistrate sees reasonable grounds for believing the stores found to be or to have been His Majesty's property, then if such person does not satisfy the magistrate that he came lawfully by the stores so found, he shall be guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

Penalty on dealer, etc., found in possession of stores, and not accounting for them.

10. For the purposes of this Ordinance stores shall be deemed to be in the possession or keeping of any person if he knowingly has them in the actual possession or keeping of any other person, or in any house, building, lodging, apartment, field, or place, open or enclosed, whether occupied by himself or not, and whether the same are so had for his own use or benefit or for the use or benefit of another.

Criminal possession explained.

11. This Ordinance shall apply to stores bearing any such mark or part of a mark as is in this Ordinance mentioned whether applied before or after the passing of this Ordinance.

Ordinance to apply to stores marked before its passing.

12. Sections 13 and 14 of the Marine Stores Protection Ordinance, 1919, and the Schedule to the said Ordinance are hereby repealed.

Repeal. Ordinance No. 13 of 1919.

SCHEDULE. (Section 4).

MARKS APPROPRIATED FOR USE IN OR ON HIS MAJESTY'S STORES.

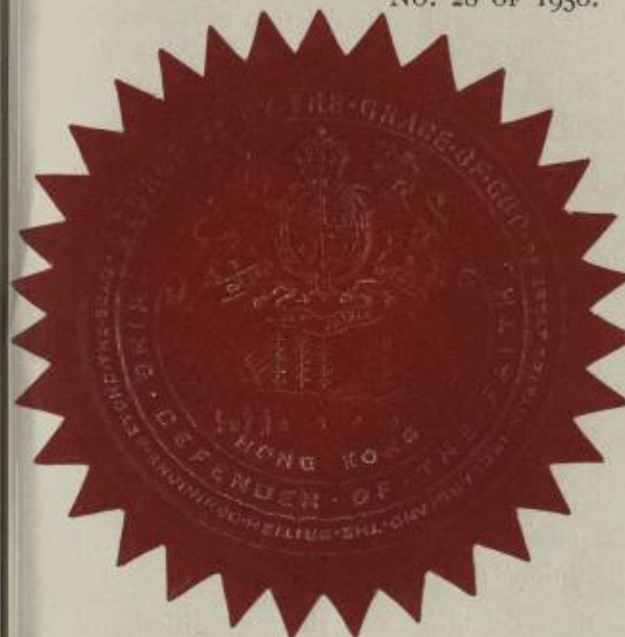
Stores.	Marks.
Hempen cordage and wire rope.	White, black, or coloured worsted threads laid up with the yarns and the wire respectively.
Canvas, fearnought, hammocks, and seamen's bags.	A blue line in a serpentine form.
Bunting.	A double tape in the warp.
Candles.	Blue or red cotton threads in each wick or wicks of red cotton.
Timber or metal. Any stores not before enumerated, whether similar to the above or not.	The name of His Majesty, his predecessors, his heirs or successors, or of any public department, or any branch thereof, or the broad arrow, or a crown, or His Majesty's arms, whether such broad arrow, crown, or arms be alone or be in combination with any such name as aforesaid, or with any letters denoting any such name. A fowl anchor, a number prefixed with the letters "A.P." or the letters "A.M." in combination with a crown.

Passed the Legislative Council of Hong Kong, this 24th day of August, 1950.

*[Signature]*  
Clerk of Councils.

HONG KONG

No. 28 OF 1950.



I assent.

*[Signature]*  
Officer Administering the Government.

31st August, 1950.

An Ordinance further to amend the Interpretation Ordinance, 1950.

[1st September, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Interpretation (Law Revision Amendments) Ordinance, 1950, and shall be read as one with the Interpretation Ordinance, 1950, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 2 of  
1950.

2. The principal Ordinance is hereby amended in the manner specified in the Schedule hereto, the section or part amended, added, repealed or replaced being specified in the first column of such Schedule, and the amendment, addition, repeal or replacement being specified in the second column thereof.

Amend-  
ments to  
principal  
Ordinance  
and  
additions  
thereto.  
Schedule.

SCHEDULE.

- | FIRST COLUMN. | SECOND COLUMN.   |
|---------------|--|
| (1) Section 2 | (1) Section 2 is amended by the deletion of the whole of the sixth line of subsection (1) and by the deletion in the last line of such subsection of the words "or Order in Council".  |
| (2) Section 3 | (2) Section 3 is amended in subsection (1) thereof—<br>(a) by the deletion of the definition of "Commonwealth" and the substitution therefor of the following—<br>" "Commonwealth" means collectively the United Kingdom, any British possession, the Republic of India, any state or territory under His Majesty's protection and any mandated or trust territory;" ;<br>(b) by the deletion of the definition of "Dominion";<br>(c) by the deletion of the definition of "disallowance";<br>(d) by the insertion in the second line of the definition of "enactment" after the words "competent authority" of the following—<br>"in the Colony";<br>(e) by the insertion in the last line of the definition of "Governor in Council" after the word "necessarily" of the following—<br>"in accordance with such advice nor necessarily";<br>(f) by the deletion of the definition of "imprisonment" and the substitution therefor of the following—<br>" "imprisonment" shall import imprisonment with hard labour save in respect of imprisonment under any enactment for not providing sureties: Provided that save where a court or magistrate otherwise orders a term of |

FIRST COLUMN.

SECOND COLUMN.

- |               |   |
|---------------|---|
|               | imprisonment for less than two years shall import imprisonment without hard labour;" ;  |
|               | (g) by the deletion of the definition of "Legislative Council" and "legislature";   |
|               | (h) by the deletion in the definition of "repeal" of the words "substitute for" and the substitution therefor of the following—<br>"replace";   |
|               | (i) by the deletion of the definition of "time".  |
| (3) Section 3 | (3) Section 3 is further amended in subsection (2) thereof—<br>(a) by the deletion in the first line of the words "or Order in Council";<br>(b) by the deletion in the eighth line of the words "a Dominion" and the substitution therefor of the following—<br>"a self-governing member of the Commonwealth";<br>(c) by the deletion of the last four lines and the substitution therefor of the following—<br>" "India" and "Pakistan" shall mean respectively India and Pakistan as constituted upon the commencement of this Ordinance, and shall include any state from time to time incorporated in India and Pakistan respectively." |
| (4) Section 3 | (4) Section 3 is further amended in paragraph (b) of subsection (8) thereof—<br>(a) by the deletion in the second line of the words "noon on the day succeeding" and the substitution therefor of the following—<br>"the following noon";<br>(b) by the deletion in the fourth line of the words "midnight following" and the substitution therefor of the following—<br>"following midnight";  |

FIRST COLUMN.	SECOND COLUMN.
	(c) by the deletion in the last line of the words "consecutive periods" and the substitution therefor of the following— "a consecutive period".
(5) Section 7	(5) Section 7 is amended by the deletion in the fourth line of subsection (4) of the inverted commas before and after the expression "section" and the insertion of a comma after the expression "word" in such line.
(6) Section 10	(6) Section 10 is amended by the repeal of the proviso.
(7) Section 14	(7) Section 14 is amended by the repeal of paragraph (b) and the substitution therefor of the following— "(b) authority to provide for fees and charges shall include authority to provide for the reduction waiver or refund thereof either generally or in any particular event or case or class of case or in the discretion of any person;".
(8) Section 15	(8) Section 15 is amended by the deletion in the second and third lines of the word "instrument" and the substitution therefor in each case of the following— "order, proclamation, notification, register or list".
(9) Section 17	(9) Section 17 is amended by the deletion in the eighth and ninth lines of the words "the power conferred by this section" and the substitution therefor of the following— "such power".
(10) Section 18	(10) Section 18 is amended by the deletion of the last nine words in the last line of subsection (2) and the substitution therefor of the following— "or by any person appointed to act in or perform the duties of the said office for the time being".

FIRST COLUMN.	SECOND COLUMN.
(11) Section 31 and 34	(11) Sections 31 and 34 are amended by the deletion in the first and second lines in each such section of the words "including any imperial enactment applicable to Hong Kong,".
(12) Section 39A	(12) The principal Ordinance is amended by the addition of a new section and Part as section 39A being Part VIA as follows—  " PART VIA. <i>Provisions as to Administrative Appeals.</i> <b>39A.</b> (1) Whenever in any enactment provision is made for an appeal other than by way of petition to the Governor in Council— (a) the rules entitled Administrative Appeals Rules, 1950, appearing in the Fourth Schedule hereto shall apply to the extent that specific provision is not contained in such enactment; (b) nothing therein contained shall be deemed to prevent any person from applying to the Supreme Court for a mandamus, injunction, prohibition or any other order should he elect so to do, instead of appealing to the Governor in Council, but no proceedings by way of mandamus, injunction, prohibition or other order shall be taken against the Governor in Council in respect of such provision or provisions; (c) every order of the Governor in Council on any appeal under such provision shall be final and may be enforced by the Supreme Court as if it had been an order of that court. (2) The Governor in Council may by order signified in the <i>Gazette</i> amend add to or revoke the said Rules."
(13) Section 43	(13) Section 43 is amended by the repeal of item (e) thereof and the substitution therefor of the following—

Adminis-  
trative  
appeals.

FIRST COLUMN.

SECOND COLUMN.

“(e) the Interpretation Ordinance, 1911, with the exception of subsection (3) of section 25, section 34, section 37 and sections 48 to 52;”

(14) Section 44 (14) Section 44 is repealed and replaced by the following—

“44. This Ordinance shall come into operation on the 1st day of September, 1950.

(15) Fourth Schedule (15) The principal Ordinance is amended by the addition after the Third Schedule of the following—

“ FOURTH SCHEDULE [s. 39A.]  
ADMINISTRATIVE APPEALS RULES, 1950.

Citation. 1. These Rules may be cited as the Administrative Appeals Rules, 1950.

Inter-pretation. 2. In these Rules—  
“enactment” means an enactment in which an appeal to the Governor in Council is provided;

“applicant” means the person who initiates an appeal to the Governor in Council;

“respondent” means any public servant who is concerned in such an appeal, and where no such person is specified in an enactment means the head of any department which is concerned.

No appeal in certain cases. 3. No appeal shall lie if proceedings have already been taken or initiated before the Court or a magistrate in respect of the matter of the appeal.

Grounds of appeal. 4. A person may appeal who—  
(a) is dissatisfied with the exercise of the discretion of any person to whom discretionary power is given under an enactment

FIRST COLUMN.

SECOND COLUMN.

in respect of any act, matter or thing which is by the enactment made subject to the exercise of the discretion of such authority; or

(b) is dissatisfied with any action or decision of any such person either as to the carrying out of or the meaning of any of the provisions of the enactment;

(c) considers that any of the provisions of the enactment are, owing to special conditions, undesirable.

Statement of grounds of appeal in writing.

5. The grounds of such appeal shall be concisely stated in writing in the English language, and shall be delivered to the Clerk of Councils.

Notice of hearing.

6. The Clerk of Councils shall give the applicant seven days notice of the hearing of the appeal, and shall at the same time furnish the applicant with a copy of section 39A of the Interpretation Ordinance, 1950, and a copy of these rules.

Appearance.

7. The applicant may, if he so desires, be present at the hearing of such appeal and be heard in its support either in person or by his representative: Provided that if he elects to be heard by his representative he shall not himself be heard except by special leave of the Governor in Council.

Determination of appeal.

8. (1) The Governor in Council shall thereafter determine the matter in the absence of, and without further reference to the respondent.

(2) It shall be lawful for the Governor in Council to appoint a committee consisting of members of Executive Council for the purpose of hearing any such appeal and of advising him as to the decision that should be made thereon: Provided that the Governor in Council shall not be bound to accept such advice.

FIRST COLUMN.

SECOND COLUMN.

Power to make order, Ordinances appeal and modifications thereof.

9. (1) If in the opinion of the Governor in Council, the exercise of such discretion or such action or decision requires modification, revocation, or setting aside, or such special conditions exist as render any such provision undesirable, he may make such order in respect thereof as may be just.

(2) In such event, or if the appeal be dismissed, the applicant shall be informed of such order or such dismissal by the Clerk of Councils in writing within fourteen days of the determination of the appeal or within such time and in such manner as the Governor in Council shall otherwise specify.

Case stated.

10. (1) In any appeal the Governor in Council may at any time in his discretion direct a case to be stated for the opinion of the Full Court on any question of law involved in any appeal submitted to him.

(2) The terms of any such case shall be agreed upon by the parties concerned, or in the event of their failure to agree shall be settled by the Full Court.

(3) The Full Court shall hear and determine the question of law arising on any case stated as aforesaid, and shall remit the matter to the Governor in Council who shall give effect by order to the finding of the court. The costs of such hearing shall be in the discretion of the court.

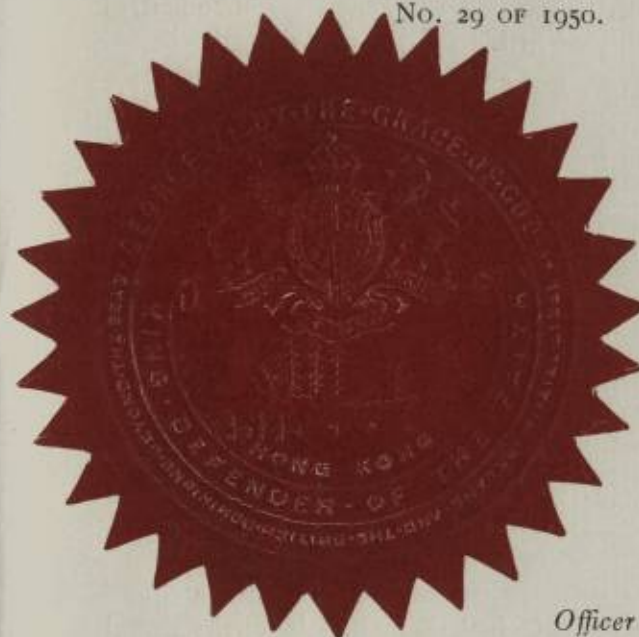
(4) Any party to the appeal shall be entitled to be heard by counsel or in person on the hearing of any case so stated."

Passed the Legislative Council of Hong Kong, this 29th day of August, 1950.

*[Signature]*  
Clerk of Councils.

HONG KONG

No. 29 OF 1950.



I assent.

*[Signature]*

Officer Administering the Government.

31st August, 1950.

An Ordinance to amend the Police Force Ordinance, 1948.

[1st September, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof :

1. This Ordinance may be cited as the Police Force (Amendment) Ordinance, 1950, and shall be read as one with the Police Force Ordinance, 1948, hereinafter referred to as the principal Ordinance.

Short title.

Ordinance No. 41 of 1948.

2. Section 3 of the principal Ordinance is hereby amended—  
(a) by inserting the following definition therein immediately before the definition of "Commissioner"—

Amendment of section 3 of the principal Ordinance.

" "appropriate tribunal" means such person or persons or Board as is or are authorized by police regulations to inquire into the question as to whether a member of the police force of the rank of inspector or below is guilty of any of the matters specified in subsection (1) of section 31 and to arrive at a finding;";

(b) by inserting the following definition immediately after the definition of "non-commissioned officer"—

" "police cadet" means an assistant superintendent who has not been confirmed in his appointment;" and

(c) by deleting the definition of "special constable".

Addition of new section 6A to the principal Ordinance.

3. The following section is hereby added after section 6 of the principal Ordinance as section 6A thereof—

"Prohibition against police officers being a member of a Trade Union.

6A. (1) It shall not be lawful for a police officer to be a member of any Trade Union and any police officer who contravenes this provision shall be disqualified from continuing to be a member of the police force.

(2) If any question arises whether a body is a trade union to which this section applies the question shall be determined by the Registrar of Trade Unions appointed under section 6 of the Trade Unions and Trade Disputes Ordinance, 1948."

Ordinance No. 8 of 1948.

Repeal and replacement of section 12 of the principal Ordinance.

4. Section 12 of the principal Ordinance is hereby repealed and replaced as follows—

"Appointment and promotion of inspectors, non-commissioned officers and constables.

12. (1) An inspector may be appointed and promoted by the Commissioner.

(2) A non-commissioned officer or constable may be appointed, advanced in salary or promoted by the Commissioner and may also be appointed or advanced in salary by a commanding officer.

(3) A non-commissioned officer may be reverted in rank by the Commissioner."

Repeal and replacement of section 13 of the principal Ordinance.

5. Section 13 of the principal Ordinance is hereby repealed and replaced as follows—

"Dismissal.

13. (1) An inspector may be dismissed in accordance with the provisions of section 32 of this Ordinance.

(2) A non-commissioned officer or constable may be dismissed in accordance with the provisions of section 31 of this Ordinance.

(3) All police officers may be dismissed by virtue of the rights reserved by section 36 of this Ordinance."

6. Sections 20 and 21 of the principal Ordinance are hereby repealed.

Repeal of sections 20 and 21 of the principal Ordinance.

7. Section 22 of the principal Ordinance is hereby repealed and replaced as follows—

Repeal and replacement of section 22 of the principal Ordinance.

"Discharge and resignation of non-commissioned officer and constable.

22. (1) Without prejudice to the provisions of section 36 a non-commissioned officer or constable who has not completed 10 years of service may be discharged from the police force by the Commissioner by one month's notice in writing expiring on the last day of any month.

(2) A non-commissioned officer or constable may resign from the police force by giving to the Commissioner one month's notice in writing expiring on the last day of any month of his intention to resign from the police force."

8. Section 24 of the principal Ordinance is hereby repealed and replaced as follows—

Repeal and replacement of section 24 of the principal Ordinance.

"Temporary police officers.

24. (1) The Commissioner may without written engagement employ persons to serve temporarily as police officers.

(2) A temporary police officer shall be deemed to serve from month to month, every such engagement being held to commence on the first and to be determinable on the last day of each successive month, but notwithstanding the terms of such engagement such police officer shall serve under the same conditions of service in respect of pay, allowances, gratuities and pensions as a police officer of equivalent rank in the Hong Kong Police Reserve Force constituted under the Hong Kong Police Reserve Force Ordinance, 1927, and shall have and may exercise all the powers and privileges of such rank and be liable to all the provisions of discipline for such rank while so serving.

(3) A temporary police officer may be discharged at any time after one month's notice in writing or may resign upon giving the Commissioner one month's notice in writing."

Ordinance No. 24 of 1927.

Repeal and replacement of sections 25 and 26 of the principal Ordinance.

9. Sections 25 and 26 of the principal Ordinance are hereby repealed and replaced by the following section—

“Discharge and resignation of inspector.

25. (1) Without prejudice to the provisions of section 36 the Commissioner may at any time prior to the confirmation in his appointment of an inspector discharge an inspector from the police force by giving him three months' notice in writing or paying to him one month's salary in lieu of notice.

(2) An inspector may resign from the police force by giving to the Commissioner three months' notice in writing of his intention to resign or paying into the Treasury one month's salary in lieu of notice and notifying the Commissioner that he has resigned.”

Repeal and replacement of section 31 of the principal Ordinance.

10. Section 31 of the principal Ordinance is hereby repealed and replaced as follows—

“Punishment of non-commissioned officers and constables.

31. (1) Any non-commissioned officer or constable who is found guilty by an appropriate tribunal of any of the following—

- (a) absence from duty without leave or good cause;
- (b) sleeping on duty;
- (c) conduct to the prejudice of good order and discipline;
- (d) cowardice in the performance of duty;
- (e) disobedience of police regulations, or any police orders, whether written or verbal;
- (f) insubordination;
- (g) being unfit for duty through intoxication;
- (h) neglect of duty or orders;
- (i) malingering;
- (j) in the course of his duty making a statement which is false in a material particular;
- (k) unlawful or unnecessary exercise of authority resulting in loss or injury to any other person or to Government;
- (l) wilful destruction or negligent loss of or injury to government property;

(m) conduct calculated to bring the public service into disrepute;

shall be liable to be punished by such tribunal with—

- (i) reduction in rank or class;
- (ii) forfeiture of not more than one month's pay except in the case of absence without good cause, when forfeiture of pay shall extend to the period of absence in addition to any other punishment inflicted.

In lieu of or in addition to either of the aforesaid punishments any such non-commissioned officer may be dismissed from the police force by the Commissioner and in such case shall be reduced to the ranks before dismissal or he may be ordered by the Commissioner to resign forthwith and if he fails to do so may be dismissed, and in the case of such dismissal or such resignation he shall not receive salary in lieu of notice.

(2) A constable who shall be found guilty of any of the disciplinary offences specified in subsection (1) of this section shall be liable to be punished by the appropriate tribunal in addition to any punishment imposed under subsection (2) with imprisonment in any building set aside as a guard room or cell for any term not exceeding seven days with rations of bread (or rice) and water or with not more than two of the following punishments—

- (i) confinement to barracks not exceeding 14 days;
- (ii) compulsory performance of extra duties or drills;
- (iii) such fatigue duties as may be prescribed in the police general orders;
- (iv) temporary deprivation of such privileges as the Commissioner of Police may specify in headquarter orders;
- (v) forfeiture of good conduct allowance :

Provided that the punishment of imprisonment in any guard room or cell shall not be carried into effect until it has been confirmed by the Commissioner : And provided further that if pursuant to any provision in police regulations the appropriate tribunal does not impose any punishment and refers its findings to the

Commissioner in order that the Commissioner may make an award then the Commissioner may exercise all the powers of punishment conferred by this section on an appropriate tribunal.

(3) Any non-commissioned officer or constable may within fourteen days from the promulgation in routine orders of any finding or punishment appeal to the Commissioner by petition in writing to be lodged with the Commissioner and containing such representations as may be relevant to the exercise by the Commissioner of any discretion vested in him in connection with such appeal against any finding of an appropriate tribunal and against any punishment inflicted under this section or solely against any such punishment. In every case where an appeal has been lodged the sentence shall be suspended pending the determination of the appeal.

(4) (a) Upon any appeal under subsection (3) the Commissioner may confirm or vary any finding of the appropriate tribunal or substitute therefor any finding at which the appropriate tribunal could have arrived upon the evidence including any additional evidence adduced upon the appeal and may in any event confirm or remit any punishment imposed by an appropriate tribunal or may substitute therefor any punishment which such tribunal is entitled by this section to impose.

(b) Upon any such appeal the Commissioner may if he thinks fit permit the appellant to appear before him in person in support of his appeal and may in such case hear such additional evidence as may be provided for by police regulations."

Repeal and replacement of section 32 of the principal Ordinance.

11. Section 32 of the principal Ordinance is hereby repealed and replaced as follows—

"Punishment of inspector.

32. (1) The Commissioner may punish any inspector who is found guilty by an appropriate tribunal of any of the disciplinary offences specified in subsection (1) of section 31 by reprimand, severe reprimand, with or without deferment or stoppage of increment or forfeiture of not more than one month's pay. The findings of the appropriate tribunal and the punishment awarded by the Commissioner shall be promulgated in headquarter orders and shall be communicated to the inspector by the Commissioner.

(2) Any such inspector aggrieved by such punishment may within fourteen days from the promulgation of the punishment in headquarter orders appeal to the Governor by petition containing any representations relevant to the exercise of the Governor's discretion under subsection (4).

(3) If an inspector has pleaded guilty of any of the disciplinary offences specified in subsection (1) of section 31 and such plea has been accepted or if he has been found guilty of any of such disciplinary offences by an appropriate tribunal then if it appears to the Commissioner that the offence is of such an aggravated character as to merit dismissal he shall forward to the Governor a report containing—

(a) in the case of a plea of guilty which has been accepted, the charge, plea and any statement in mitigation; or

(b) in any other case, the record of the proceedings; and

(c) in any event, a record of the officer's service, the Commissioner's recommendations and his reasons for not making an award.

The Commissioner shall at the same time as he forwards such report as aforesaid, inform the inspector that his case will be considered by the Governor and shall communicate to the inspector the findings of the appropriate tribunal. The inspector may within fourteen days of such information being communicated to him or within such extended period as the Governor may allow, forward to the Governor a written petition containing such representations as may be relevant to the exercise of the Governor's discretion under subsection (5).

(4) Upon any appeal under subsection (2) the Governor may confirm or remit the punishment imposed by the Commissioner or may substitute therefor any punishment which the Commissioner could have imposed or may if in all the circumstances of the case he considers justice so requires set aside any finding of an appropriate tribunal and either

impose such punishment which in his opinion is warranted by any finding which has not been set aside or if there is no such finding impose no punishment.

(5) Upon any reference under subsection (3) the Governor may dismiss the inspector or may impose any of the punishments mentioned in subsection (1) or may if in all the circumstances of the case he considers justice so requires set aside any finding of an appropriate tribunal and either impose such punishment which in his opinion is warranted by any finding which has not been set aside or if there is no such finding impose no punishment.

(6) The Governor's decision upon any appeal under subsection (2) and upon any reference under subsection (3) shall be communicated to the Commissioner and to the inspector by the Colonial Secretary."

Amendment of section 34 of the principal Ordinance.

12. Subsection (1) of section 34 of the principal Ordinance is hereby amended by the deletion of the words "subsection (4) of section 31" in the second and third lines thereof.

Amendment of section 35 of the principal Ordinance.

13. Subsection (3) of section 35 of the principal Ordinance is hereby amended by inserting immediately after the word "under" in the second line thereof the words "section 29 and section 33 of".

Amendment of section 43 of the principal Ordinance.

14. Section 43 of the principal Ordinance is hereby amended—

(i) by the addition of the following paragraph in subsection (1) thereof—

"(a) conditions of service excluding salaries pensions and gratuities;"

(ii) by the deletion of the word "pay" from paragraph (c) in subsection (1) thereof and by the substitution therefor of the words "the award of allowances".

(iii) by the insertion of the following subsection after subsection (1) thereof—

"(1A) The power to make regulations providing for discipline and punishments shall include and be deemed always to have included power to make regulations providing

for appropriate tribunals to inquire into disciplinary offences by police officers other than gazetted police officers, for the review of an appeal from the findings and awards of such tribunals, for appeals against the award of the Commissioner under subsection (1) of section 32, for limiting the powers of punishment exercisable by any appropriate tribunal and generally for the procedure to be followed in cases where a police officer other than a gazetted police officer is alleged to have committed any of the disciplinary offences specified in subsection (1) of section 31."

15. Section 45 of the principal Ordinance is hereby amended by deleting the words "and constables" in paragraph (i) thereof.

Amendment of section 45 of the principal Ordinance.

16. The following section is hereby added after section 60 of the principal Ordinance as section 60A thereof—

Addition of new section 60A to the principal Ordinance.

"Penalty on persons causing disaffection in police force.

60A. If any person causes, or attempts to cause, or does any act calculated to cause disaffection amongst the members of the police force, or induces, or attempts to induce, or does any act calculated to induce any member of the police force to withhold his services or to commit breaches of discipline, he shall be guilty of an offence and shall upon summary conviction be liable to a fine not exceeding two thousand dollars and to imprisonment for a term not exceeding two years."

17. The following section is hereby added after section 61 of the principal Ordinance as section 61A thereof—

Addition of new section 61A to the principal Ordinance.

"Penalty on un-authorized use of police uniform.

61A. If any person, not being a member of the police force, wears without the permission of the Commissioner the uniform of the police force, or any dress having the appearance or bearing any of the distinctive marks of that uniform, he shall be guilty of an offence and shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars."

18. The Schedule to the principal Ordinance is hereby repealed and replaced by the Schedule to this Ordinance—

Repeal and replacement of the Schedule to the principal Ordinance.

SCHEDULE

(Section 27)

Oath or Declaration of Office.

I, .....  
swear by Almighty God  
do solemnly and sincerely declare } that I will well and faithfully  
serve His Majesty and His Heirs and Successors according to law  
as a police officer, that I will obey uphold and maintain the laws  
of the Colony of Hong Kong, that I will execute the powers and  
duties of my office honestly, faithfully and diligently without fear  
of or favour to any person and with malice or ill will toward none,  
and that I will obey without question all lawful orders of those  
set in authority over me.

.....  
*Signature.*

SWORN }  
DECLARED } before me }  
this } day of }  
          , 19 . }

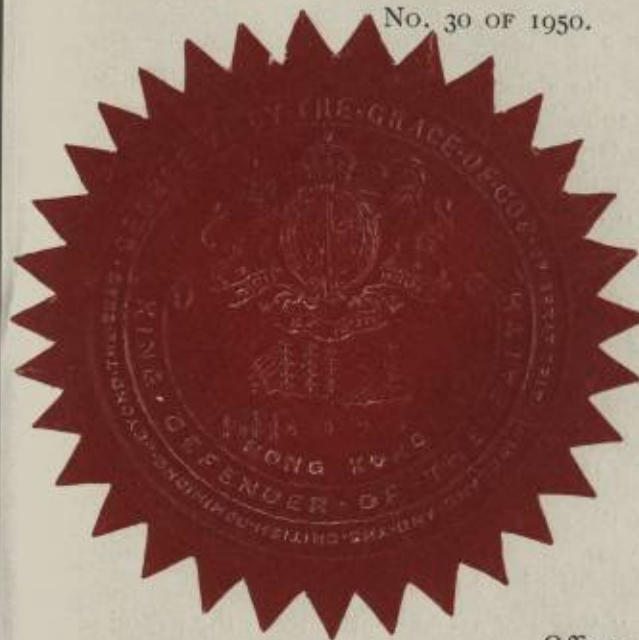
.....  
*Magistrate/Justice of Peace.*

Passed the Legislative Council of Hong Kong, this 29th day  
of August, 1950.

*[Signature]*  
*Clerk of Councils.*

**HONG KONG**

No. 30 OF 1950.



I assent.

*[Signature]*  
*Officer Administering the  
Government.*

31st August, 1950.

An Ordinance to amend the Inland Revenue Ordinance, 1947.

[ ]

BE it enacted by the Governor of Hong Kong, with the advice  
and consent of the Legislative Council thereof :

1. This Ordinance may be cited as the Inland Revenue Short title.  
(Law Revision Amendments) Ordinance, 1950, and shall be read Ordinance  
as one with the Inland Revenue Ordinance, 1947, hereinafter No. 20  
referred to as the principal Ordinance. of 1947.

2. The principal Ordinance is hereby amended in the Amend-  
manner specified in the Schedule hereto, the section or part ments to the  
amended, added, repealed or replaced being specified in the first principal  
column of such Schedule, and the amendment, addition, repeal Ordinance.  
or replacement being specified in the second column thereof. Schedule.

3. This Ordinance shall come into force on such date as the Commence-  
Governor shall notify by proclamation in the *Gazette*. ment.

SCHEDULE.

FIRST COLUMN.	SECOND COLUMN.
(1) Section 2.	(1) Section 2 is amended— (a) by the deletion of the expression "British Empire" and the definition thereof (as enacted by Ordinance No. 3 of 1949) and the substitution therefor of the following— " "Commonwealth" has the meaning attributed thereto by section 3 of the Interpretation Ordinance, 1950;" (b) by the insertion after the definition of the expression "receiver" of the expression and definition following— " "standard rate" means the rate specified in the First Schedule;" (c) by the repeal of the definition of the expression "year of assessment" and the substitution therefor of the following— " "year of assessment" means the period of twelve months commencing on the 1st day of April in any year;"
(2) Section 4.	(2) Section 4 is amended by the deletion in paragraph (b) of subsection (4) of the words "His Majesty's dominions or of any place under His Majesty's protection or suzerainty" and the substitution therefor of the following— "the Commonwealth" and by the deletion in the fifth line of such paragraph of the words "or place".
(3) Section 5.	(3) Section 5 (as enacted by Ordinance No. 10 of 1950) is repealed.
(4) Section 7.	(4) Section 7 is amended— (a) by the deletion of the word "assessed" in the third line thereof; (b) by the repeal of the sentence commencing "Where such payment" in the eighth line and continuing to the end of the section.

FIRST COLUMN.	SECOND COLUMN.
(5) Section 9.	(5) Section 9 is amended— (a) by the insertion in the second line of proviso (iii) after the words "other than a pension" of the following— "or annuity"; (b) by the deletion in the second and third lines of proviso (iv) of the words "United Kingdom of Great Britain and Northern Ireland, His Majesty's Dominions and India" and the substitution therefor of the following— "Members of the Commonwealth".
(6) Section 12.	(6) Section 12 is amended by the repeal of the proviso to subsection (1).
(7) Section 14.	(7) Section 14 as enacted by Ordinance No. 10 of 1950 is repealed and replaced by the following— "14. Salaries and Annuities Tax shall be charged for each year of assessment upon the net chargeable income for that year calculated as provided by sections 10 to 13 at the rates specified in the Second Schedule: Provided that— (a) where a person is liable to tax under this Chapter for a part only of any year of assessment, the provisions of the Second Schedule shall be modified in manner specified therein; and (b) in no case shall the amount of Salaries and Annuities Tax chargeable on any person exceed the amount which would have been chargeable on him had the standard rate of tax been charged on the whole of his income chargeable to Salaries and Annuities Tax before deducting the allowances provided in section 13."

- | FIRST COLUMN.    | SECOND COLUMN.   |
|------------------|--|
| (8) Section 19.  | (8) Section 19 is amended by the repeal of the proviso to subsection (1) thereof.  |
| (9) Section 23.  | (9) Section 23 is amended—<br>(a) by the deletion in the first line of subsection (3) of the words “after the thirty-first day of March, 1946,”;<br>(b) by the deletion in the twenty-first, twenty-second and twenty-third lines of subsection (3) of the words “or where the change took place during the year ending 31st March, 1947, within two years after the change took place,”.  |
| (10) Section 28. | (10) Section 28 is amended by the repeal of the proviso following subsection (2) thereof.  |
| (11) Section 29. | (11) Section 29 is amended by the deletion in the first line of proviso (a) of the word “banker” and the substitution therefor of the following—<br>“bank”.  |
| (12) Section 30. | (12) Section 30 (as amended by Ordinance No. 10 of 1950) is further amended—<br>(a) by the deletion of the words “accruing after the thirty-first day of March, 1947,”;<br>(b) by the deletion in the sixth line thereof of the words “deduct ten per centum from such sum” and the substitution therefor of the following—<br>“make a deduction from such sum at the standard rate in force at the date on which the interest is paid or is credited”;<br>(c) by the repeal of the addition thereto made by the Inland Revenue Amendment Ordinance, 1950. |
| (13) Section 31. | (13) Section 31 is amended by the deletion in paragraph (i) of the word “payment” and the substitution therefor of the following—<br>“interest”.   |

- | FIRST COLUMN.            | SECOND COLUMN.  |
|--------------------------|---|
| (14) Section 35.         | (14) Section 35 is amended—<br>(a) by the deletion in the first and second lines of subsection (1) of the words “in or after the basis period for the year of assessment 1947/48”;<br>(b) by the deletion in the first and second lines of paragraph (b) of subsection (2) of the words “at any time in or after the basis period for the year of assessment 1947/48”;<br>(c) by the deletion in the seventh and eighth lines of paragraph (b) of subsection (2) of the words “residual value of that expenditure” and the substitution therefor of the following—<br>“residue of expenditure”;<br>(d) by the deletion of the first line of sub-paragraph (ii) of paragraph (b) of subsection (2) and the substitution therefor of the following—<br>“(ii) ends with the year of assessment which is the fiftieth year after the year”. |
| (15) Section 36.         | (15) Section 36 is amended—<br>(a) by the deletion in the third line of subsection (1) of the words “in or after the basis period for the year of assessment 1947/48”;<br>(b) by the deletion in the third and fourth lines of the proviso to subsection (1) of the words “of his basis period for the fiftieth year of assessment after that” and the substitution therefor of the following—<br>“of the basis period for the year of assessment which is the fiftieth year after the year”.   |
| (16) Sections 38 and 39. | (16) Sections 38 and 39 are amended by the deletion in the first and second lines of subsection (1) in both cases of the words “in or after the basis period for the year of assessment 1947/48”.   |

FIRST COLUMN.	SECOND COLUMN.
(17) Section 40.	(17) Section 40 is amended by the insertion in the eighth line after the word "shall" of the following— "have".
(18) Section 44.	(18) Section 44 (as enacted by Ordinance No. 10 of 1950) is amended by the repeal of subsection (1) and the substitution therefor of the following— "(1) Tax shall be charged on the total income reduced by the allowances under section 43 at the rates specified in the Second Schedule: Provided that where a person is liable to tax under this Chapter for a part only of any year of assessment, the provisions of the Second Schedule shall be modified in the manner specified therein."
(19) Section 46.	(19) Section 46 is amended by the addition after subsection (5) of the following— "(6) The expression "income" in section 45 and this section shall mean income or profits."
(20) Sections 46 and 47.	(20) Sections 46 and 47 are amended by the deletion of the words "Empire" and "British Empire" wherever they occur and the substitution therefor of the following— "Commonwealth".
(21) Section 50.	(21) Section 50 is amended by the deletion in the third line of subsection (3) of the words "His Majesty's dominions" and the substitution therefor of the following— "the Commonwealth".

FIRST COLUMN.	SECOND COLUMN.
(22) Section 59.	(22) Section 59 is amended by the repeal of the proviso to subsection (2) and the substitution therefor of the following— "Provided that a notice of assessment under section 63 shall be served personally or by being sent by registered post (or in the case of an assessment to property tax under Chapter II either by registered post or by ordinary post) to any such place as aforesaid."
(23) Section 65.	(23) Section 65 is amended by the addition at the end of subsection (5) of the following— "The Commissioner shall for the purposes of this section have the powers granted under paragraph (1) of section 3 of the Commissioners Powers Ordinance, 1886, subject to the provisions of section 81 hereof."
(24) Section 72.	(24) Section 72 is amended by the deletion in the fourth line of subsection (4) of the words "by the original assessment".
(25) Section 78.	(25) Subsection (3) of section 78 is amended by the insertion of a comma following the word "paid" in the third line, the insertion of a comma after the word "tax" in the fourth line, and the deletion of the comma following the word "station" in the penultimate line.
(26) Section 81.	(26) Section 81 is amended by the insertion in the second line of paragraph (a) of subsection (2) after the word "any income" of the following— "or profits".

FIRST COLUMN.	SECOND COLUMN.
(27) Section 83.	(27) Section 83 is amended by the deletion in the second line of paragraph (a) of subsection (1) of the word "income" and the substitution therefor of the following— "sum".
(28) Section 86.	(28) Section 86 is amended by the addition at the end of subsection (1) of the following— "or profits".
(29) Section 88.	(29) Section 88 is repealed.
(30) Section 89A.	(30) Section 89A is amended— (a) by the deletion of the word "income" in the seventh line and the substitution therefor of the following— "profits"; (b) by the deletion of the words "income is" in the ninth line and the substitution therefor of the following— "profits are".
(31) First and Second Schedules.	(31) The Ordinance is amended by the addition at the end thereof of the following—

" FIRST SCHEDULE [s. 2.]

*Standard Rate*

For the year of assessment 1947/48 and until superseded ..... Ten per cent.

For the year of assessment 1950/51 and until superseded ..... Twelve and one-half per cent.

FIRST COLUMN.	SECOND COLUMN.
	SECOND SCHEDULE [ss. 14, 44(1).]

*Rates*

For the year of assessment 1947/48 and each year thereafter until superseded.

SECOND COLUMN.	THIRD COLUMN.
(a) Upon the first five thousand dollars	$\frac{1}{4}$ standard rate
(b) Upon the next five thousand dollars	$\frac{1}{2}$ " "
(c) — do —	$\frac{3}{4}$ " "
(d) — do —	The full standard rate
(e) — do —	$1\frac{1}{4}$ standard rate
(f) — do —	$1\frac{1}{2}$ " "
(g) — do —	$1\frac{3}{4}$ " "
(h) Upon the remainder	Twice the standard rate

NOTE: Where a person is liable to the appropriate tax for a part only of any year of assessment the amounts in the second column against items (a) to (g) will be reduced in the proportion which the number of days he is so liable bears to the number of days in that year of assessment.

FIRST COLUMN.

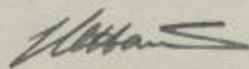
SECOND COLUMN.

For the year of assessment 1950/51 and each year thereafter until superseded.

SECOND COLUMN.	THIRD COLUMN.
(a) Upon the first five thousand dollars	$\frac{1}{5}$ standard rate
(b) Upon the next five thousand dollars	$\frac{2}{5}$ " "
(c) — do —	$\frac{3}{5}$ " "
(d) — do —	$\frac{4}{5}$ " "
(e) — do —	The full standard rate
(f) — do —	$1\frac{1}{5}$ standard rate
(g) — do —	$1\frac{2}{5}$ " "
(h) — do —	$1\frac{3}{5}$ " "
(i) — do —	$1\frac{4}{5}$ " "
(j) Upon the remainder	Twice the standard rate

NOTE: Where a person is liable to the appropriate tax for a part only of any year of assessment the amounts in the second column against items (a) to (i) will be reduced in the proportion which the number of days he is so liable bears to the number of days in that year of assessment.

Passed the Legislative Council of Hong Kong, this 29th day of August, 1950.



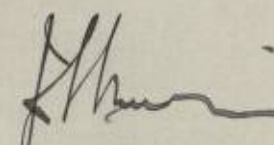
Clerk of Councils.

**HONG KONG**

No. 31 OF 1950.



I assent.



Officer Administering the Government.

31st August, 1950.

An Ordinance further to amend the Gambling Ordinance, 1891.

[1st September, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof :

1. This Ordinance may be cited as the Gambling (Amendment) Ordinance, 1950, and shall be read as one with the Gambling Ordinance, 1891, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 2 of  
1891.

2. The principal Ordinance is hereby amended by the addition of the following section after section 9A as section 9B—

Addition  
of new  
section 9B  
to the  
principal  
Ordinance.

9B. (1) The game of tombola promoted by a society registered under or exempted from the provisions of the Societies Ordinance, 1949, shall be deemed not to be a lottery within the meaning of this Ordinance if the permission of the Commissioner of Police which permission may be granted or refused in his sole discretion

"Tombola  
deemed not  
to be a  
lottery.  
Ordinance  
No. 28 of  
1949.

has been obtained in writing prior to the promotion :  
Provided that the conditions specified in the next succeeding subsection shall be observed in connection with the promotion and conduct of the game.

(2) The conditions referred to in the preceding subsection are that—

(a) the games shall be promoted only on such premises of the society as may be described in the written permission of the Commissioner of Police;

(b) tickets or chances in the game shall not be sold or issued, except on such premises of the society as may be described in the written permission of the Commissioner of Police;

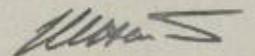
(c) the whole proceeds of the game after deducting only expenses incurred for printing and stationery shall be devoted either to the provision of prizes for the players or to purposes which are purposes of the society or as to part to the provision of prizes as aforesaid and as to the remainder to such purposes as aforesaid;

(d) there shall not be exhibited published or distributed any written notice or advertisement of the game other than notice thereof exhibited within the premises of the society for whose members it is promoted.

(3) If any of the conditions prescribed in subsection (2) hereof is broken each of the promoters of the game and where the person by whom the condition is broken is not one of the promoters that person also, shall be guilty of an offence and shall, upon summary conviction be liable to a fine not exceeding one thousand dollars and to imprisonment for a term not exceeding six months :

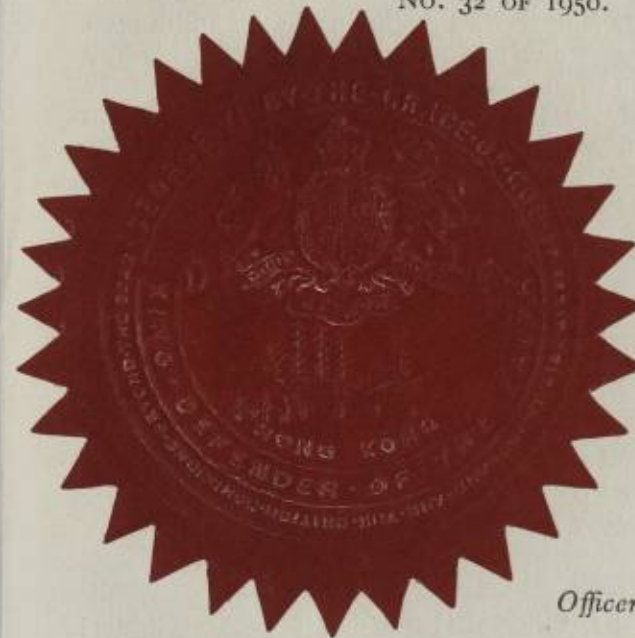
Provided that it shall be a defence for a person charged only by reason of his being a promoter of the game to prove that the offence was committed without his knowledge."

Passed the Legislative Council of Hong Kong, this 29th day of August, 1950.

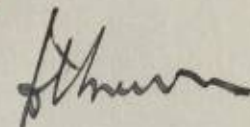
  
Clerk of Councils.

**HONG KONG**

No. 32 OF 1950.



I assent.

  
Officer Administering the  
Government.

12th October, 1950.

An Ordinance to amend the Jury Ordinance, 1887.

[13th October, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof :

1. This Ordinance may be cited as the Jury (Amendment) Ordinance, 1950, and shall be read as one with the Jury Ordinance, 1887, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 6 of  
1887.

2. Section 3 of the principal Ordinance is hereby amended—  
(a) by the deletion of the words "and who to the satisfaction of the court has a sufficient knowledge of the English language" and the substitution therefor of the words "and who has a knowledge of the English language sufficient to enable him to understand the evidence of witnesses, the address of counsel and the Judge's summing up"; and

Amendment  
of section  
3 of the  
principal  
Ordinance.

(b) by the addition of the following after the end thereof—

“Notwithstanding anything herein contained it shall be lawful for the court of its own motion or on the application of the Registrar or of any party interested to discharge any person summoned to serve as a juror who is unable to satisfy the court or Registrar that his knowledge of the English language is sufficient for the purposes aforesaid.”

Addition of new subsection (13) to section 4 of the principal Ordinance.

3. Section 4 of the principal Ordinance is hereby amended by the addition after paragraph (12) of the following—

“(13) persons certified to the Registrar by the Commissioner of Police to be employed, enrolled, summoned or appointed under any enactment as special constables or as members of the Hong Kong Police Reserve.”

Repeal of sections 5A and 5B of the principal Ordinance.

4. Sections 5A and 5B of the principal Ordinance (as enacted by Order 8 made under Proclamation No. 4 of the British Military Administration) are hereby repealed.

Repeal and replacement of section 6 of the principal Ordinance.

5. Section 6 of the principal Ordinance is hereby repealed and replaced as follows—

“Duty to notify Registrar for jury service.

6. (1) Every person possessed of the qualifications specified in section 3, unless exempt under the provisions of section 4, and unless such particulars have been notified by his employer in accordance with subsection (2) of this section, shall furnish the Registrar with the following particulars—

- (a) name at full length;
- (b) profession, business or occupation;
- (c) place of residence;
- (d) the period of any anticipated absence from the Colony during the succeeding twelve months;
- (e) such additional particulars as the Registrar may by further notice require,

and shall inform the Registrar of any change in such place of residence and of any change of name: Provided that if any person who is otherwise possessed

of the qualifications specified in section 3 has a good knowledge of the English language but considers that such knowledge may not be sufficient to enable him to understand the evidence of witnesses, the address of counsel and the Judge's summing up, he shall claim by notice in writing addressed to the Registrar to be exempted on this ground. Any such claim shall be accompanied by the particulars hereinbefore required.

(2) Every person having in his employment a person possessed of the qualifications specified in section 3, unless such employee is exempt under the provisions of section 4, shall notify or cause to be notified to the Registrar in List A in Form No. 2 of the Schedule at least once in each period of twelve months the particulars in respect of such employee required by subsection (1), and shall in addition notify the fact of the death or permanent departure from the Colony of any employee in respect of whom particulars were included in the last preceding notification.

(3) Every person having any reasonable doubt about the sufficiency of knowledge of the English language of any person in his employment and whose name would otherwise have been notifiable to the Registrar under the provisions of subsection (2) shall place such person's name on List B in Form No. 2 in the Schedule.

(4) It shall be lawful for the Registrar to publish a notice in the *Gazette* and in at least two English language newspapers and two Chinese language newspapers calling upon all persons who have not complied with the requirements of subsection (1), (2) or (3) of this section so to comply within a period of thirty days. Any person who fails to comply with such notice shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.”

6. Section 7A of the principal Ordinance (as enacted by Order 8 made under Proclamation No. 4 of the British Military Administration) is hereby repealed.

Repeal of section 7A of the principal Ordinance.

Repeal and replacement of sub-section (1) of section 10 of the principal Ordinance.

7. Subsection (1) of section 10 of the principal Ordinance is hereby repealed and replaced as follows—

“Formation of panel of common jurors. Ordinance No. 5 of 1888.

10. (1) Whenever it is necessary to summon a common jury other than under section 9 of the Coroner's Abolition Ordinance, 1888, and other than under section 32 hereof, the Registrar shall open the ballot box and draw therefrom such number of jurors' cards as a judge shall direct to form a panel. Whenever from any cause any juror whose card has been drawn cannot be served the Registrar shall re-open the ballot box and shall draw a fresh card therefrom to complete the number required for such panel. Such panel shall attend and serve for such a period as the judge shall direct. Whenever the judge so directs the Registrar shall divide such panel equally into two or more sets, and the first of such sets shall attend and serve, and the second and any subsequent set shall attend and serve, for such respective periods as the judge shall direct: Provided that notwithstanding that attendance and service for such a period shall have been so directed no juror shall be excused from attendance and service unless and until he shall have been discharged by the judge in respect of any case in which he has been called to serve as a juror.”

Repeal and replacement of section 14 of the principal Ordinance.

8. Section 14 of the principal Ordinance is hereby repealed and replaced as follows—

“Summoning of jurors. Schedule.

14. (1) The Registrar shall issue summonses according to Form No. 1 in the Schedule, which shall be served on the persons drawn either personally, or by leaving the same at their residences or places of business, or by sending the same by registered post addressed to any such person at his residence or place of business: Provided that if any such summons be not served personally it shall be served four clear days before the day appointed for the sitting of the court and in addition in the case of service by post two clear days shall be allowed for delivery.

(2) A summons served by post under the provisions hereof and not returned as undelivered shall be considered as duly served in the absence of evidence to the contrary.

(3) If a person summoned under the provisions hereof fails to attend as required by the summons, it shall be lawful for an officer of the court or a police officer to warn him personally to attend before the court, and upon non-compliance with such warning it shall be lawful for a police officer with or without a warrant to apprehend him and bring him before the court.”

9. Section 17 of the principal Ordinance is hereby repealed and replaced as follows—

Repeal and replacement of section 17 of the principal Ordinance.

“Ballot for jury.

17. The separate cards of all the jurors so summoned to form a panel shall be put into a box, and the Registrar or clerk of the Court shall, in open Court, draw therefrom until a jury is obtained.”

10. Section 36 of the principal Ordinance is hereby amended—

Amendment of section 36 of the principal Ordinance.

(a) by inserting after the word “juror” in paragraph (b) the words “and in which claims for exemption under subsection (1) of section 6 shall be investigated”; and

(b) by inserting the following paragraph in lieu of paragraph (c)—

“(c) the procedure to be followed by the Registrar in the case of any persons whose names have been included in List B under the provisions of subsection (3) of section 6.”

11. The Schedule is hereby amended by inserting the words “Form No. 1” immediately above the words “Form of Summons to Juror” and by inserting after such form the following—

Amendment of Schedule to the principal Ordinance.

“Form No. 2.  
Particulars required by subsections (2) and (3) of section 6.

LIST A.

Christian or Personal Name & Surnames.	Occupation.	Residence.
_____	_____	_____

LIST B.

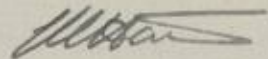
Christian or Personal Name & Surnames.	Occupation.	Residence.

Amendments effected by this Ordinance to be incorporated in Revised Edition.

Ordinance No. 20 of 1948.

12. Notwithstanding anything contained in the Revised Edition of the Laws Ordinance, 1948, the amendments effected by this Ordinance shall be included in the Revised Edition of Ordinances and the Commissioners shall for such purposes have the same powers and authority as if this Ordinance had been enacted on or before the 1st day of September, 1950.

Passed the Legislative Council of Hong Kong, this 11th day of October, 1950.

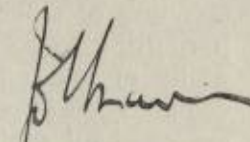
  
Clerk of Councils.

**HONG KONG**

No. 33 OF 1950.



I assent.

  
Officer Administering the Government.

12th October, 1950.

An Ordinance to provide for the keeping of records of births and deaths, and records of persons missing and believed to have died in consequence of an accident, occurring in any part of the world in, or during a journey in any aircraft registered in Hong Kong; and to provide for the preservation of such records by the Registrar of Births and Deaths.

[13th October, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Civil Aviation Short title. (Births, Deaths and Missing Persons) Ordinance, 1950.

Power for the Governor to make regulations for recording and registration of births and deaths, etc.

2. (1) The Governor may by regulations provide for requiring such persons as may be specified in the regulations to keep records and make returns to the Director of Civil Aviation—

(a) of births and deaths occurring in any part of the world in any aircraft registered in Hong Kong; and

(b) of the deaths, outside Hong Kong, of any person who, being a traveller on such an aircraft, is killed on the journey in consequence of an accident to such aircraft;

and for the keeping in the Department of Civil Aviation of a record of any returns made to the Director of Civil Aviation in accordance with any such requirement as aforesaid and may by such regulations specify that any person who fails to comply with any such requirement shall be liable on summary conviction to a fine of three hundred dollars.

(2) Where such an offence as aforesaid has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances. In this subsection the expression "director" includes any person occupying the position of director by whatever name called.

(3) Where any such regulations provide for the keeping of records in the Department of Civil Aviation in accordance with subsection (1) of this section they shall also provide for the transmission of certified copies of those records to the Registrar of Births and Deaths.

(4) The Registrar of Births and Deaths, upon receipt of any such certified copies shall cause them to be filed and preserved in a book to be kept by him for the purpose, and to be called the Air Register Book of Births and Deaths.

(5) Regulations made under subsection (1) of this section shall provide for the rectification of any records kept in the Department of Civil Aviation in pursuance of the regulations and for the transmission of certified copies of any corrected entry in the records to the Registrar of Births and Deaths.

(6) The Registrar of Births and Deaths, upon receipt of a certified copy of any such corrected entry shall cause the correct entry to be substituted for the corresponding entry for the time being made in the Air Register Book of Births and Deaths.

(7) The Births and Deaths Registration Ordinance, 1934, shall have effect as if the Air Register Book of Births and Deaths were a certified copy transmitted to the Registrar of Births and Deaths in accordance with section 5 of that Ordinance.

Ordinance  
No. 21  
of 1934.

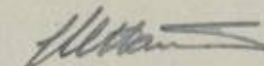
(8) The Governor may by regulations provide—

(a) for the keeping in the Department of Civil Aviation of a record of persons reported to the Director of Civil Aviation as missing, being persons with respect to whom there are reasonable grounds for believing that they have died in consequence of an accident to an aircraft registered in Hong Kong;

(b) for the rectification of any such record; and

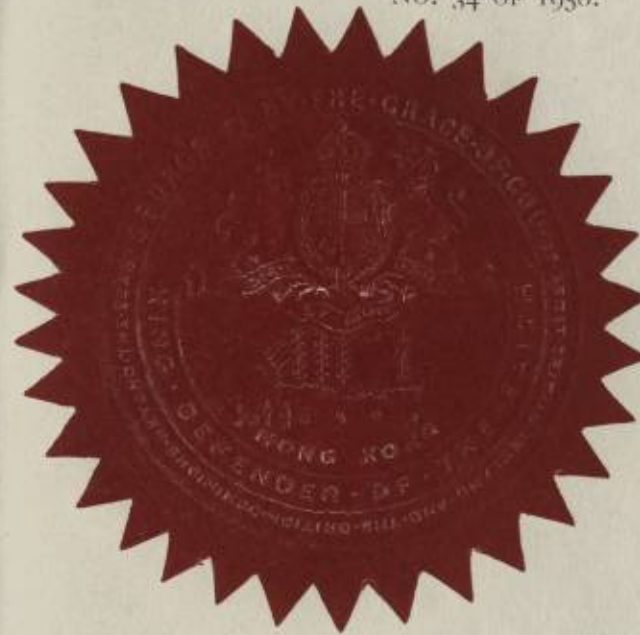
(c) for the transmission of information as to the matters for the time being entered on the record to the Registrar of Births and Deaths.

Passed the Legislative Council of Hong Kong, this 11th day of October, 1950.

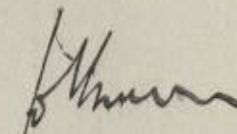
  
Clerk of Councils.

**HONG KONG**

No. 34 OF 1950.



I assent.

  
*Officer Administering the  
Government.*

12th October, 1950.

An Ordinance to provide for the incorporation of the Pastor in this Colony of the "Norwegian Seamen's Mission, Bergen, Norway."

[13th October, 1950.]

Be it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof: -

1. This Ordinance may be cited as the Norwegian Seamen's Mission, Incorporation Ordinance, 1950. Short title.

2. The Pastor for the time being in this Colony of the "Norwegian Seamen's Mission, Bergen, Norway", shall be a corporation sole (hereinafter called the corporation) and shall have the name of "The Pastor Norwegian Seamen's Mission, (Hongkong)" and by that name shall and may sue and be sued in all courts in this Colony and shall and may have and use a common seal. Incorporation of the Pastor in Hongkong of the Norwegian Seamen's Mission.

Powers of corporation.

3. (1) Subject to the provisions of subsection (2), the corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situated, and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities of any government, municipality, corporation or company, and also to purchase, acquire and possess goods and chattels of what nature and kind soever.

(2) Notwithstanding the provisions of subsection (1), the corporation shall not acquire any immovable property in the Colony unless it has previously obtained the special consent of the Governor in Council in each case.

(3) The corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities, or other goods and chattels whatsoever, which are for the time being vested in or belonging to the corporation, upon such terms as to the corporation may seem fit.

Property transferred to corporation to pass to successors.

4. The legal estate in any property whatsoever, transferred to the corporation in any manner whatsoever, shall, in the event of the death of the Pastor for the time being or in the event of his ceasing to hold office as such Pastor, pass to his successor in such office when appointed.

The Seal.

5. The Seal of the corporation shall bear the words "Norwegian Seamen's Mission, Hongkong."

Execution of documents.

6. All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the person for the time being holding the office of Pastor in this Colony of the Norwegian Seamen's Mission or of his Attorney duly authorized and such deeds and instruments and all other documents, instruments and writings requiring the signature of the corporation shall be signed by such Pastor or his attorney.

Appointment of Pastor.

7. (1) Whenever any person is appointed to the office of Pastor in this Colony of the Norwegian Seamen's Mission such person, shall, within three weeks after his appointment or within such further time as may be allowed by the Governor, furnish to the Governor satisfactory evidence of his appointment.

(2) A notification in the *Gazette* under the hand of the Colonial Secretary that such evidence has been furnished to the Governor by such person shall be conclusive evidence of such appointment.

Notification in *Gazette*.

8. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King his heirs and successors, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by, from or under them.

Saving of rights of the Crown and others.

Passed the Legislative Council of Hong Kong, this 11th day of October, 1950.

Clerk of Councils.



**HONG KONG**

No. 35 OF 1950.



I assent.

*[Handwritten signature]*  
Governor.

2nd November, 1950.

An Ordinance to amend the Supreme Court (Summary Jurisdiction) Ordinance, 1873, and to make provisions consequential upon such amendment.

[3rd November, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Supreme Court (Summary Jurisdiction) Amendment Ordinance, 1950, and shall be read as one with the Supreme Court (Summary Jurisdiction) Ordinance, 1873, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 4  
of 1873.

2. The principal Ordinance is hereby amended by the deletion of the words "one thousand dollars" and the substitution therefor of the words "five thousand dollars" wherever they appear in sections 7, 8, 9, 10, 11, 12 and 29.

Amendment  
of sections  
7, 8, 9, 10,  
11, 12 and  
29 of the  
principal  
Ordinance.

Transitional provisions.

3. (1) If in any case the court is of opinion that it is expedient that an action commenced before the commencement of this Ordinance in its original jurisdiction should by reason of the amendments effected by the preceding section be transferred to the summary jurisdiction, the court may order that the entry of such action in the Original Jurisdiction Register be transferred to the Register of Civil Actions, Summary Jurisdiction, and the provisions of section 30 of the principal Ordinance shall apply accordingly.

(2) No costs shall be allowed to a successful plaintiff in any action commenced before the commencement of this Ordinance in the original jurisdiction of the court which might by reason of subsection (1) have been transferred to its summary jurisdiction but which has not been so transferred, unless upon an application by plaintiff or defendant the court has refused an order under such subsection, or unless the court is of opinion at the trial that the action was one which it was expedient to carry on in such original jurisdiction.

(3) Notwithstanding the provisions of section 8 of the principal Ordinance, all actions for the sums exceeding one thousand dollars but not exceeding five thousand dollars, in respect of which the cause of action is subsisting immediately prior to the commencement of this Ordinance, may be commenced within three years next after the commencement of this Ordinance: Provided that this subsection shall not extend any period of limitation other than that imposed under the said section.

(4) Notwithstanding the provisions of section 33 of the principal Ordinance, and without prejudice to the generality of section 32 thereof, a retainer or a brief delivered to Counsel before the commencement of this Ordinance may upon the Order of the Court or in the discretion of the registrar be taken into account upon taxation of costs in respect of an action transferred to the summary jurisdiction under the provisions of subsection (1) hereof.

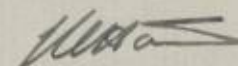
Consequential amendments to various Ordinances.

4. The following Ordinances are hereby amended by the deletion of the words "one thousand dollars" appearing in the places specified and the substitution therefor of the following—

"five thousand dollars".

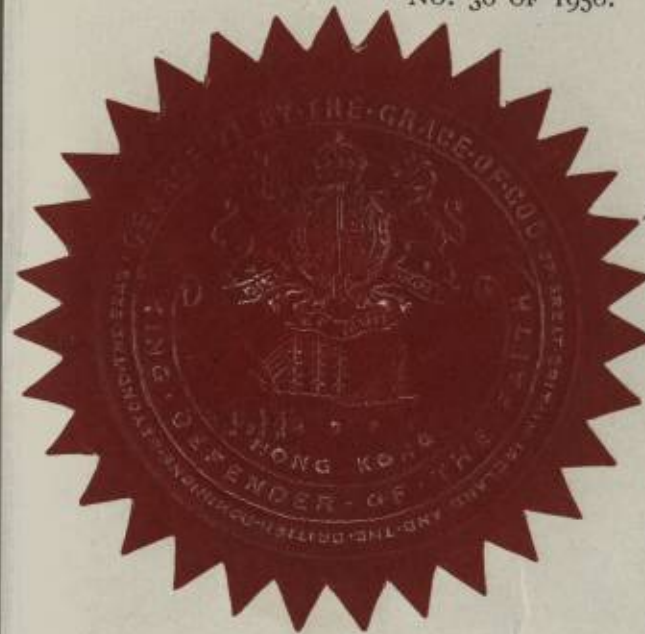
<i>Ordinance amended</i>	<i>Place of amendment</i>	
Rating Ordinance, 1901.	Fifth line of section 37.	Ordinance No. 6 of 1901.
Landlord and Tenant Ordinance, 1947.	Third line of subsection (1) of section 26.	Ordinance No. 25 of 1947.
Crown Remedies Ordinance, 1875.	Penultimate and last lines of section 2.	Ordinance No. 6 of 1875.
Law Revision (Miscellaneous Amendments) (No. 2) Ordinance, 1950.	Twentieth line of item 7 of Part II of the Schedule.	Ordinance No. 24 of 1950.
Estate Duty Ordinance, 1932.	Fifth line of subsection (2) of section 15.	Ordinance No. 3 of 1932.
Legal Practitioners Ordinance, 1948.	Eighth line and penultimate line of subsection (9) of section 54.	Ordinance No. 37 of 1948.

Passed the Legislative Council of Hong Kong, this 1st day of November, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 36 OF 1950.



*Richard [Signature]*  
I assent.

*Governor.*

2nd November, 1950.

An Ordinance to amend the Pharmacy and Poisons Ordinance, 1937.

[3rd November, 1950.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof—

1. This Ordinance may be cited as the Pharmacy and Poisons (Amendment) Ordinance, 1950, and shall be read as one with the Pharmacy and Poisons Ordinance, 1937, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 8 of  
1937.

2. Section 2 of the principal Ordinance is amended by substituting for the definition of "the board" therein the following—  
" "The Board" means the Pharmacy Board established by this Ordinance;".

Amendment  
of section  
2 of the  
principal  
Ordinance.

Addition of new section 2A to the principal Ordinance.

3. The principal Ordinance is hereby amended by the insertion after section 2 of the following section—

“Constitution of Pharmacy Board.

2A. (1) There is hereby established for the purposes of this Ordinance a Board to be styled the Pharmacy Board which shall consist of four *ex-officio* members and five other members to be appointed by the Governor.

(2) The *ex-officio* members shall be the Director of Medical and Health Services, the Professor of Chemistry of the Hong Kong University, the Government Chemist and the Government Chief Pharmacist.

(3) The Governor shall every three years appoint a Government Medical Officer, a Legal Adviser and three registered pharmacists to be members of the Board. Such members shall hold office for a period of three years and may be re-appointed or removed by the Governor at his pleasure. In the event of any vacancy occurring from any cause such vacancy shall be filled by appointment of the Governor and a member so appointed shall hold office for so long as the member in whose place he has been appointed would have held office.

(4) The Director of Medical and Health Services shall be *ex-officio* Chairman of the Board. In the case of the absence of the Chairman from any meeting of the Board, the members of the Board present shall appoint any other of its members as Chairman. The Chairman shall have a deliberative and a casting vote.

(5) Five members of the Board shall constitute a quorum.

(6) The Board shall conduct inquiries into the professional conduct of registered pharmacists or persons employed by registered pharmacists.

(7) The Board shall be empowered to make standing orders regulating the procedure at, and in connexion with, its meetings and inquiries.”

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

Amendment of section 3 of the principal Ordinance.

(a) by inserting immediately before the words “Governor in Council” where they appear in the first line of subsection (1) and in the marginal note the words “Board with the approval of the”; and

(b) by substituting for paragraph (p) of subsection (1) the following paragraphs—

“(p) the payment of costs by any person or persons whose professional conduct is the subject of inquiry or who is the subject of any inquiry in any matter within the jurisdiction of the Board, or who is in any way implicated or concerned in any such inquiry;

(q) for prescribing anything which is by this Ordinance to be prescribed by regulations.”

5. Section 5 of the principal Ordinance is hereby amended by the substitution of the following subsection for subsection (2) thereof—

Amendment of section 5 of the principal Ordinance.

“(2) The Registrar shall erase from the register—

(a) any entry which is proved to the satisfaction of the Board to have been fraudulently made;

(b) the name of any person who shall have died; or

(c) the name of any person whom after due inquiry he finds to have ceased to reside in the Colony;

(d) the name of any person whom he is directed to remove from the register in pursuance of section 6:

Provided, as regards paragraph (c), that if such person returns to the Colony, his name may be restored to the register on payment of the fee payable on registration as a pharmacist.”

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

Repeal and replacement of section 6 of the principal Ordinance.

“Removal of pharmacists from and restoration to register.

6. (1) If a registered pharmacist, or a person employed by him in the carrying on of his business has been convicted of any such criminal offence, or been guilty of such misconduct as, in the opinion of the Board, renders him, or in the case of an employee, would if he were a registered pharmacist, render him,

unfit to be on the register, the Board, after making inquiry into the case, may direct the registrar to remove the name of the pharmacist from the register, or suspend him from practice or censure him as the Board may think fit.

(2) It shall be lawful for the Board to publish the result of any inquiry held under this section either with or without an account of the proceedings at the said inquiry.

(3) Reasonable notice of any proposed inquiry under this section shall be served on the person concerned.

(4) Notice of the decision of the Board shall in all cases under this section be served on the person concerned.

(5) The striking off the register under this section or the publication under subsection (2) shall not take place until after the expiration of fourteen days from the date of the service of the decision of the Board on the person concerned and in case of appeal shall await the decision of the Governor in Council.

(6) The notice of any decision and any order or direction made by the Board as aforesaid shall be signed by the registrar and may be filed with the Registrar of the Supreme Court and when so filed shall be enforceable in the same manner as a judgment or order of the Supreme Court to the like effect.

(7) If the Board thinks fit in any case so to do, it may either on its own motion or on the application of the person concerned, after due inquiry direct the registrar to restore to the register, either without fee or on payment of such fee, not exceeding the fee payable on registration as a pharmacist, as the Board may prescribe, any name or entry which has been removed from the register.

(8) A right of appeal from any decision of the Board under this Ordinance shall lie to the Governor in Council. The provisions of section 39A of the Interpretation Ordinance, 1950, shall apply to any such appeal."

**7.** Section 11 of the principal Ordinance is hereby amended—

Amendment  
of section  
11 of the  
principal  
Ordinance.

(a) by substituting for the words "the board" where they occur in subsection (1) and subsection (2) of such section, the words "that body";

(b) by substituting for the words "Governor in Council" throughout subsection (3) and in subsection (4) the word "Board";

(c) by substituting for the words "the board" in the first line of paragraph (b) of subsection (3) the words "such body corporate"; and

(d) by substituting for the words "he may, either on his own motion" in the second line of subsection (4) the words "it may, either on its own motion".

**8.** Section 12 of the principal Ordinance is hereby amended by substituting for the words "Governor in Council" wherever they occur in the said section the word "Board".

Amendment  
of section  
12 of the  
principal  
Ordinance.

**9.** Section 13 of the principal Ordinance is hereby amended—

Amendment  
of section  
13 of the  
principal  
Ordinance.

(a) by substituting for the words "the board" wherever they occur in the said section the words "that body";

(b) by substituting for the words "Governor in Council" wherever they occur in the said section the word "Board"; and

(c) by substituting for the word "his" in the eleventh line of subsection (1) the word "its".

**10.** Section 14 of the principal Ordinance is hereby amended by substituting for the words "the Governor in Council" in subsections (5) and (7) thereof the words "the Board".

Amendment  
of section  
14 of the  
principal  
Ordinance.

**11.** Section 16 of the principal Ordinance is hereby amended by substituting for the words "the Governor in Council" throughout such section the words "the Board".

Amendment  
of section  
16 of the  
principal  
Ordinance.

**12.** Section 17 of the principal Ordinance is hereby amended by substituting for the words "the Governor in Council" the words "the Board".

Amendment  
of section  
17 of the  
principal  
Ordinance.

Amendment  
of section  
18 of the  
principal  
Ordinance.

**13.** Section 18 of the principal Ordinance is hereby amended by inserting immediately before the word "Governor" in subsection (1) the words "Board with the approval of the".

Amendment  
of section  
22 of the  
principal  
Ordinance.

**14.** Section 22 of the principal Ordinance is hereby amended—

(a) by substituting for the word "registrar" where it occurs in the fourth line of the first proviso to subsection (1) the word "Board";

(b) by substituting for the word "he" in the second line of the second proviso to subsection (1) the words "the Board";

(c) by deleting the word "registrar's" where it occurs in the fourth line of subsection (2);

(d) by substituting for the words "the board" in the fourth line of subsection (4) the words "that body"; and

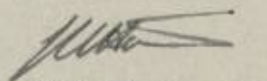
(e) by substituting for the word "registrar" in the seventh line of subsection (4) the word "Board".

Amend-  
ments  
effected  
by this  
Ordinance  
to be in-  
corporated  
in the  
Revised  
Edition.

**15.** Notwithstanding anything contained in the Revised Edition of the Laws Ordinance, 1948, the amendments effected by this Ordinance shall be included in the Revised Edition of Ordinances and the Commissioners shall for such purpose have the same powers and authority as if this Ordinance had been enacted on or before the 1st day of September, 1950.

Ordinance  
No. 20 of  
1948.

Passed the Legislative Council of Hong Kong, this 1st day of November, 1950.

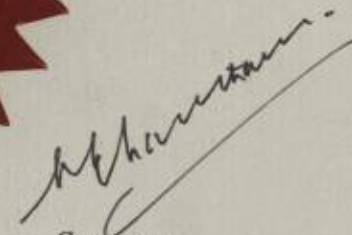
  
Clerk of Councils.

**HONG KONG**

No. 37 OF 1950.



I assent.

  
Governor.

23rd November, 1950.

An Ordinance to make further amendments to miscellaneous Ordinances for the purpose of facilitating the preparation of the revised edition of the laws.

[24th November, 1950.]

WHEREAS by the Law Revision (Miscellaneous Amendments) Ordinance, 1950, and the Law Revision (Miscellaneous Amendments) (No. 2) Ordinance, 1950, omissions, amendments and additions to the Ordinances of the Colony were enacted for the purpose of preparation of the revised edition :

AND WHEREAS a further number of such omissions, amendments and additions have been collected and are now submitted to Legislative Council in manner provided by section 6 of the Revised Edition of the Laws Ordinance, 1948 :

BE it therefore enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof :

**1.** This Ordinance may be cited as the Law Revision Short title. (Miscellaneous Amendments) (No. 3) Ordinance, 1950.

Amendments taking effect immediately. Schedule. Part I.

2. The Ordinances specified in the first column of Part I of the Schedule, are upon enactment hereof amended in the manner indicated in the second column thereof.

Amendments taking effect upon proclamation. Schedule. Part II.

3. The Ordinances and Proclamations specified in the first column of Part II of the Schedule, shall be amended in the manner indicated in the second column thereof or repealed as indicated therein, with effect from such date as the Governor shall notify by proclamation in *Gazette*.

Amendments to be included in the revised edition. Schedule. Parts I & II.

4. The amendments and repeals to the Ordinances and Proclamations specified in Part I and Part II of the Schedule shall be given effect to in the preparation of the revised edition of the Ordinances, and it is declared that the provisions of section 6 of the Revised Edition of the Laws Ordinance, 1948, shall have effect accordingly.

Ordinance No. 20 of 1948.

SCHEDULE.

PART I. [ss. 2 & 4.]

FIRST COLUMN.	SECOND COLUMN.
1. Crown Lands Resumption Ordinance, 1900. (No. 10 of 1900.)  Section 16.	Section 16 is amended by the deletion in the second line of subsection (3) of the words "eight per cent" and the substitution therefor of the following— "four per cent".
2. Revenue Officers Powers of Arrest Ordinance, 1917. (No. 2 of 1917.)  Second Schedule.	The Second Schedule is amended by the addition after the penultimate line thereof of the following— "35 of 1935. Dangerous Drugs Ordinance, 1935."

FIRST COLUMN.

SECOND COLUMN.

3. Marine Stores  
Protection  
Ordinance, 1919.  
(No. 13 of 1919.)

(1) Section 11. (1) Section 11 is repealed and replaced by the following—

"11. It shall not be lawful for any person to gather or search for stores in the waters of the Colony, or to creep, sweep, or dredge in such waters, without permission in writing from the Director of Marine, or from some person authorized by the Director of Marine in that behalf (proof of which permission shall lie on the party accused)."

(2) Section 16. (2) Section 16 is amended by the deletion of the word "European" in the first line.

4. Stamp Ordinance,  
1921.  
(No. 8 of 1921.)

(1) Section 21. (1) Section 21 is amended by the repeal of paragraph (b) of subsection (3) and the substitution therefor of the following—

"(b) any person appointed by the University of Hong Kong for the purpose of teaching in the pathological department of the faculty of medicine, or in the clinical units of medicine or of surgery or of obstetrics and gynaecology in such faculty, and whose whole time is at the disposal of such University;"

(2) Schedule. (2) The Schedule is amended—

(a) by the deletion in the fifth column opposite heads 5, 15, 15A, 15B, 17, 19, 24, 29, 31A, 38, 39 and 44 of the words "7 days after execution" and the substitution therefor in each case of the following—

"30 days after execution";