



HONG KONG

No. 1 of 1980



I assent.

*Jack Oates*

Acting Governor.

17 January 1980.

An Ordinance to approve a supplementary appropriation to the service of the financial year which ended on 31 March 1979.

[18 January 1980]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

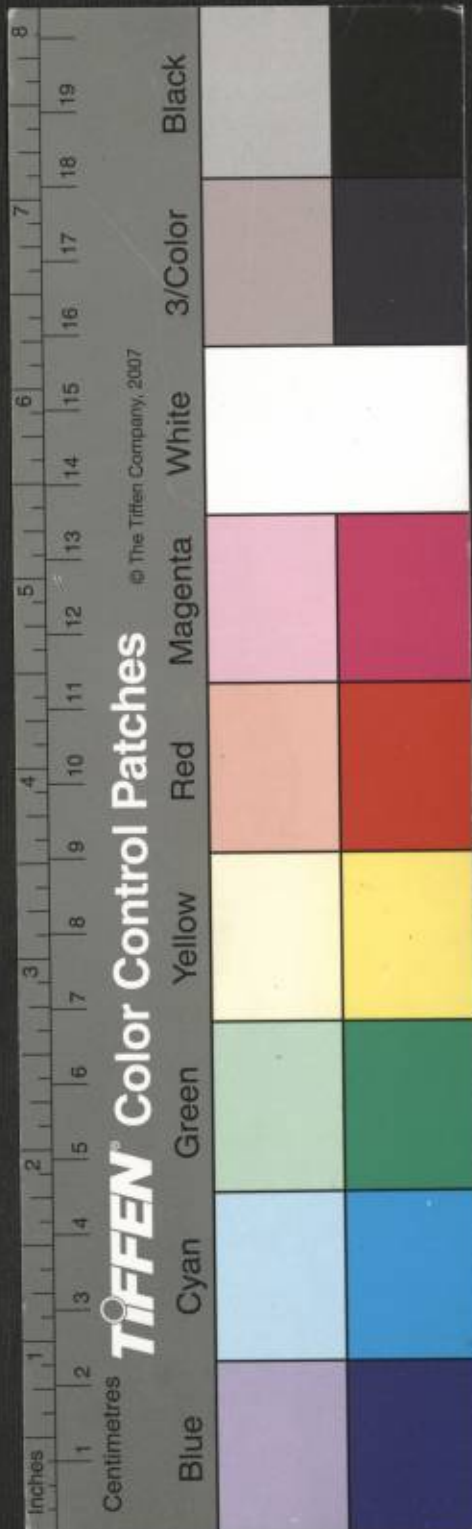
1. This Ordinance may be cited as the Supplementary Appropriation (1978-79) Ordinance 1980. Short title.

2. The appropriation in the manner expressed in the Schedule of a sum of \$1,017,319,489.15 from the general revenue and other funds of Hong Kong for the service of the financial year which ended on 31 March 1979 is approved. Approval of appropriation. Schedule.

SCHEDULE

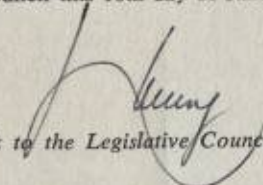
[s. 2.]

<i>Number of Vote</i>	<i>Head of Expenditure</i>	<i>Amount</i>
		\$
21	His Excellency the Governor's Establishment	55,830.60
23	Audit Department	386,283.11
24	Census and Statistics Department	197,264.70
26	Defence: Auxiliary Medical Service	819,872.62

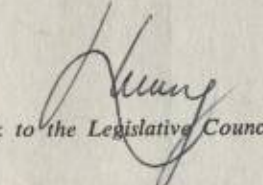


<i>Number of Vote</i>	<i>Head of Expenditure</i>	<i>Amount</i>
		\$
27	Defence: Civil Aid Services	343,161.83
28	Defence: Miscellaneous Measures	51,427,216.49
29	Defence: Royal Hong Kong Auxiliary Air Force	554,417.78
31	Education Department	2,674,231.69
32	Education Subventions	10,862,719.45
35	Government Secretariat	6,255,937.87
36	Government Supplies Department	9,975,887.89
38	Housing Department	22,231,612.41
39	Immigration Department	2,502,970.90
42	Inland Revenue Department	1,771,394.40
43	Judiciary	729,471.63
47	Legal Aid Department	137,249.76
48	London Office	3,181,923.66
50	Medical and Health Department	21,771,534.96
52	Miscellaneous Services	106,268,631.28
54	Office of Unofficial Members of Executive and Legislative Councils	49,307.94
55	Pensions	5,401,219.06
56	Police: Royal Hong Kong Police Force	29,466,706.78
60	Prisons Department	1,799,377.46
61	Public Debt	1,064,631.08
62	Public Services Commission	8,437.97
64	Public Works Department: Building Development	1,859,376.66
65	Public Works Department: Engineering Development	1,016,357.37
67	Public Works Department: New Territories Development	195,926.06
69	Public Works Non-recurrent: Headquarters	109,765,824.24
70	Public Works Non-recurrent: Buildings	92,732,566.45
71	Public Works Non-recurrent: Engineering	209,279,091.84
72	Public Works Non-recurrent: New Towns and Public Housing (other than Housing Authority)	293,680,103.03
74	Radio Television Hong Kong	5,470,931.84
75	Rating and Valuation Department	109,187.95
76	Registrar General's Department	150,984.49
77	Registry of Trade Unions	44,033.15
79	Social Welfare Department	9,022,231.32
81	Subventions: Miscellaneous	4,257,664.41
85	Universities and Polytechnic	9,566,004.35
86	Urban Services Department	149,571.76
87	Standing Commission on Civil Service Salaries and Conditions of Service	82,340.91
		<u>\$1,017,319,489.15</u>

Passed by the Hong Kong Legislative Council this 16th day of January 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 2 of 1980



I assent.

*Pack K*

Acting Govern

17 January 1980

**HONG KONG**

No. 2 OF 1980



I assent.

*Pack Oates*

*Acting Governor.*

*17 January 1980.*

An Ordinance to regulate and protect marine fish culture and for purposes connected therewith.

[18 January 1980]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

**PART I**

**PRELIMINARY**

1. (1) This Ordinance may be cited as the Marine Fish Culture Ordinance 1980. Short title and commencement.

(2) Sections 6 and 7 shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*, and different dates may be appointed for those sections.

2. In this Ordinance, unless the context otherwise requires— Interpretation.

“authorized officer” means a public officer authorized under section 3;

“Director” means the Director of Agriculture and Fisheries;

“fish” means any marine fish, crustacean or mollusc, other than an oyster;

"fish culture" means any operation involving the maintenance, propagation or promotion of growth of fish in captivity within the waters of Hong Kong;

"fish culture zone" means an area of the waters of Hong Kong designated to be a fish culture zone under section 5(a);

"impoundment" means an enclosure of an area of the waters of Hong Kong by means of a net or other removable, permeable structure used or designed for the purpose of fish culture;

"licence" means a licence granted or renewed under section 8;

"licensee" means the holder of a licence;

"permit" means a permit granted or renewed under section 14;

"permittee" means the holder of a permit;

"raft" means a floating structure or object, including any cage, net or other device attached thereto, used or designed for the purpose of fish culture;

"site" means a site within a fish culture zone specified under section 5(b);

"vessel" includes—

- (a) any ship, boat or any other description of vessel used in navigation; and
- (b) any other movable structure that is not used in navigation and not constructed nor adapted for use in navigation, but does not include a raft;

"waters of Hong Kong" means all tidal water, navigable or not, within the boundaries of Hong Kong specified in the Second Schedule to the Interpretation and General Clauses Ordinance.

(Cap. 1.)

Authorized officers.

3. (1) The Director may authorize in writing any public officer to exercise any of the powers and perform any of the duties or functions conferred or imposed on the Director or an authorized officer by this Ordinance.

(2) A document purporting to be an authorization under subsection (1) and to be signed by the Director shall, without further proof and until the contrary is proved, be evidence of the matters contained therein in any proceedings or otherwise.

(3) An authorized officer when exercising a power or performing a duty or function under this Ordinance shall produce his authorization under subsection (1) for inspection by any person who questions his authority to exercise the power or to perform the duty or function.

(4) A public officer who ceases to be an authorized officer shall forthwith deliver up his authorization to a person authorized by the Director to receive it.

Power of Governor to give directions.

4. (1) The Governor may give to the Director or to an authorized officer such directions as he thinks fit with respect to the exercise or performance of any powers, duties or functions under this Ordinance, and such directions may be given either generally or in respect of any particular case.

(2) A person to whom a direction is given by the Governor under subsection (1) shall, in the exercise or performance of any powers, duties or functions under this Ordinance, comply with that direction.

## PART II

### CONTROL AND PROTECTION OF FISH CULTURE

5. The Director may—

- (a) by order published in the *Gazette* designate any area of the waters of Hong Kong to be a fish culture zone within which fish culture may be engaged in, and he shall demarcate the boundaries of the fish culture zone in the prescribed manner; and
- (b) in such manner as he thinks fit, specify sites within a fish culture zone.

Designation of fish culture zones and specification of sites therein.

6. (1) No person shall, without a licence, engage in fish culture within a fish culture zone.

Restrictions on fish culture.

(2) No person shall, without a permit granted under section 14(1)(a), engage in fish culture within the waters of Hong Kong for the purposes of scientific research.

(3) No person shall, without a permit granted under section 14(1)(b), maintain fish in captivity within the waters of Hong Kong for purposes other than the propagation or promotion of growth of such fish.

(4) Any person who contravenes this section commits an offence.

7. (1) Subject to subsection (2), no person shall engage in fish culture within the waters of Hong Kong outside a fish culture zone.

Prohibition of fish culture outside fish culture zones.

(2) This section shall not apply to—

- (a) fish culture for the purposes of scientific research; and
  - (b) the maintenance of fish in captivity for purposes other than the propagation or promotion of growth of such fish.
- (3) Any person who contravenes this section commits an offence.

8. (1) Subject to this Ordinance, the Director may grant to any person, a licence, and renew such licence, to engage in fish culture within a fish culture zone.

Grant of licences and renewal thereof.

(2) The form of application for the grant or renewal of a licence and the form of the licence shall be specified by the Director.

(3) A licence may be granted, and may be renewed, subject to such conditions as the Director thinks fit.

(4) The Director shall specify in a licence—

- (a) the site in respect of which the licence is valid;
  - (b) the area of the rafts or impoundments permitted under the licence; and
  - (c) the conditions to which the licence is subject.
- (5) A licence shall not be transferable.

(6) The Director may refuse to grant or renew a licence if it appears to him—

- (a) that, having regard to the size or location of a fish culture zone, the grant or renewal of a licence would cause overcrowding of the fish culture zone or would otherwise not be in the best interests of fish culture;

(b) that any raft or impoundment used or to be used by the applicant for the purpose of fish culture does not comply with any of the provisions of this Ordinance or any regulations made thereunder.

(7) Where the Director refuses to grant or renew a licence under subsection (6) he shall send to the applicant a notice of the refusal and state in the notice the reasons for the refusal.

Cancellation of licences.

9. (1) The Director may cancel a licence—

(a) on any ground specified in section 8(6) which would have entitled him to refuse to grant or renew a licence;

(b) on the ground that the licensee has—

(i) contravened any of the provisions of this Ordinance or any regulations made thereunder;

(ii) contravened his licence;

(iii) failed or is unable or incompetent to carry out the purposes of his licence; or

(iv) failed to provide adequate management or supervision of any raft or impoundment in respect of which the licence is valid.

(2) Where the Director cancels a licence under subsection (1) he shall, where practicable, send to the person who was the holder of the licence a notice of the cancellation and state in the notice the reasons for the cancellation.

Director may give instructions on fish culture.

10. (1) The Director may give to all or any licensees instructions in writing as to—

(a) any matter concerning fish culture;

(b) the disposal or destruction of any fish within any site found or suspected to be suffering from any infectious disease; or

(c) the disposal of any noxious or waste matter resulting from the collecting or harvesting of fish.

(2) It shall be a condition of every licence that the licensee shall carry out, or cause to be carried out, to the satisfaction of the Director, within the site in respect of which his licence is granted, any instructions given to him under subsection (1).

Protection of fish culture zones.

11. Any person who, without reasonable excuse, deposits, or causes or permits to be deposited, either on land or in the sea, any chemical or other substance or thing in such a place or in such a manner as—

(a) to injure or to be likely to injure any fish in any fish culture zone; or

(b) to pollute or to be likely to pollute the waters in any fish culture zone,

commits an offence.

Interference with rafts or impoundments or fish therein.

12. (1) Subject to subsection (2), any person who wilfully—

(a) moves, damages or otherwise interferes with any raft or impoundment that is lawfully within a site; or

(b) removes any fish from, or injures or otherwise interferes with any fish within, such a raft or impoundment,

commits an offence.

(2) Subsection (1) shall not apply to any act prohibited by that subsection if such act is—

(a) authorized by or under this or any other Ordinance;

(b) committed by the owner of the raft or impoundment, or of the fish therein or with such owner's consent; or

(c) committed in a case of emergency or stress of weather to save life or property or for the safety of any raft or impoundment, or of any fish therein.

13. (1) Subject to subsection (3)(a), any person who causes or permits any vessel to enter or remain in a fish culture zone commits an offence.

(2) Subject to subsection (3)(b), any person who causes or permits any raft or impoundment to enter or remain or to be constructed in a fish culture zone otherwise than under and in accordance with a licence or permit granted to him commits an offence.

(3) (a) Subsection (1) shall not apply to any act prohibited by that subsection if such act is—

(i) committed for the purposes of or in connexion with fish culture operations;

(ii) authorized in writing by the Director; or

(iii) committed in a case of emergency or stress of weather to save life or property or for the safety of the vessel concerned.

(b) Subsection (2) shall not apply where a raft or impoundment is caused or permitted to enter or remain in a fish culture zone in a case of emergency or stress of weather to save life or property or for the safety of the raft or impoundment, or of any fish therein.

Prohibition of unauthorized vessels etc. in fish culture zones.

### PART III

#### GENERAL

14. (1) The Director may, subject to such conditions as he thinks fit, grant to any person a permit, and renew such permit, to—

(a) engage in fish culture within the waters of Hong Kong solely for the purposes of scientific research; or

(b) maintain fish in captivity within the waters of Hong Kong for purposes other than the propagation or promotion of growth of such fish.

(2) The Director may cancel or refuse to renew a permit—

(a) on the ground that the permittee has—

(i) contravened any of the provisions of this Ordinance or any regulations made thereunder;

(ii) contravened his permit;

(iii) failed or is unable or incompetent to carry out the purposes of his permit; or

(iv) failed to provide adequate management or supervision of the fish culture or other operations permitted under his permit; or

(b) in the public interest.

(3) Where the Director refuses to grant a permit under subsection (1), or cancels or refuses to renew a permit under subsection (2), he shall,

Director may grant permits in certain cases.

where practicable, send to the applicant or the person who was the holder of the permit, as the case may be, a notice of the refusal or cancellation and state in the notice the reasons for the refusal or cancellation.

Limitation of rights under licences or permits.

15. No licence or permit shall be construed as granting any right to—

- (a) occupy or use any land, whether the same be covered by water or not; or
- (b) the exclusive use of any water,

except for the purposes of this Ordinance.

Right of appeal.

16. (1) Any person aggrieved by a decision of the Director to cancel a licence or permit, or to refuse to grant or renew a licence or permit, may, within 21 days after the receipt of a notice under section 8(7), 9(2) or 14(3), as the case may be, or within such further period as the Governor may in any particular case allow, appeal by way of petition to the Governor.

(2) The Governor may, when considering an appeal under subsection (1), confirm, vary or reverse the decision.

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

(4) Where an appeal is lodged in accordance with subsection (1)—

- (a) against a decision of the Director to cancel, or to refuse to grant, a licence or permit, the decision shall not become effective pending the determination of the appeal by the Governor; or
- (b) against a decision of the Director to refuse to renew a licence or permit, the licence or permit (if expired) shall be deemed to continue in force according to its terms and conditions until the determination of the appeal by the Governor, and if the effect of the decision of the Governor is that the licence or permit shall be renewed by the Director, until such time as is necessary to renew the licence or permit.

Power of search, seizure, etc.

17. (1) Subject to subsection (2), the Director or an authorized officer may, without warrant—

- (a) board and search any vessel or raft in respect of which he has reason to believe that any offence under this Ordinance has been committed; and
- (b) seize, remove and detain any raft or impoundment, and any fish, equipment or other thing found on board any vessel or on or in any raft or within any impoundment, in respect of which he has reason to believe that any offence under this Ordinance has been committed or that it constitutes evidence of any such offence having been committed.

(2) Subsection (1) shall not apply to—

- (a) any ship required to be provided with a certificate referred to in section 3(1) of the Merchant Shipping Ordinance; and
- (b) any vessel for the time being used for any purpose by Her Majesty's Government, the Government of Hong Kong or any State.

(3) The Director or an authorized officer may seize, remove, sell or otherwise dispose of any raft or impoundment found sunken, stranded, abandoned or adrift within a fish culture zone and any fish, equipment or other thing found on or in any such raft or within any such impoundment.

(Cap. 281.)

18. (1) Where a magistrate is satisfied that an offence under section 6 has been committed in respect of any raft, impoundment, fish, equipment or other thing seized under section 17, whether or not any person has been convicted of such offence, the magistrate shall order such raft, impoundment, fish, equipment or other thing to be forfeited to the Crown unless he is satisfied that it would not be just to do so or that there is other good reason why he should not do so.

Forfeiture of things in respect of which offences are committed.

(2) Without prejudice to subsection (1), where any fish to which that subsection applies is seized under section 17, the Director or an authorized officer may cause the fish to be sold or otherwise disposed of, and where the fish is sold—

- (a) if a magistrate is satisfied that an offence under section 6 has been committed in respect of the fish, he shall order the proceeds of sale to be forfeited to the Crown unless he is satisfied that it would not be just to do so or that there is other good reason why he should not do so; and
- (b) if a magistrate does not order forfeiture, he shall order the proceeds of sale to be paid to the person who establishes a claim thereto within 6 months after the date of the order; but if no such claim is made or established the proceeds shall be paid into the general revenue of Hong Kong.

(3) Where any fish is sold under subsection (2), the Director may recover from the proceeds of sale any expenses incurred by him in respect of the seizure, removal, storage and sale of the fish.

19. (1) The Director or an authorized officer may arrest any person whom he has reasonable grounds to believe has contravened any of the provisions of section 6 or 11.

Power of arrest.

(2) If any person forcibly resists an endeavour to arrest him under this section, or attempts to evade such arrest, the person effecting the arrest may use all reasonable means necessary to effect the arrest.

(3) Every person arrested under this section shall, as soon as the circumstances permit and in any event within 24 hours of his arrest, be given into the custody of a police officer.

(4) Whenever an arrested person is given into the custody of a police officer the provisions of sections 51 and 52 of the Police Force Ordinance shall apply.

(Cap. 232.)

20. Any person who—

- (a) obstructs the Director or an authorized officer in the exercise of any power or the performance of any duty or function conferred or imposed on the Director or an authorized officer by this Ordinance; or
- (b) fails to comply with any instruction given under this Ordinance, commits an offence.

Obstruction, etc.

21. (1) Any person who commits an offence under section 6 is liable to a fine of \$20,000 and to imprisonment for 1 year, and in the case of a continuing offence to a further daily penalty of \$500.

Penalties.

(2) Any person who commits an offence under section 11 is liable to a fine of \$20,000 and to imprisonment for 1 year.

(3) Any person who commits an offence under section 7, 12, 13 or 20 is liable to a fine of \$5,000 and to imprisonment for 6 months.

## Regulations.

22. (1) The Governor in Council may make regulations for all or any of the following matters—

- (a) the application for and the grant and renewal of licences and permits, and the fees payable in respect thereof;
- (b) the period for which licences and permits may be granted and renewed;
- (c) the control of fish culture;
- (d) the marking of the boundaries of fish culture zones and sites;
- (e) the equipment to be installed and used on rafts and within impoundments;
- (f) the construction, dimensions, marking and lighting of rafts and impoundments;
- (g) the structures that may be erected on rafts, and the removal of illegal structures;
- (h) the mooring and anchoring of rafts;
- (i) the inspection of rafts, impoundments and sites;
- (j) the inspection of fish maintained in rafts and within impoundments;
- (k) the size, species or numbers of fish which may be kept in rafts and within impoundments;
- (l) the returns and reports to be rendered and accounts, registers, books, records and plans to be kept by licensees, and the manner of rendering or keeping them;
- (m) the seizure, removal and detention, and the sale or disposal, of rafts or impoundments, and of any fish, equipment or other thing, to which section 17 applies; the recovery of any expenses incurred in that respect, whether or not any offence has been committed; and the payment into the general revenue of Hong Kong of unclaimed proceeds of sale;
- (n) generally for the better carrying out of the provisions and purposes of this Ordinance.

(2) Regulations made under this section may provide that any contravention of any such regulations shall be an offence, and may prescribe penalties therefor not exceeding a fine of \$3,000 and imprisonment for 6 months, and in the case of a continuing offence a further daily penalty of a fine not exceeding \$100.

## Savings.


23. Nothing in this Ordinance shall—

- (a) apply to any portion of the foreshore or of the sea bed in respect of which a Crown lease is granted or agreed to be granted or is deemed to have been granted or agreed to have been granted under the Foreshores and Sea Bed Ordinance; or
- (b) be construed to the prejudice of any of the provisions of the Shipping and Port Control Ordinance.

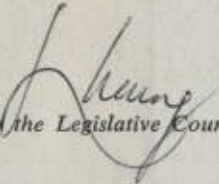
(Cap. 127.)

(Cap. 313.)

Passed by the Hong Kong Legislative Council this 16th day of January 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 3 OF 1980



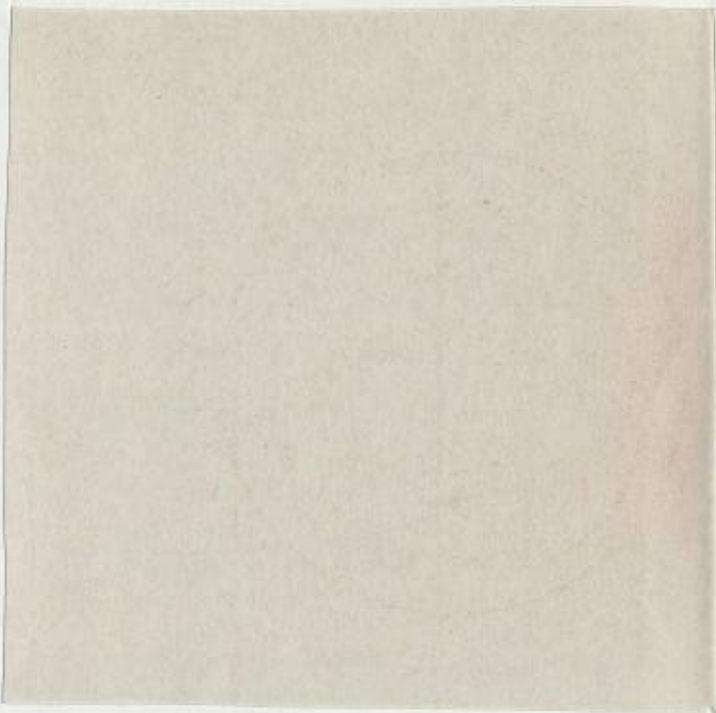
I assent,

A handwritten signature in blue ink, consisting of a large, stylized 'M' followed by a horizontal line.

Governor.

**HONG KONG**

No. 3 OF 1980



I assent.

*Governor.*

*31 January 1980.*

An Ordinance to amend the Registration of Persons Ordinance.

[1 February 1980]

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 Registration of Persons (Amendment) Ordinance 1980. Short title.
2. Section 3 of the principal Ordinance is amended— Amendment of section 3.
  - (a) in subsection (1), by deleting "which may be granted under" and substituting the following— (Cap. 177.)

"or exclusion from the provisions of"; and
  - (b) in subsection (1A), by deleting "which may be granted under" and substituting the following—

"or exclusion from the provisions of".
3. Section 5 of the principal Ordinance is amended by inserting after "unless exempted" the following— Amendment of section 5.

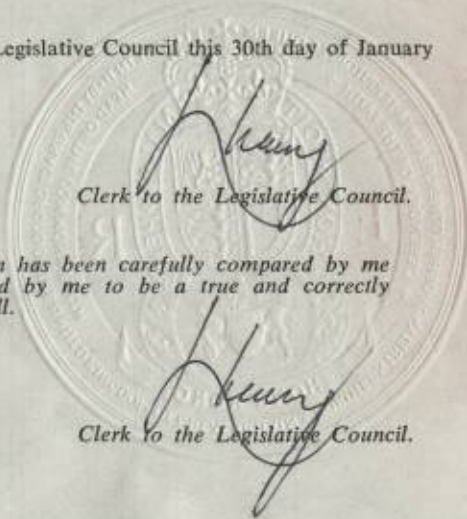
"or excluded".

Amendment of section 7.

4. Section 7(2) of the principal Ordinance is amended by inserting, after paragraph (m), the following paragraph—

“(ma) the exclusion of persons or any class or description of persons from the provisions of this Ordinance and in particular for the prevention of persons or any class or description of persons from being registered under this Ordinance and being provided with identity cards;”.

Passed by the Hong Kong Legislative Council this 30th day of January 1980.



*[Signature]*  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*[Signature]*  
Clerk to the Legislative Council.

No. 4 OF 1980



I assent.

*[Signature]*

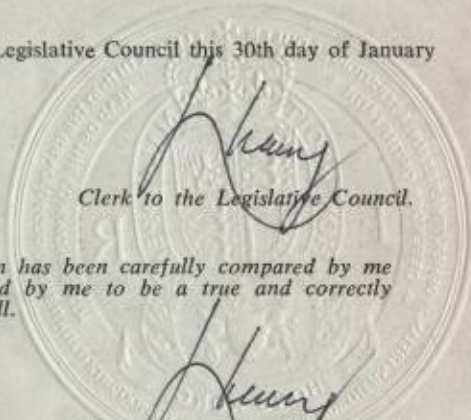
Governor.

14 February 1980

in (m), the following paragraph—

exclusion of persons or any class or description of persons in the provisions of this Ordinance and in particular for the mention of persons or any class or description of persons not being registered under this Ordinance and being provided with identity cards.”

by the Hong Kong Legislative Council this 30th day of January



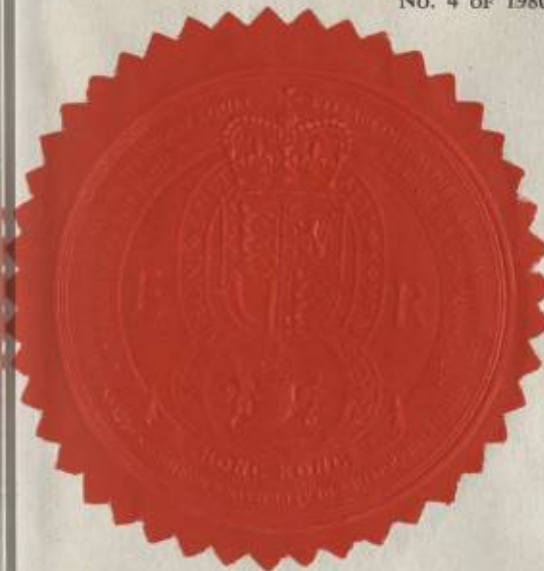
*[Signature]*  
Clerk to the Legislative Council.

A printed impression has been carefully compared by me with the original bill, and is found by me to be a true and correct copy of the said bill.

*[Signature]*  
Clerk to the Legislative Council.

## HONG KONG

No. 4 OF 1980



I assent.

*[Signature]*

Governor.

14 February 1980.

An Ordinance to amend the Banking Ordinance.

[15 February 1980]

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 Banking (Amendment) Ordinance 1980.

2. The principal Ordinance is amended by adding after section 7 the following section—

"Amendment of conditions of licence.

7A. Without prejudice to section 7(1)(b), the Governor in Council may at any time, by notice in writing served upon a bank, attach to the licence held by that bank such conditions, or amend or cancel any conditions attached to the licence, as he may think proper."

Addition of new section 7A. (Cap. 155.)

Passed by the Hong Kong Legislative Council this 13th day of February 1980.

*[Signature]*  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*[Signature]*  
Clerk to the Legislative Council.



No. 5 of 1980



I assent.

*[Signature]*

Governor

bill, and is found by me to be a true and correctly copy of the said bill.

*[Signature]*  
Clerk to the Legislative Council.



**HONG KONG**

No. 5 OF 1980



I assent.

*[Signature]*

Governor.

14 February 1980.

An Ordinance to amend the Summary Offences Ordinance.

[15 February 1980]

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 Summary Offences (Amendment) Ordinance 1980. Short title.

2. Section 4 of the principal Ordinance is amended by deleting paragraph (18). Amendment of section 4. (Cap. 228.)

3. Section 19 of the Corrupt and Illegal Practices Ordinance is amended by deleting subsection (4). Consequential amendment. (Cap. 285.)

Passed by the Hong Kong Legislative Council this 13th day of February 1980.

*[Signature]*  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*[Handwritten signature]*  
Clerk to the Legislative Council.



**HONG KONG**

No. 6 OF 1980



I assent.

*[Handwritten signature]*

Governor.

...ll, and is found by me to be a true and correctly  
...y of the said bill.

*[Signature]*  
Clerk to the Legislative Council.



**HONG KONG**

No. 6 OF 1980



I assent.

*[Signature]*

Governor.

14 February 1980.

An Ordinance to amend the Landlord and Tenant (Consolidation) Ordinance.

[15 February 1980]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. (1) This Ordinance may be cited as the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980. Short title and commencement.

(2) Sections 3(b) and 9 shall be deemed to have come into operation on 18 December 1979.

2. Section 49 of the principal Ordinance is amended, in the definition of "tenant" or "sub-tenant"— Amendment of section 49. (Cap. 7.)

(a) in paragraph (a)—

(i) by deleting "the 15th December 1973" and substituting the following—  
"18 December 1979";

(ii) by inserting after "this Part" the following—

"whether by virtue of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980 or otherwise."; and

(b) by deleting paragraph (b); and

(c) by inserting after paragraph (c) the following—

“(d) a public body, corporation, foreign or Commonwealth Government, partnership or firm, which is the tenant or sub-tenant of premises the subject matter of a tenancy or sub-tenancy to which this Part applies;”.

Amendment of  
section 50.

3. Section 50 of the principal Ordinance is amended—

(a) by deleting subsection (5); and

(b) in subsection (6)—

(i) in paragraph (h) by deleting the semicolon and substituting a full stop; and

(ii) by deleting paragraphs (i), (j) and (k).

Amendment of  
section 52.

4. Section 52(1) of the principal Ordinance is amended by deleting “the 15th December 1973” and substituting the following—  
“18 December 1979”.

Amendment of  
section 53.

5. Section 53 of the principal Ordinance is amended—

(a) by deleting subsection (2)(b) and substituting the following—

“(b) the premises are reasonably required by the landlord or principal tenant for occupation as a residence for himself, his father, his mother or any son or daughter of his over the age of 18:

Provided that the court shall not make an order by reason only that the circumstances of the case fall within this paragraph if—

(i) in the case of a tenancy, the tenant satisfies the court that in all the circumstances of the case it would manifestly not be just and equitable to do so;

(ii) in the case of a sub-tenancy, the court is satisfied having regard to all the circumstances of the case, including the question whether other accommodation is available for the principal tenant or the sub-tenant, greater hardship would be caused by granting the order than by refusing it;”;

(b) in subsection (2)(d) by deleting “or” where it occurs after the semicolon;

(c) by deleting subsection (2)(e) and substituting the following—

“(e) the tenant—

(i) in the case of a tenancy to which this Part applied immediately prior to 18 December 1979, has at any time after 14 December 1973; and

(ii) in any other case, has at any time after 18 December 1979,

without the consent in writing of the landlord sublet the whole or any part of the premises of which he is the tenant; or

(f) the tenant or sub-tenant has used, or has suffered or permitted the use of, the premises of which he is the tenant or sub-tenant or any part thereof, for an immoral or illegal purpose.”; and

(d) by inserting after subsection (7) the following—

“(7A) Where the court gives its consent under subsection (7) for premises, or a part of premises, to be let it may specify the terms, including the rent, at which they may be let:

Provided that if the rent is specified by the court it shall be of an amount not less than that paid by the former tenant or sub-tenant.

(7B) Without prejudice to subsection (8), a person who contravenes subsection (7) commits an offence and is liable on conviction on indictment to a fine of \$500,000 and in addition, on a second or subsequent conviction, to imprisonment for 12 months, and in any case to forfeit a sum not exceeding the equivalent of—

(a) in the case of a contravention of subsection (7)(a), 2 years' rent calculated at the rate at which the premises were let without the consent of the court; or

(b) in the case of a contravention of subsection (7)(b), the difference at the date of the contravention between the market value of the premises with vacant possession and the market value of the premises with the former tenant or sub-tenant in possession.

(7C) Any court which sentences a person for an offence under subsection (7B) may, in addition to imposing a penalty under that subsection, make an order under subsection (8) after hearing the former tenant or sub-tenant and the defendant.

(Cap. 227.)

(7D) Notwithstanding anything in the Magistrates Ordinance, proceedings for an offence under subsection (7B), may be brought at any time within 2 years next after the commission of the offence or within 6 months after the discovery thereof by the prosecutor, whichever period expires first.”.

6. Section 54(1) of the principal Ordinance is amended by deleting “on or after the 15th December 1973” and substituting the following—  
“after the commencement of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980”.

Amendment of  
section 54.

7. Section 55 of the principal Ordinance is amended—

(a) in subsection (1) by deleting “after the 14th December 1973” and substituting the following—

“after the commencement of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980”;

(b) by inserting after subsection (1) the following—

“(1A) A notice under subsection (1) shall not be valid unless—

(a) it is signed by the tenant not earlier than 1 month before the date on which it is lodged with the Commissioner; and

(b) the increase in rent to which it relates is to take effect within 1 month of the date on which the notice is so lodged.”; and

Amendment of  
section 55.

(c) by deleting subsection (5) and substituting the following—

"(5) Where, on 18 December 1979, a tenant was in possession of premises under a tenancy agreement which provided for the rent payable by the tenant to be varied during the term of the tenancy by reference to fixed and ascertained periods of time, any increase in rent pursuant to that tenancy agreement shall take effect as if this section had not been enacted, save that where the increase takes effect on or after 18 December 1979 the security of tenure afforded to a tenant by section 52(4)(a) shall extend to such tenancy as if the rent had been increased under this Part."

Amendment of section 55A.

8. Section 55A(6) is amended by deleting paragraph (a) and substituting the following—

"(a) (i) in the case of a tenancy of premises to which this Part applied prior to 18 December 1979, expenditure incurred prior to 9 July 1976;

(ii) in any other case, expenditure incurred prior to 18 December 1979;"

Amendment of section 58.

9. Section 58 of the principal Ordinance is amended—

(a) in the proviso to subsection (2) by deleting "where the rateable value of the premises the subject matter of the tenancy does not exceed \$30,000,"; and

(b) by deleting subsections (5) and (6).

Amendment of section 59.

10. Section 59 of the principal Ordinance is amended—

(a) in subsection (2) by deleting "the sum of \$50" and substituting the following—

"such sum as may from time to time be determined by the Financial Secretary and published in the *Gazette*"; and

(b) in subsection (4) by deleting "of \$50".

Amendment of section 64.

11. Section 64 of the principal Ordinance is amended—

(a) by deleting subsection (1) and substituting the following—

"(1) No increase in rent in any tenancy pursuant to a certificate under section 58 or 59 or to an order of the court under section 60 or in any sub-tenancy under section 62 shall take effect within a period of 2 years from—

(a) the date on which the rent of the tenancy or sub-tenancy was last increased, whether or not such increase was by agreement; or

(b) the date of the tenancy or sub-tenancy, whichever is the later;"

(b) by deleting subsections (2), (3) and (4); and

(c) in subsection (5)—

(i) by deleting "the 14th December 1973" and substituting the following—

"18 December 1979 or, in the case of a tenancy or sub-tenancy to which this Part applied immediately before that date, at any time after 14 December 1973"; and

(ii) by deleting "after that date".

12. Section 66(1) of the principal Ordinance is amended by deleting "the 15th December 1973" and substituting the following—

"18 December 1979".

Amendment of section 66.

13. Section 74A(c) of the principal Ordinance is amended by deleting "the 15th December 1973" and substituting the following—

"18 December 1979".

Amendment of section 74A.

14. Section 74B of the principal Ordinance is amended by deleting "the 14th December 1982" and substituting the following—

"18 December 1981".

Amendment of section 74B.

15. The principal Ordinance is amended by adding after section 74B the following—

Addition of section 74C.

"Provisions transitional to the enactment of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980.

74C. (1) For the avoidance of doubt it is hereby declared that—

(a) where prior to 18 December 1979 a tenant or sub-tenant—

(i) was in possession of premises under a tenancy or sub-tenancy which became subject to this Part on that date by virtue of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980; and

(ii) made an agreement with his landlord or principal tenant for a new tenancy or sub-tenancy of the premises to commence on or after 18 December 1979, or for a continuation of the existing tenancy or sub-tenancy at an increased rent to take effect on or after that date,

he shall be entitled to the benefits and protection afforded by this Part as if the agreement had not been made;

(b) where a tenant or sub-tenant—

(i) was immediately prior to 18 December 1979 in possession of premises under a tenancy or sub-tenancy which was subject to this Part, or which became subject to this Part on that date by virtue of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980; and

(ii) made an agreement with his landlord or principal tenant on or after 18 December 1979 and before the commencement of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980 for an increase in rent,

the amount of rent recoverable by the landlord or principal tenant shall be the amount so agreed, whether or not any notice has been lodged under section 55;

(c) where a tenant or sub-tenant has paid by way of rent any amount which, by virtue of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980, is not recoverable by the landlord or principal tenant, the tenant or sub-tenant shall be entitled to recover the amount from the landlord or principal tenant who received it or from his personal representatives."

Amendment of section 121. 16. Section 121(2) of the principal Ordinance is amended by inserting after paragraph (b) the following—

“(ba) a tenancy to which Part II applies;”.

Amendment of section 122. 17. Section 122 of the principal Ordinance is amended—

(a) in subsection (4) by inserting after “such tenancy shall continue” the following—

“, subject to subsection (7),”; and


(b) by inserting after subsection (5) the following—

“(6) Where a tenancy ceases to be subject to Part II, a notice of termination may be served on the tenant not more than 12 months prior to the date on which the tenancy ceases to be so subject.

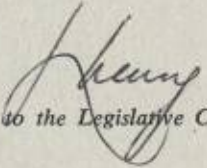
(7) Where a notice of termination served prior to 18 December 1979 is due to expire on or after that date, and before the expiration of the notice the tenancy becomes subject to Part II by virtue of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 1980, the notice of termination shall cease to be of any effect.”.

Transitional. 18. Where an application under section 57 of the principal Ordinance was received by the Commissioner before 18 December 1979, any increase certified under section 58 of that Ordinance shall be calculated as if section 9 of this Ordinance had not been enacted.

Passed by the Hong Kong Legislative Council this 13th day of February 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 7 of 1980



I assent.

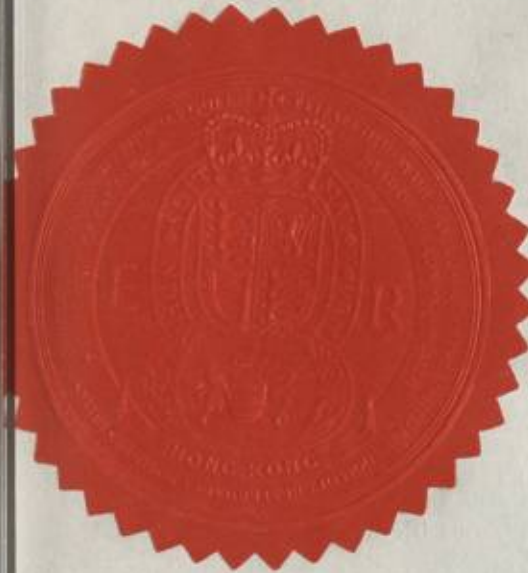
A handwritten signature in blue ink, consisting of a stylized 'M' followed by a horizontal line.

Governor

14 February

**HONG KONG**

No. 7 of 1980



I assent.

*Governor.*

*14 February 1980.*

An Ordinance to amend the Public Health and Urban Services Ordinance to make better provision for the control of bill-posting and to make a consequential amendment to the Summary Offences Ordinance.

[ ]

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 Health and Urban Services (Amendment) Ordinance 1980 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title and commencement.

2. Section 104A of the principal Ordinance is repealed and replaced by the following—

Repeal and replacement of section 104A. (Cap. 132.)

"Prohibition on display of bills or posters without permission.

**104A.** (1) No bill or poster shall be displayed or affixed—

- (a) on any private land, except with the written permission of the owner or occupier thereof;
- (b) on any Crown land, except with the written permission of the Authority.

(2) A person displaying or affixing a bill or poster in contravention of subsection (1) commits an offence."

Addition of sections 104B, 104C, 104D and 104E.

3. The principal Ordinance is amended by adding after section 104A the following sections—

"Duty to maintain bill or poster in clean and tidy condition.

**104B.** (1) Where a bill or poster is displayed on any private land or on any Crown land, the bill or poster shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Authority.

(2) A person displaying a bill or poster in contravention of subsection (1) commits an offence.

(3) A person prosecuted for an offence under this section shall not be convicted of that offence unless prior to the commencement of the prosecution the Authority served on him a notice in writing informing him of the condition of the bill or poster and warning him that unless the bill or poster is removed within the period specified in the notice (being not less than 24 hours) he may be liable to be prosecuted.

Power to remove bills and posters.

**104C.** (1) Where—

(a) a bill or poster is displayed in contravention of section 104A(1); or

(b) a bill or poster is not maintained in a clean and tidy condition as required under section 104B(1),

the Authority may remove the bill or poster and may recover the cost of removal from the person displaying the bill or poster as a civil debt.

(2) Where any person is convicted of an offence under section 104A(1) or section 104B(1) the court by whom that person is convicted may order him to pay, in addition to or in lieu of any penalty for which he is liable for that offence, the cost or estimated cost of removing the bill or poster in respect of which the offence was committed.

(3) Where a bill or poster to which subsection (1)(a) or (b) applies is displayed on private land, nothing in this section shall derogate from any cause of action or remedy which the owner or occupier of that land may be able to enforce, against the person who displays the bill or poster.

Certain persons also deemed to display bills or posters.

**104D.** (1) Where a person commits an offence against section 104A(1) the following persons shall be guilty of that offence in the same manner and to the same extent as if they had personally committed it—

(a) any other person who uses the first-mentioned person to display or affix the bill or poster; and

(b) any person whose goods, trade, business or other concerns are given publicity by the bill or poster:

Provided that a person referred to in paragraphs (a) and (b) shall not be guilty of an offence under section 104A(1) by reason only that he uses the person to display or affix the bill or poster or that his goods, trade, business or other concerns are given publicity by the bill or poster, if he proves that it was displayed or affixed without his knowledge or consent.

(2) For the purposes of sections 104B and 104C a person shall be deemed to display a bill or poster if—

(a) the bill or poster is displayed on land of which he is the owner or occupier; or

(b) the bill or poster gives publicity to his goods, trade, business or other concerns:

Provided that a person shall not be guilty of an offence under section 104B or be liable for the cost of removal under section 104C by reason only that the bill or poster is displayed on land of which he is the owner or occupier, or that his goods, trade, business or other concerns are given publicity by the bill or poster, if he proves that it was displayed without his knowledge or consent.

**104E.** (1) In sections 104A, 104B and 104C "Authority" means—

Definitions and saving for other enactments. (Cap. 292.)

(a) in respect of any land within the boundaries of the airport as defined in the Hong Kong Airport (Regulations) Ordinance, the Director of Civil Aviation;

(Cap. 99.)

(b) in respect of any railway land as defined in the Kowloon-Canton Railway Ordinance, the General Manager of the Kowloon-Canton Railway;

(Cap. 283.)

(c) in respect of any land managed or controlled by the Housing Authority established by the Housing Ordinance, the Housing Authority;

(Cap. 208.)

(d) in respect of any land within a country park or special area as defined in the Country Parks Ordinance, the Director of Agriculture and Fisheries;

(Cap. 81, sub. leg.)

(e) in respect of any public cargo working area as defined in the Port Control (Public Cargo Working Area) (Consolidation) Order and in respect of any land within the boundaries of the Hong Kong-Macau Ferry Terminal, the Director of Marine;

(f) in respect of any land, whether private land or Crown land, in the urban areas, not being land referred to in paragraph (a), (b), (c) or (d), the Urban Council;

(g) in respect of any land, whether private land or Crown land, in the New Territories (excluding New Kowloon), not being land referred to in paragraph (a), (b), (c) or (d), the Director of Urban Services.

(2) In sections 104A, 104B, 104C, 104D and in this section, "land" includes—

(a) any building or other erection on land, whether a fixture or not;

(b) any tree, rock or other natural part of land; and

(c) land covered by water.

(3) In sections 104A, 104C and 104D "occupier" means any lessee, principal tenant or other person having direct control of the land.

(4) In this Part, "bill or poster" includes any word, letter, model, sign, placard, board, notice, device or representation and also includes any advertisement painted on any wall, fence, railing, post, rock, road-cutting or tree but does not include any structure, apparatus or hoarding used for the display of a bill or poster.

(5) Nothing in this Part, or in any permission granted under section 104A, shall operate so as to affect any obligation or liability imposed or incurred under any other enactment in relation to the display of any bill or poster."

Amendment of  
Third  
Schedule.

4. The Third Schedule to the principal Ordinance is amended by deleting "104A Urban Council Director of Urban Services".

Amendment of  
Ninth  
Schedule.

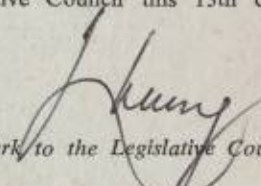
5. The Ninth Schedule to the principal Ordinance is amended by inserting after the item "101(3)" the following items—

"104A(2)	\$2,000 fine	\$50 fine
104B(2)	\$2,000 fine	\$50 fine".

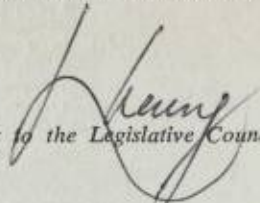
Consequential  
amendment to  
Summary  
Offences  
Ordinance.  
(Cap. 228.)

6. Section 8(b) of the Summary Offences Ordinance is amended by deleting "affixes any poster or other paper against or upon any building, wall, fence or paling; or".

Passed by the Hong Kong Legislative Council this 13th day of February 1980.

  
Clerk to the Legislative Council.


*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 8 OF 1980



I assent.



Governor.

14 February 1980

An Ordinance to provide for the collection and disposal of refuse and to make consequential amendments to the Public Health Services Ordinance.

[

obligation or liability imposed or incurred under any other enactment in relation to the display of any bill or poster."

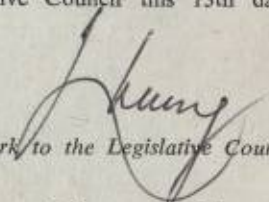
The Third Schedule to the principal Ordinance is amended by 04A Urban Council Director of Urban Services".

The Ninth Schedule to the principal Ordinance is amended by after the item "101(3)" the following items—

04A(2)	\$2,000 fine	\$50 fine
04B(2)	\$2,000 fine	\$50 fine".

Section 8(b) of the Summary Offences Ordinance is amended by affixes any poster or other paper against or upon any building, or paling; or".

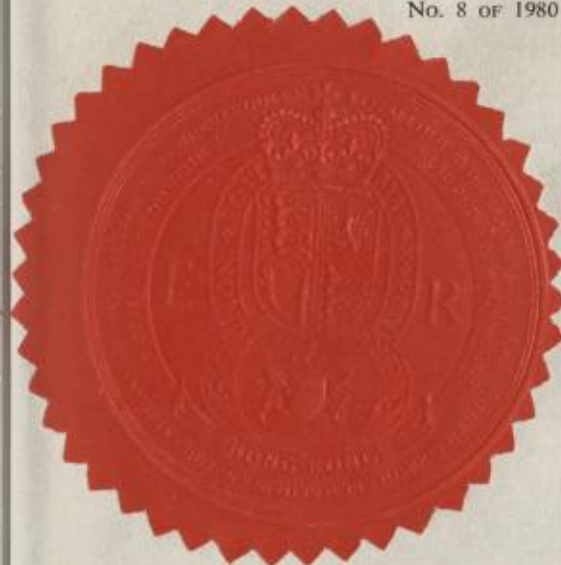
Enacted by the Hong Kong Legislative Council this 13th day of 1980.

  
Clerk to the Legislative Council.

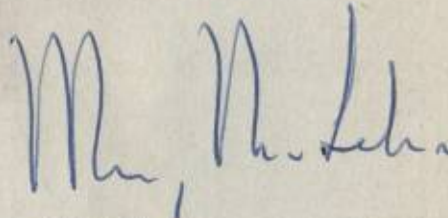
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

## HONG KONG

NO. 8 OF 1980



I assent.



Governor.

14 February 1980.

An Ordinance to provide for the collection and disposal of waste and to make consequential amendments to the Public Health and Urban Services Ordinance.

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

### PART I

#### PRELIMINARY

1. (1) This Ordinance may be cited as the Waste Disposal Ordinance 1980. Short title and commencement.

(2) This Ordinance shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*, and notices under this section may appoint different dates for different provisions of this Ordinance.

2. (1) In this Ordinance, unless the context otherwise requires— Interpretation.

"animal waste" means the manure of any animal and also means any part of any dead animal not fit for, or not intended for, human consumption;

"collection authority" means—

(a) in respect of the urban areas, the Urban Council;

(b) in respect of the New Territories (excluding New Kowloon), the Director of Urban Services and the Director of Agriculture and Fisheries;

"household waste" means waste produced by a household, and of a kind that is ordinarily produced by a dwelling when occupied as such;

"street waste" means dust, dirt, rubbish, mud, road scapings or filth, but does not include human excretal matter;

"trade waste" means waste from any trade, manufacture or business, or any waste building or civil engineering materials, but does not include animal waste;

"waste" means any substance or article which is abandoned;

"waste collection licence" means a licence under section 10;

"waste disposal authority" means—

(a) in respect of animal waste, the Director of Agriculture and Fisheries; and

(b) in respect of all other classes of waste, the Director of Public Works;

"waste disposal licence" means a licence under section 16.

(2) For the purposes of this Ordinance any substance or article which is discarded or otherwise dealt with as waste shall be presumed to be waste until the contrary is proved.

## PART II

### WASTE DISPOSAL PLAN

Preparation of draft waste disposal plans.

3. (1) The Secretary for the Environment shall, after consultation with the Environmental Protection Advisory Committee and the Urban Council and having regard to their views, prepare draft plans showing—

(a) the arrangements made or proposed to be made for the collection and disposal of—

(i) all solid and semi-solid wastes other than those which may be discharged into the atmosphere as particulates or discharged into water as solids suspended in effluents; and

(ii) such other wastes, or classes of waste, as may be prescribed; and

(b) all existing and proposed waste disposal sites and the methods of waste disposal used or to be used at each site.

(2) Where the Secretary for the Environment has prepared a draft waste disposal plan under subsection (1) he shall publish in the *Gazette* a notice in English and in Chinese—

(a) giving particulars of the places and times at which a copy of the draft plan may be inspected by the public; and

(b) specifying the time within which and the manner in which representations concerning the draft plan may be made.

(3) Where the Secretary for the Environment publishes a notice under subsection (1) he shall not later than 7 days thereafter publish a copy of the notice in 3 issues of one English language and of two Chinese language newspapers.

(4) A copy of the draft plan shall be available for inspection by the public free of charge at such offices of the Government as the Secretary for the Environment thinks fit for a period of 45 days from the date of publication of a notice under subsection (1) and during the hours when those offices are normally open to the public.

(5) The Secretary for the Environment shall supply a copy of the draft plan upon payment of such fee as may be prescribed.

4. (1) Any person wishing to make representations concerning a draft waste disposal plan may, within a period of 45 days from the date of publication of a notice under section 3(2), submit to the Secretary for the Environment his written representations. Representations concerning draft waste disposal plan.

(2) The Secretary for the Environment shall consider such representations and may make any change to the draft plan which he considers appropriate in consequence of the representations.

5. The Secretary for the Environment shall, within 12 months from the last day of the period during which representations may be made, submit the draft waste disposal plan to the Governor in Council for approval and shall at the same time submit— Submission of draft waste disposal plan to Governor in Council.

(a) a schedule of representations made under section 4; and

(b) a schedule of the changes made by him to the draft waste disposal plan in consequence of the representations.

6. (1) Upon submission of a draft waste disposal plan under section 5, the Governor in Council shall— Power of Governor in Council upon submission of draft waste disposal plan.

(a) approve the draft plan;

(b) refuse to approve it; or

(c) refer it back to the Secretary for the Environment for further consideration and amendment.

(2) Where the Governor in Council has either approved or refused to approve a draft waste disposal plan, the Secretary for the Environment shall as soon as possible after such approval or refusal give notice thereof in the *Gazette* of such approval or refusal; and where the draft plan has been approved he shall also publish in the *Gazette* a notice declaring the plan to be a waste disposal plan.

(3) A copy of any waste disposal plan shall be available for inspection by the public free of charge at such offices of the Government as the Secretary for the Environment thinks fit during the hours when the offices are normally open to the public.

(4) The Secretary for the Environment shall supply a copy of any waste disposal plan upon payment of such fee as may be prescribed.

7. The Secretary for the Environment may from time to time revise any waste disposal plan and sections 3, 4, 5 and 6 shall apply to any revision in like manner as they apply to a waste disposal plan. Revision of waste disposal plans.

8. In discharging their duties and functions under this Ordinance, the collection authorities and the waste disposal authorities shall have regard to the waste disposal plans. Collection authorities and waste disposal authorities to have regard to waste disposal plans.

## PART III

### COLLECTION OF WASTE

9. Subject to this Part, the collection authority may provide services for— Provision of collection and scavenging services.

(a) the removal and disposal of household waste, street waste, trade waste and animal waste;

(b) the cleansing and emptying of pail latrines;

(c) the desludging of aqua privies and septic tanks; and

(d) the removal and disposal of excretal matter from such latrines, privies and tanks.

Licensing of collection and scavenging services.

10. (1) Notwithstanding section 9, the collection authority may, by licence, permit any person to provide services for all or any of the matters referred to in that section.

(2) A licence under subsection (1) may specify the place and method of disposal or may require that any waste or matter for disposal be delivered to facilities provided by the collection authority or the waste disposal authority.

(3) Where a licence under subsection (1) is granted by the Urban Council as a collection authority, the fee for such licence shall be such as the Urban Council may from time to time determine.

Prohibition of unauthorized collection of waste.

11. Subject to section 12, where in any area, the collection authority has provided any services under section 9 or has, by licence under section 10, permitted any other person to provide any of the services specified in section 9, any person who, not being the holder of a licence under section 10, provides any such services, that is to say any service provided by the collection authority under section 9 or by any other person under a licence under section 10, commits an offence and is liable to a fine of \$2,000.

Occupier of building may remove household waste in certain circumstances.

12. (1) Notwithstanding section 11, it shall not be an offence under that section for an occupier of any building, or any person responsible for the management of any building, to remove household waste from any building if—

- (a) the collection authority or any person holding a waste collection licence neglects or fails for a period of 48 hours to remove household waste for any building in respect of which the authority or person provides that service under section 9 or 10; or
- (b) no such service for the removal of household waste is provided by a collection authority or a person holding a waste collection licence.

(2) Any waste removed under subsection (1) may be disposed of in any way permitted by law.

(3) Nothing in this section shall derogate from any regulations made under section 15 of the Public Health and Urban Services Ordinance.

(Cap. 132.)

Collection of trade waste or animal waste and removal of animal waste.

13. (1) If the collection authority is requested by the owner or occupier or person responsible for the management of any building or land to remove any trade waste or animal waste, the collection authority may remove it, and may recover from the person requesting the removal a fee not exceeding the cost of removal and disposal.

(2) The collection authority may by notice served on the owner or occupier or person responsible for the management of any stable, cow-house, pigsty, kennel, poultry farm or similar establishment require the removal from the premises of animal waste, bedding, straw or other waste.

(3) If, where a notice has been served under subsection (2), any person, who is required by the notice to remove any animal waste, bedding, straw or other waste from any premises specified in the notice, fails to comply with that requirement, he commits an offence and is liable to a fine of \$2,000 and, in addition, if the offence is a continuing offence to a fine of \$200 for each day during which it is proved to the satisfaction of the court that the offence has continued.

Property in collected waste, etc.

14. All household waste, street waste, trade waste, animal waste and any matter obtained from the cleansing and emptying of pail latrines and the desludging of aqua privies and septic tanks, collected by the collection authority in the operation of any service provided under section 9 or

section 13 or collected by a person licensed by a collection authority under section 10 shall—

- (a) where the collection authority is the Urban Council, be the property of the Urban Council; and
- (b) where the collection authority is the Director of Urban Services or the Director of Agriculture and Fisheries, be the property of the Crown,

and may be sold or disposed of by the Urban Council or the Director of Urban Services or the Director of Agriculture and Fisheries in such manner as the Council or the Director thinks fit.

15. The Governor may, by order published in the *Gazette*, designate any area of Hong Kong as an area in which—

Storage of animal waste.

- (a) animal waste or any class of animal waste is to be stored in such containers or enclosures as may be prescribed;
- (b) such precautions as are prescribed are to be taken to guard against dangers to public health or risks of pollution arising from animal waste.

#### PART IV DISPOSAL OF WASTE

16. (1) Subject to subsection (2), a person shall not use, or permit to be used, any land for the disposal of waste unless he has a licence from the Director of Public Works to use the land for that purpose.

Prohibition of unauthorized disposal of waste.

(2) Subsection (1) shall not apply to the use of land for—

- (a) the disposal of household waste from a private dwelling if the disposal takes place within the curtilage of that dwelling;
- (b) the disposal of waste if the land is used for tipping by the Public Works Department or such use is authorized by that Department;
- (c) the deposit of any inert matter used as landfill (other than any matter to which the Dangerous Goods Ordinance applies or that is toxic);
- (d) the deposit of any substance which is being used in the course of agricultural or horticultural operations;
- (e) the disposal of such other wastes, or classes of waste, or in such circumstances as may be prescribed.

(Cap. 295.)

(3) Any person who contravenes subsection (1) commits an offence.

(4) Where waste is disposed of on unleased land, as defined in the Crown Land Ordinance, pursuant to a licence issued under section 5 of that Ordinance, no licence under subsection (1) shall be required.

(Cap. 28.)

17. (1) Any person having in his possession waste of such a class or of such a quantity as may be prescribed shall, before disposing of that waste, give written notice to the Director of Public Works of the class and quantity of the waste, and shall not dispose of it except in accordance with written directions given by the Director.

Notice to be given before disposal of certain wastes.

(2) Any person who—

- (a) disposes of waste of such a class or of such a quantity as may be prescribed without giving notice to the Director of Public Works; or
- (b) having given notice to the Director, disposes of that waste otherwise than in accordance with directions given to him by the Director,

commits an offence.

Penalties for offences under sections 16 and 17 and defences.

18. (1) Any person who commits an offence under section 16 or 17 is liable—

- (a) for the first offence, to a fine of \$50,000;
- (b) for a second or subsequent offence, to a fine of \$100,000; and
- (c) in addition, if the offence is a continuing offence to a fine of \$500 for each day during which it is proved to the satisfaction of the court that the offence has continued.

(2) A person does not commit an offence under section 16 or 17 if he proves that the waste was disposed of in an emergency to avoid danger to the public and as soon as was reasonably practicable he informed the Director of Public Works thereof in writing.

Information as to waste delivered for disposal.

19. (1) The Director of Public Works may require any person who delivers to him for disposal any waste (other than household waste) to state the nature of the waste and to give such other information relating to the waste as the Director may require.

(2) Any person who, in complying with a requirement under subsection (1) makes any statement or gives any information which he knows to be incorrect in a material particular or who recklessly makes a statement or gives information which is incorrect in a material particular or knowingly omits any material particular therefrom commits an offence and is liable to a fine of \$5,000.

Prohibition on import of waste into Hong Kong.

20. (1) Any person who, without the permission of the Director of Public Works, imports into Hong Kong any waste for the purpose of disposing of it in Hong Kong commits an offence and is liable to a fine of \$50,000.

- (2) Where a person is convicted of an offence under subsection (1)—
  - (a) the Director of Public Works may seize and dispose of the waste; or
  - (b) the court may order the convicted person, within a specified time, to remove the waste from Hong Kong.

(3) A person who fails to comply with an order made under subsection (2)(b) commits an offence and is liable to a fine of \$50,000; and, in the event of such failure to comply, the Director of Public Works may seize and dispose of the waste.

(4) Where the Director of Public Works seizes and disposes of waste under this section, he may recover, as a civil debt, the costs of seizure and disposal from the importer of the waste or the owner of the waste.

- (5) This section shall not apply to—
  - (a) any waste imported into Hong Kong for the purposes of any manufacturing process;
  - (b) any waste imported into Hong Kong by a vessel, aircraft or train for disposal in Hong Kong if such waste is incidental to or derived from the normal operation of the vessel, aircraft or train or its equipment.

## PART V

### LICENCES

Applications for and grant of licences.

21. (1) A person who wishes to apply for a waste collection licence shall apply to the collection authority in the prescribed form.

(2) A person who wishes to apply for a waste disposal licence shall apply to the waste disposal authority in the prescribed form.

(3) An application under subsection (1) or (2) shall be accompanied by the prescribed fee or the fee determined by the Urban Council under section 10(3), as the case may be.

(4) The appropriate licensing authority may either grant or refuse to grant a licence.

(5) If he refuses to grant a licence, the licensing authority shall within 30 days of such refusal notify the applicant in writing of his refusal and shall inform him of his reasons therefor.

22. (1) A waste collection licence shall, subject to the terms and conditions thereof and during the period specified therein, authorize and require, in relation to any area specified therein all or any of the following—

Effect of licences.

- (a) the removal and disposal of household waste, street waste, trade waste or animal waste;
- (b) the cleansing and emptying of pail latrines;
- (c) the desludging of aqua privies and septic tanks; and
- (d) the removal and disposal of excretal matter from such latrines, privies and tanks,

which, but for such authorization, would be a contravention of section 11.

(2) A waste disposal licence shall, subject to the terms and conditions thereof and during the period specified therein, authorize the use of land for the disposal of waste, which, but for such authorization, would be a contravention of section 16.

23. (1) A licence issued under this Ordinance shall be for such period and may be subject to such terms and conditions as the authority issuing the same thinks fit.

General provisions as to licences.

(2) Any licence issued under this Ordinance may, upon its expiry, be renewed upon application and upon payment of the prescribed fee.

(3) Where a licence issued under this Ordinance is in force and the authority by whom it was issued considers it necessary in the public interest, the authority may, by notice in writing, to the holder of the licence—

- (a) (i) impose new or amended terms or conditions subject to the observance of which, as from a specified date, the licence shall continue in force;
  - (ii) cancel the licence as from a specified date if the holder fails to observe any such term or condition;
- (b) cancel the licence as from a specified date;
- (c) revoke or amend or add to any notice previously given under this subsection, or any part of such notice.

(4) Subject to subsection (5), the date specified in a notice for the addition or amendment of any term or condition under paragraph (a)(i) or (c) of subsection (3) or the cancellation of a licence under paragraph (b) thereof shall be not less than 90 days after the day on which the notice is given to the holder of the licence.

(5) Where in the opinion of the authority by whom a licence is issued it is necessary to amend or add a term or condition under para-

graph (a)(i) or (ii) or (c) of subsection (3) or cancel a licence or consent under paragraph (b) thereof because the continuation of the activities to which the licence relates would cause a danger to public health or would be so seriously detrimental to the amenities of the area affected by the activities that the continuation of them ought not to be permitted, he may exercise any of the said powers with effect from such date as the circumstances may require and shall not be bound to comply with subsection (4).

(6) Where a notice is given under subsection (4), the person to whom the notice is given may, within the period of 30 days after such notice is given, make written submissions to the authority by whom the notice was issued as to why any new or amended terms and conditions should not be imposed or as to why the licence should not be cancelled.

(7) The authority by whom a notice under subsection (4) is issued and to whom written submissions are made by any person under subsection (6) may, after considering such submissions, by further notice to the said person withdraw the notice at any time before it comes into effect.

#### PART VI APPEALS

When appeal  
may be brought.

24. (1) A person who is aggrieved by a decision or direction of a public officer or a collection authority or waste disposal authority under any of the following provisions may appeal to the Appeal Board established under section 25—

- (a) section 17(1) (directions as to disposal of waste);
- (b) section 20(1) (refusing to give permission to import waste into Hong Kong);
- (c) section 21(4) (refusing to grant a licence);
- (d) section 23(1) (fixing terms and conditions of licence);
- (e) section 23(3)(a)(i) (imposing new or amended terms or conditions for continuance of licence);
- (f) sections 23(3)(a)(ii) and 23(3)(b) (cancelling a licence);
- (g) section 23(3)(c) (revoking, amending or adding to a notice).

(2) An appeal under subsection (1) shall be made within 21 days after the person aggrieved has received notice of the decision or direction.

(3) Where the decision appealed from was made under a provision mentioned in paragraphs (e), (f) or (g) of subsection (1) the notice thereof shall be suspended from the day on which notice of appeal is given and until the appeal is disposed of, withdrawn or abandoned, unless—

- (a) the decision is considered by the authority whose decision it is to be necessary because in relation to a licence to which the notice relates the continuation of the activities to which the notice relates would cause a danger to public health or be seriously detrimental to the amenities of the area affected by the activities; and
- (b) the notice contains a statement to that effect.

Constitution of  
Appeal Board.

25. (1) Every appeal under section 24 shall be determined by an Appeal Board constituted under this Part.

(2) The Governor shall appoint as Chairman of Appeal Boards a person who is qualified in law.

(3) Subject to section 27(3), the Chairman shall be appointed for a term of 2 years but may be reappointed.

(4) The Governor shall also appoint a panel of persons whom he considers to be suitable for appointment as members of an Appeal Board pursuant to section 26(1).

(5) An appointment under subsection (2) and every appointment to the panel under subsection (4) shall be notified in the *Gazette*.

(6) In subsection (2) and in section 27(1) "qualified in law" means qualified for appointment as a District Judge under section 5 of the District Court Ordinance.

(Cap. 336.)

26. (1) The jurisdiction of an Appeal Board on any appeal or group of appeals shall be exercised by the Chairman and such number of persons from the panel referred to in section 25(4) as the Chairman may appoint for that appeal or group of appeals.

Exercise of  
Appeal Board's  
jurisdiction.

(2) On any appeal an Appeal Board may confirm, reverse or vary the decision or direction appealed from.

(3) Every question before an Appeal Board shall be determined by the opinion of the majority of the Chairman and the members hearing the appeal except a question of law which shall be determined by the Chairman; in the event of an equality of votes the Chairman shall have a casting vote.

(4) An Appeal Board shall not at any time consist of a majority of persons who are public officers.

(5) An Appeal Board may—

- (a) receive evidence on oath;
- (b) admit or take into account any statement, document, information or matter whether or not it would be admissible as evidence in a court of law; and
- (c) by notice in writing summon any person to appear before it to produce any document or to give evidence.

(6) The Chairman may determine any form or matter of practice or procedure in so far as no provision is made therefor in this Ordinance.

27. (1) If the Chairman is precluded by illness, absence from Hong Kong or any other cause from exercising his functions the Governor may appoint any other person qualified in law to act as Chairman and as such to exercise and perform all of the powers, functions and duties of the Chairman during the period of his appointment.

Supplementary  
provisions as to  
Appeal Board.

(2) If a person appointed by the Chairman under section 26(1) to hear an appeal or group of appeals is precluded by illness, absence from Hong Kong, or any other cause from exercising his functions, the Chairman may appoint any other person from the panel provided for in section 25(4) to act in his place.

(3) The Chairman may at any time resign his office by notice in writing to the Governor.

(4) The hearing of an appeal may be continued notwithstanding any change in the membership of an Appeal Board as if the change had not occurred:

Provided that no person shall be appointed as a member of an Appeal Board before which the hearing of an appeal has been commenced without the consent of the parties.

Review of  
Appeal Board's  
decision by  
Governor in  
Council.

28. (1) This section applies where—

- (a) an Appeal Board has reversed or varied a decision or direction of a public officer or a collection authority or waste disposal authority; and
- (b) that officer or authority considers that exceptional circumstances require the review of the Board's decision in the public interest.

(2) The public officer or authority may, where this section applies, within 14 days of being notified of a decision refer the case for review by the Governor in Council.

(3) Where a public officer or authority has referred a case for review under subsection (2), he shall forthwith notify the other party in writing of the reference, giving his reasons for seeking the review and inviting the other party, within 14 days of receiving the notice, to submit written representations concerning the review for consideration by the Governor in Council.

(4) Upon a reference under subsection (2) and upon the expiry of the period of 14 days referred to in subsection (3) the Governor in Council may review the case, considering any representations submitted under subsection (3) and may confirm, reverse or vary the decision of the Appeal Board.

Case may be  
stated.

29. (1) The Chairman may of his own motion, before an appeal is determined, refer any question of law to the Court of Appeal by way of case stated.

(2) On the hearing of the case the Court of Appeal may amend the case or order it to be sent back to the Appeal Board for amendment.

## PART VII

### MISCELLANEOUS

Governor may  
give directions.

30. (1) The Governor may give such directions as he thinks fit, either generally or in any particular case, with respect to the exercise or performance by any public officer of any powers, functions or duties under this Ordinance.

(2) A public officer shall, in the discharge of his powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1).

Mental  
Ingredient of  
offences under  
sections 11, 16  
and 17.

31. In any proceedings for an offence under section 11, 16 or 17 it shall not be necessary for the prosecution to prove that the acts or omissions in question were accompanied by any intention, knowledge or negligence on the part of the defendant as to any element of the offence.

Protection of  
Crown, Urban  
Council, etc.

32. (1) No liability shall rest on the Crown, the Urban Council or upon any public officer by reason of the fact that any waste collection or waste disposal licence is issued under this Ordinance.

(2) A public officer shall not be personally liable in respect of any act or omission of his if it was done or made by him in the honest belief that it was required or authorized in the exercise of any power, function or duty of his under this Ordinance.

(3) The protection conferred on public officers by subsection (2) in respect of any act or omission shall not in any way affect any liability of the Crown or the Urban Council for that act or omission.

33. (1) The Governor in Council may after consultation with the Environmental Protection Advisory Committee and with the Urban Council in respect of matters which the Urban Council has under this Ordinance a duty to discharge or a function to fulfill by regulation provide for—

Regulations.

- (a) the additional wastes or classes of waste to which a draft waste disposal plan under section 3 shall apply;
- (b) the design and construction of containers or enclosures for the storage of animal waste;
- (c) the precautions to be taken to guard against dangers to public health or risks of pollution arising from waste;
- (d) the waste or classes of waste that may be disposed of under section 16 without a licence;
- (e) the class or quantity of waste in respect of which notice must be given under section 17 before the waste can be disposed and any exceptions or exemptions from the requirement to give such notice;
- (f) the capacity, design, construction and materials to be used in the construction of containers holding beverages or fluids;
- (g) prohibiting the distribution of containers or any class of container which do or does not comply with such requirements as may be prescribed under paragraph (f), and without prejudice to the generality of the foregoing, such prohibition may be by reference to—
  - (i) the type of container;
  - (ii) the date of distribution;
  - (iii) place of distribution by retail sale;
  - (iv) the type of beverage or fluid;
  - (v) the source of the container;
- (h) the treatment or reprocessing of such classes of waste as may be prescribed;
- (i) any fees and charges payable under this Ordinance (other than any fee determined by the Urban Council under section 10(3));
- (j) the charges payable to the Director of Public Works for the disposal of any waste or class of waste;
- (k) prescribing anything which is to be or may be prescribed by regulations.

(2) Regulations made under this section may provide that a contravention of specified provisions thereof shall be an offence and may provide penalties therefor not exceeding a fine of \$5,000 and imprisonment for 6 months.

34. If any question arises as to who are the body of persons for the time being constituting the Environmental Protection Advisory Committee mentioned in section 33 the matter shall be referred to the Chief Secretary who shall determine the question by certificate under his hand.

Environmental  
Protection  
Advisory  
Committee.

35. (1) The Secretary for the Environment may, after consultation with the Environmental Protection Advisory Committee, prepare and revise Codes of Practice giving guidance and directions as to the disposal of waste.

Codes of  
Practice.

(2) A failure on the part of any person to observe any Code of Practice issued under subsection (1) shall not of itself render that person

liable to criminal proceedings of any kind but any such failure may, in any proceedings whether civil or criminal and including proceedings for an offence under this Ordinance, be relied upon as tending to establish or to negative any liability which is in question in those proceedings.

Application of Ordinance to Crown.

36. (1) Subject to this section, this Ordinance shall bind the Crown.

(2) Sections 16, 17, 19 and 20 shall not have effect to permit proceedings to be taken against, or to impose any criminal liability on, the Crown or any person who does any act which he is required to do in the course of carrying out his duties in the service of the Crown.

(3) If it appears to the Director of Public Works that there has been a contravention of section 16, 17, 19 or 20 by any person in the course of carrying out his duties in the service of the Crown, he shall, if the contravention is not forthwith terminated to his satisfaction, report the matter to the Chief Secretary.

(4) On receipt of a report under subsection (3) the Chief Secretary shall enquire into the circumstances and, if his enquiry shows that a contravention of section 16, 17, 19 or 20 is continuing or likely to recur, he shall ensure that the best practicable steps are taken to terminate the contravention or avoid the recurrence.

(5) Any notice or application under this Ordinance concerning a deposit or disposal of waste which is to be, or may be, given or made by or on behalf of the Crown may be given or made by any public officer on behalf of the Crown.

(6) Any notice or application under this Ordinance concerning a deposit or discharge of waste which is to be, or may be, given to the Crown shall be given to the principal officer of the appropriate waste disposal authority which appears to be responsible for the deposit or disposal or, in the event of any question arising as to which waste disposal authority is responsible, to such public officer as the Chief Secretary shall determine.

(7) No fee or charge prescribed for the purposes of this Ordinance shall be payable by the Crown.

Consequential amendments. Schedule.

37. The enactments specified in the first column of the Schedule are amended in the manner and to the extent specified in the second column of the Schedule.

Transitional provisions. (Cap. 132.)

38. Any licence or contract issued under section 16 of the Public Health and Urban Services Ordinance and in force at the commencement of this Ordinance shall continue in force and have effect as if it were a waste collection licence issued under this Ordinance.

## SCHEDULE

[s. 37.]

### CONSEQUENTIAL AMENDMENTS

(Cap. 132.)

Public Health and Urban Services Ordinance.

1. Section 2 is amended—
  - (a) by being re-numbered subsection (1) thereof;
  - (b) in subsection (1)—
    - (i) by deleting the definition of "house refuse" and substituting the following—
 

"household waste" means waste produced by a household and of a kind ordinarily produced by a dwelling when occupied as such;"

(ii) in the definition of "street refuse" by deleting "refuse" and substituting the following—

"waste";

(iii) by deleting the definition of "trade refuse" and substituting the following—

"trade waste" means waste from any trade, manufacture or business, or any waste building or civil engineering materials;"

(iv) by inserting after the definition of "washhouse" the following—

"waste" means any substance or article which is abandoned;" and

(c) by inserting after subsection (1) the following—

"(2) For the purposes of this Ordinance any substance or article which is discarded or otherwise dealt with as waste shall be presumed to be waste until the contrary is proved."

2. Section 6(1) is amended—

(a) in paragraphs (a), (b) and (c) by deleting "refuse" wherever it occurs and substituting in each place the following—

"waste"; and

(b) in paragraph (d) by deleting "manufacturing, trade or other refuse" and substituting the following—

"trade waste".

3. Section 7(1) is amended by deleting "refuse" and substituting the following—

"waste".

4. Section 15 is amended—

(a) in subsection (1)—

(i) in paragraphs (a), (d) and (f) by deleting "refuse" and substituting the following—

"waste";

(ii) in paragraph (f)—

(A) by deleting "street refuse" and substituting the following—

"street waste"; and

(B) by deleting "house refuse" in both places where it occurs and substituting in each place the following—

"household waste";

(iii) by deleting paragraph (g) and substituting the following—

"(g) the provision, design and construction of containers for the collection and storage of household waste;" and

(b) by deleting subsection (2).

5. Sections 16, 17, 18, 19 and 21 are repealed.

6. Sections 20, 22A, 23 and 56(2)(b) and (c) are amended by deleting "refuse" wherever it occurs and substituting in each place the following—  
"waste".

7. Section 77(1)(i) is amended by deleting "waste matters, refuse" and substituting the following—  
"waste".

8. The Third Schedule is amended by deleting the following—

"16	Urban Council	Director of Urban Services
17	Urban Council	Director of Urban Services
18	Urban Council	Director of Urban Services
19(1) and (2)	Urban Council	Director of Urban Services
21(2)	Urban Council	Director of Urban Services".

9. The Sixth Schedule is amended by deleting the following—

"17	Urban Council	Director of Urban Services
21(2)	Urban Council	Director of Urban Services".

10. The Ninth Schedule is amended by deleting the following—

"17	\$1,000 fine	—
21(2)	\$1,000 fine	\$20 fine".

1. By-law 3 is amended—

(a) by deleting the definition of "dangerous refuse" and substituting the following—

" "dangerous waste" means any waste of a kind specified in the Second Schedule;";

(b) by deleting the definition of "refuse collecting point";

(c) by deleting the full stop at the end of the definition of "street" and substituting a semi-colon; and

(d) by inserting after the definition of "street" the following—

" "waste collection point" means any place at which the Council, or any licensee of the Council, provides services for the removal of waste for disposal.".

2. By-law 11 is amended by deleting "refuse" in both places where it occurs and substituting in each place the following—

"waste".

3. By-law 15 is amended—

(a) by deleting "refuse" in the first place where it occurs and substituting the following—

"waste"; and

(b) by deleting "house refuse" and substituting the following—

"household waste".

4. The heading to Part III is amended by deleting "HOUSE REFUSE" and substituting the following—

"HOUSEHOLD WASTE".

5. By-laws 16, 17, 18, 19 and 20 are amended—

(a) by deleting "refuse" wherever it occurs and substituting in each place the following—

"waste"; and

(b) by deleting "house refuse" wherever it occurs and substituting in each place the following—

"household waste".

6. Part IV is amended by deleting the heading and substituting the following—

"DANGEROUS WASTE AND TRADE WASTE".

7. By-law 21 is amended—

(a) by deleting "refuse" wherever it occurs and substituting in each place the following—

"waste";

(b) by deleting "house refuse" and substituting the following—

"household waste".

8. By-law 22 is amended by deleting "refuse" wherever it occurs and substituting in each place the following—

"waste".

9. By-law 24 is amended—

(a) by deleting "refuse" in the first place where it occurs and substituting the following—

"waste"; and

(b) by deleting "refuse collecting point" and substituting the following—

"waste collection point".

10. By-law 26(1) is amended by deleting "refuse" and substituting the following—

"waste".

11. The heading to the Second Schedule is amended by deleting "REFUSE" and substituting the following—

"WASTE".

Public Cleansing  
and Prevention  
of Nuisances (New  
Territories)  
Regulations.

1. Regulation 3 is amended—
  - (a) by deleting the definition of "dangerous refuse" and substituting the following—
 

"dangerous waste" means any waste of a kind specified in the Second Schedule;"
  - (b) by deleting the definition of "refuse collecting point";
  - (c) by deleting the full stop at the end of the definition of "street" and substituting a semi-colon; and
  - (d) by inserting after the definition of "street" the following—
 

"waste collection point" means any place at which the Director, or any licensee of the Director, provides services for the removal of waste for disposal."
2. Regulation 11 is amended by deleting "refuse" in both places where it occurs and substituting in each place the following—
 

"waste".
3. Regulation 15 is amended—
  - (a) by deleting "refuse" in the first place where it occurs and substituting the following—
 

"waste"; and
  - (b) by deleting "house refuse" and substituting the following—
 

"household waste".
4. The heading to Part III is amended by deleting "HOUSE REFUSE" and substituting the following—
 

"HOUSEHOLD WASTE".
5. Regulations 16, 17, 18, 19 and 20 are amended—
  - (a) by deleting "refuse" wherever it occurs and substituting in each place the following—
 

"waste"; and
  - (b) by deleting "house refuse" wherever it occurs and substituting in each place the following—
 

"household waste".
6. Part IV is amended by deleting the heading and substituting the following—
 

"DANGEROUS WASTE AND TRADE WASTE".
7. Regulation 21 is amended—
  - (a) by deleting "refuse" wherever it occurs and substituting in each place the following—
 

"waste";
  - (b) by deleting "house refuse" and substituting the following—
 

"household waste".

8. Regulation 22 is amended by deleting "refuse" wherever it occurs and substituting in each place the following—
 

"waste".
9. Regulation 24 is amended—
  - (a) by deleting "refuse" and substituting the following—
 

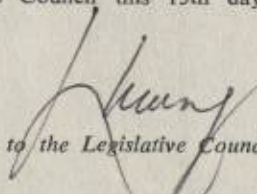
"waste"; and
  - (b) by deleting "refuse collecting point" and substituting the following—
 

"waste collection point".
10. Regulation 26(1) is amended by deleting "refuse" and substituting the following—
 

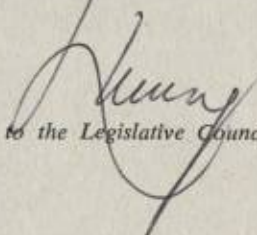
"waste".
11. The heading to the Second Schedule is amended by deleting "REFUSE" and substituting the following—
 

"WASTE".

Passed by the Hong Kong Legislative Council this 13th day of February 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

**HONG KONG**

No. 9 OF 1980



I assent.

*Governor.*

14 February 1980.

An Ordinance to amend The Hong Kong Anti-Tuberculosis and Thoracic Diseases Association Incorporation Ordinance.

[15 February 1980]

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 Hong Kong Anti-Tuberculosis and Thoracic Diseases Association Incorporation (Amendment) Ordinance 1980. Short title.
2. The long title of the principal Ordinance is repealed and replaced by the following—  
"To incorporate the Hong Kong Tuberculosis, Chest and Heart Diseases Association."  
Amendment of long title.  
(Cap. 1024.)
3. Section 1 of the principal Ordinance is amended by deleting "The Hong Kong Anti-Tuberculosis and Thoracic" and substituting the following—  
"the Hong Kong Tuberculosis, Chest and Heart". Amendment of section 1.
4. Section 2 of the principal Ordinance is amended in the definition of "Association" by deleting "The Hong Kong Anti-Tuberculosis and Thoracic" and substituting the following—  
"the Hong Kong Tuberculosis, Chest and Heart". Amendment of section 2.

Amendment of  
section 3.

5. Section 3 of the principal Ordinance is amended by deleting "The Hong Kong Anti-Tuberculosis and Thoracic" and substituting the following—

"The Hong Kong Tuberculosis, Chest and Heart".

Amendment of  
section 4.

6. Section 4 of the principal Ordinance is amended—

(a) in paragraph (b) by deleting "high";

(b) by deleting paragraph (f) and substituting the following—

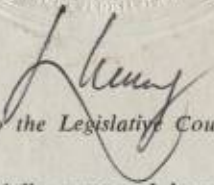
"(f) to establish and operate a major cardiac and thoracic centre at which research shall be conducted into, and facilities provided for, the prevention, diagnosis and treatment of diseases or mal-function of the chest and heart, and to rehabilitate those suffering or who have suffered therefrom; and

(g) to finance or make contributions towards research at other centres or institutions into the causes, prevention, diagnosis and treatment of tuberculosis and diseases or mal-function of the chest or heart."

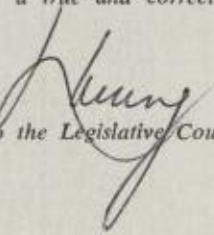
Amendment of  
section 6.

7. Section 6 of the principal Ordinance is amended by deleting subsection (2).

Passed by the Hong Kong Legislative Council this 13th day of February 1980.

  
Clerk to the Legislative Council.

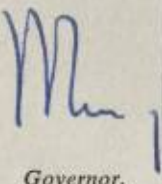
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

HONG KONG  
No. 10 OF 1980



I assent.

  
Governor.

13 March 1980

The Hong Kong Tuberculosis, Chest and Heart".

tion 4 of the principal Ordinance is amended—

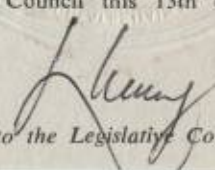
paragraph (b) by deleting "high";

deleting paragraph (f) and substituting the following—

- (f) to establish and operate a major cardiac and thoracic centre at which research shall be conducted into, and facilities provided for, the prevention, diagnosis and treatment of diseases or mal-function of the chest and heart, and to rehabilitate those suffering or who have suffered therefrom; and
- (g) to finance or make contributions towards research at other centres or institutions into the causes, prevention, diagnosis and treatment of tuberculosis and diseases or mal-function of the chest or heart."

tion 6 of the principal Ordinance is amended by deleting  
(f).

by the Hong Kong Legislative Council this 13th day of  
80.

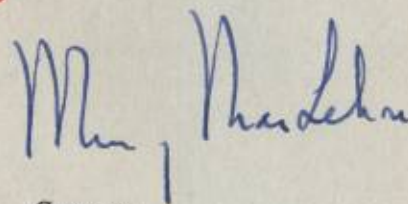
  
Clerk to the Legislative Council.

**HONG KONG**

No. 10 OF 1980



I assent.



Governor.

13 March 1980

An Ordinance to amend the Employment Ordinance.

[ ]

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 Employment (Amendment) Ordinance 1980 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.

2. The principal Ordinance is amended in Part I by adding, after section 4, the following— Addition of new sections 4A and 4B. (Cap. 57.)

"Authorization of public officers.

4A. The Commissioner may in writing authorize any public officer or class of public officer to exercise or perform any or all of the powers, functions or duties conferred or imposed on the Commissioner under this Ordinance.

Governor may give directions.

4B. (1) The Governor may give such directions as he thinks fit, either generally or in any particular case, with respect to the exercise or performance by any public officer of any powers, functions or duties under this Ordinance.

(2) A public officer shall, in the exercise or performance of his powers, functions or duties under this Ordinance, comply with any directions given by the Governor under subsection (1)."

- Repeal of section 16. 3. Section 16 of the principal Ordinance is repealed.
- Amendment of section 50. 4. Section 50(3) of the principal Ordinance is amended by deleting paragraph (d).
- Amendment of section 63. 5. Section 63(5) of the principal Ordinance is amended by deleting "or 47(1)" and substituting the following—  
 "47(1), 72A(1), (2) or (3) or 72B(a) or (b)".
- Amendment of section 72. 6. Section 72 of the principal Ordinance is amended—  
 (a) in subsection (1)—  
 (i) by deleting the full stop at the end and substituting a semicolon; and  
 (ii) by adding, after paragraph (c), the following—  
 "(d) examine, either alone or in the presence of any other person, as he thinks fit, respecting matters under this Ordinance, any person whom he finds in any industrial undertaking within the meaning of the Factories and Industrial Undertakings Ordinance, or whom he has reasonable cause to believe has been within the preceding 2 months employed in any industrial undertaking within the meaning of the Factories and Industrial Undertakings Ordinance, or require any such person to be so examined and to sign a declaration of the truth of the matters respecting which he has been so examined;  
 (e) require any person who employs or has employed any woman, young person or child in an industrial undertaking within the meaning of the Factories and Industrial Undertakings Ordinance or any agent or servant of any such employer to give to him all information in the possession of such person, agent or servant with reference to such woman, young person or child and to the labour conditions and treatment of every woman, young person or child employed by such employer;  
 (f) require the posting up, in such place and manner and for such period as he may direct, of any notice or form in connexion with the provisions of this Ordinance;  
 (g) exercise any other powers which may be conferred on him by any regulations made under this Ordinance."; and  
 (b) by adding, after subsection (2), the following—  
 "(3) An officer exercising any power conferred on him by subsection (1) in relation to any industrial undertaking within the meaning of the Factories and Industrial Undertakings Ordinance may take with him any person whom he may reasonably need to assist him in carrying out his duties under this Ordinance and in particular may, for his assistance, take persons who have been engaged by the Commissioner, on account of their special expertise, to advise the Labour Department on any matters necessary for carrying out the purposes of this Ordinance.  
 (4) A person who accompanies an officer pursuant to subsection (3)—  
 (a) may give to the officer such assistance in the exercise of any power conferred on him by subsection (1) as the officer may reasonably require;

(b) shall be deemed to be a public officer for the purposes of sections 72A and 72B."

7. The principal Ordinance is amended by adding, after section 72, the following—

"Duty of public officers not to disclose source of complaint, etc.

72A. (1) Save with the consent of the person who has made the complaint or as provided in subsection (4), no public officer shall disclose to any person, other than another public officer in the course of official duty, the name or identity of any person who has made a complaint alleging a contravention of this Ordinance or as a result of which a contravention of this Ordinance has come to his notice or to the notice of any other public officer.

(2) No public officer shall disclose to an employer or his agent or servant that a visit to the place of employment maintained by that employer was made in consequence of the receipt of any such complaint as is referred to in subsection (1).

(3) Save as provided in subsection (4), where, arising out of, or in connexion with, the enforcement of this Ordinance, any manufacturing or commercial secret or any working process comes to the knowledge of a public officer, such officer shall not at any time, and notwithstanding that he is no longer a public officer, disclose such secret or process to any person.

(4) Where in any proceedings a court or a magistrate considers that justice so requires, the court may order the disclosure of the name or identity of any person who has made any such complaint as is referred to in subsection (1) or the disclosure of any such secret or process as is referred to in subsection (3).

72B. No employer shall terminate, or threaten to terminate, the employment of, or in any way discriminate against, any of his employees by reason of the fact that the employee has—

- (a) given evidence, or agreed to give evidence, in any proceeding for the enforcement of this Ordinance; or  
 (b) given information to a public officer in any inquiry made by such officer for the purposes of or in connexion with the enforcement of this Ordinance.

Employment not to be terminated, etc. by reason of fact that employee has given evidence in proceedings under Ordinance, etc.

Presumptions.

72C. In any prosecution under this Ordinance—

- (a) where the age of any person at any time is material for the purposes of any provision of this Ordinance, his age at the material time shall be deemed to be or have been that which appears to the court or magistrate, after considering any available evidence, to be or to have been his age at that time;  
 (b) if the charge alleges the contravention of any of the provisions of this Ordinance prohibiting or controlling the employment of women, young persons or children and the defendant in such prosecution is the employer at the place of employment in or in respect of which the offence is alleged to have been committed, it shall, until the contrary is proved, be presumed that any woman, young person or child to whom the charge relates

Addition of new sections 72A, 72B and 72C.

and who was employed in the place of employment on the day on which the offence is alleged to have been committed was employed therein on that day by such employer.”.

Amendment of section 73.

8. Section 73(1) of the principal Ordinance is amended by inserting, after paragraph (h), the following—

“(ha) providing that, where the Commissioner is satisfied that work in any industrial undertaking within the meaning of the Factories and Industrial Undertakings Ordinance, or class or description thereof, is subject to seasonal or other special pressure, he may by order published in the *Gazette* as respects any such industrial undertaking, or class or description thereof, increase for any employee during any period of such pressure the hours of work, period of employment or hours of overtime employment specified in relation to that employee in regulations made under this Ordinance for a period in any year not exceeding that specified in the order;

(hb) providing that—

(i) any document purporting to be a copy of any document or notice and purporting to be signed by a person or his duly authorized agent shall be admitted in evidence in proceedings before any court or magistrate on its production by a public officer without further proof; and

(ii) until the contrary is proved, the court or magistrate before which such document is produced shall presume that the document is a true copy and that it is signed by that person or his duly authorized agent; and

(iii) the document shall be conclusive evidence of the facts stated therein;

(hc) providing that any person who works in any place of employment at any kind of work whatsoever incidental to or connected with the process, trade or business for which the place of employment is used shall, save as may be provided otherwise in the regulations, be deemed to be employed therein for the purposes of any regulations made under this Ordinance or of any proceedings thereunder;”.

Savings.

9. Any—

(a) exemption, permission, authority, approval or allowance granted, given or made; or

(b) notice posted at any place; or

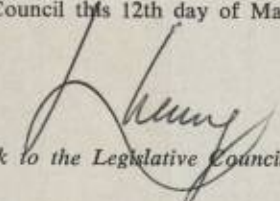
(c) notice served or given; or

(d) register kept,

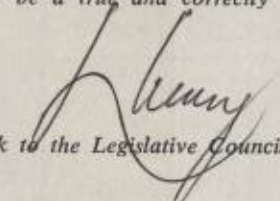
(Cap. 59.)

in accordance with any of the provisions of the Factories and Industrial Undertakings Ordinance, whether or not repealed, revoked or deleted by the Factories and Industrial Undertakings (Amendment) Ordinance 1980, and relating to the employment of women or young persons, and in force at the commencement of this Ordinance shall, so far as it is not inconsistent with this Ordinance, continue to be in force and have the like effect for all purposes as if made in accordance with the corresponding provisions of this Ordinance.

Passed by the Hong Kong Legislative Council this 12th day of March 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 11 OF 1980



I assent.

*Mh*

HONG KONG

No. 11 OF 1980



I assent.

*M. M. Leung*  
Governor.

13 March 1980

An Ordinance to amend the Factories and Industrial Undertakings Ordinance.

[ ]

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 Factories and Industrial Undertakings (Amendment) Ordinance 1980 and shall come into operation on the day appointed for the commencement of the Employment (Amendment) Ordinance 1980.

Short title and commencement.

2. Section 2 of the principal Ordinance is amended—

Amendment of section 2.

(a) in subsection (3) by deleting "Subject to subsection (4), none" and substituting the following—

(Cap. 59.)

"None"; and

(b) by deleting subsection (4).

3. Section 4(1) of the principal Ordinance is amended in paragraph (h) by inserting, after "posting", the following—

Amendment of section 4.

"up, in such place and manner and for such period as he may direct,".

Amendment of  
section 5.

4. Section 5(1) of the principal Ordinance is amended by deleting "other than another public officer" and substituting the following—  
"other than another public officer in the course of official duty".

Amendment of  
section 7.

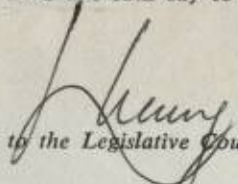
5. Section 7 of the principal Ordinance is amended by deleting subsection (2A).

Amendment of  
Factories  
and Industrial  
Undertakings  
Regulations.  
(Cap. 59,  
sub. leg.)

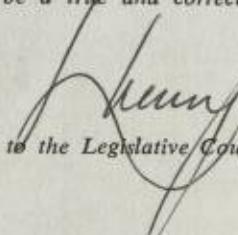
6. The Factories and Industrial Undertakings Regulations are amended—

- (a) in regulation 2, by deleting the definitions of "period of employment", "week" and "working hours";
- (b) by revoking regulation 3;
- (c) by revoking Part II;
- (d) by revoking regulation 43;
- (e) in regulation 45(c), by deleting "9(1) or (3), 10, 11, 13A, 14,";
- (f) in regulation 46—
  - (i) in paragraph (a), by deleting "8, 15, 15A or"; and
  - (ii) in paragraph (b), by deleting "12(2), 13,"; and
- (g) in regulation 47, by deleting paragraph (a).

Passed by the Hong Kong Legislative Council this 12th day of March 1980.

  
Clerk to the Legislative Council.

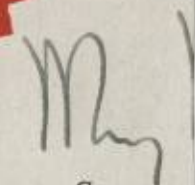
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 12 OF 1980



I assent.

  
Governor.

1 May 1980.

... is amended by deleting  
"another public officer" and substituting the following—  
"than another public officer in the course of official duty".

Section 7 of the principal Ordinance is amended by deleting  
(2A).

The Factories and Industrial Undertakings Regulations are

in regulation 2, by deleting the definitions of "period of employ-  
ment", "week" and "working hours";

by revoking regulation 3;

by revoking Part II;

by revoking regulation 43;

in regulation 45(c), by deleting "9(1) or (3), 10, 11, 13A, 14,";

in regulation 46—

(i) in paragraph (a), by deleting "8, 15, 15A or"; and

(ii) in paragraph (b), by deleting "12(2), 13,"; and

in regulation 47, by deleting paragraph (a).

Enacted by the Hong Kong Legislative Council this 12th day of March

## HONG KONG

No. 12 of 1980



I assent.

Governor.

1 May 1980.

An Ordinance to apply a sum not exceeding \$18,441,723,000 to the  
service of the financial year ending on 31 March 1981.

[2 May 1980]

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 Appropriation Ordinance 1980.

2. (1) The appropriation in the manner expressed in the Schedule  
of a sum not exceeding \$17,267,304,000 from the general revenue and  
other funds of Hong Kong, being the total sum shown in the third column  
of the Schedule, for the service of the financial year commencing on 1  
April 1980, and ending on 31 March 1981, is authorized.

Authorization of  
appropriation.  
Schedule.

(2) The sums shown in the fourth column of the Schedule may be  
applied as appropriations-in-aid of the votes for the services and purposes  
specified in the second column of the Schedule.

(3) Where the Financial Secretary directs that any revenue, whether  
received by way of fee, penalty or proceeds of sale or by way of an  
extra or unusual receipt, shall be applied as an appropriation-in-aid of  
any vote referred to in the Schedule, such revenue shall be deemed to  
be a sum provided under this Ordinance and shall, without being paid

into the general revenue, be applied, audited and dealt with accordingly, and so far as it is not so applied shall be paid into the general revenue; and where the revenue so directed to be applied as an appropriation-in-aid of any vote referred to in the Schedule, exceeds in a financial year—

(a) the sum specified in the fourth column of the Schedule as the amount to be applied to such purpose; or

(b) the sum of gross expenditure specified in the fifth column of the Schedule opposite the head of expenditure specified in the second column of the Schedule,

the excess so realized shall be paid into the general revenue.

## SCHEDULE

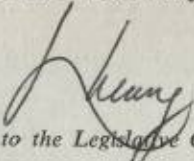
[s. 2.]

Number of Vote	Head of Expenditure	Amount of Vote	Appropriations-in-Aid	Gross Expenditure
		\$	\$	\$
21.	His Excellency the Governor's Establishment .....	3,378,000	—	3,378,000
22.	Agriculture and Fisheries Department ..	92,399,000	1,606,000	94,005,000
23.	Audit Department .....	11,687,000	—	11,687,000
24.	Census and Statistics Department .....	28,568,000	—	28,568,000
25.	Civil Aviation Department .....	—	77,884,000	77,884,000
26.	Defence: Auxiliary Medical Service ...	4,263,000	—	4,263,000
27.	Defence: Civil Aid Services .....	9,853,000	—	9,853,000
28.	Defence: Miscellaneous Measures .....	866,945,000	—	866,945,000
29.	Defence: Royal Hong Kong Auxiliary Air Force .....	31,305,000	110,000	31,415,000
30.	Defence: Royal Hong Kong Regiment (The Volunteers) .....	10,896,000	—	10,896,000
31.	Education Department .....	370,424,000	10,790,000	381,214,000
32.	Education Subventions .....	1,648,535,000	—	1,648,535,000
33.	Fire Services Department .....	211,167,000	1,727,000	212,894,000
34.	Government Laboratory .....	11,604,000	10,000	11,614,000
35.	Government Land Transport Agency ....	8,991,000	—	8,991,000
36.	Government Secretariat .....	114,447,000	760,000	115,207,000
37.	Government Secretariat: Recreation and Culture Division .....	25,792,000	949,000	26,741,000
38.	Government Supplies Department .....	28,191,000	11,500,000	39,691,000
39.	Home Affairs Department .....	34,095,000	52,000	34,147,000
40.	Housing Department .....	81,934,000	—	81,934,000
41.	Immigration Department .....	—	100,783,000	100,783,000
42.	Independent Commission Against Corruption .....	65,855,000	—	65,855,000
43.	Information Services Department .....	13,511,000	8,000,000	21,511,000
44.	Inland Revenue Department .....	93,745,000	—	93,745,000
45.	Judiciary .....	42,837,000	14,020,000	56,857,000
46.	Kowloon-Canton Railway .....	—	49,942,000	49,942,000

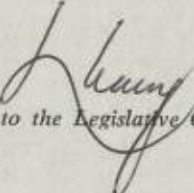
Number of Vote	Head of Expenditure	Amount of Vote	Appropriations-in-Aid	Gross Expenditure
		\$	\$	\$
47.	Labour Department .....	91,018,000	4,730,000	95,748,000
48.	Legal Department .....	24,301,000	100,000	24,401,000
49.	Legal Aid Department .....	18,064,000	4,550,000	22,614,000
50.	London Office .....	16,742,000	18,000	16,760,000
51.	Marine Department .....	57,649,000	32,283,000	89,932,000
52.	Medical and Health Department .....	791,749,000	36,002,000	827,751,000
53.	Medical Subventions .....	444,515,000	—	444,515,000
54.	Miscellaneous Services .....	1,316,026,000	—	1,316,026,000
55.	New Territories Administration .....	95,188,000	4,476,000	99,664,000
56.	Office of Unofficial Members of Executive and Legislative Councils ....	4,336,000	—	4,336,000
57.	Pensions .....	366,590,000	—	366,590,000
58.	Police: Royal Hong Kong Police Force	966,993,000	1,695,000	968,688,000
59.	Police: Royal Hong Kong Auxiliary Police Force .....	34,196,000	—	34,196,000
60.	Post Office .....	—	246,192,000	246,192,000
61.	Printing Department .....	33,896,000	1,887,000	35,783,000
62.	Prisons Department .....	182,025,000	200,000	182,225,000
63.	Public Debt .....	340,610,000	—	340,610,000
64.	Public Service Commission .....	771,000	—	771,000
65.	Public Works Department: Headquarters .....	19,329,000	—	19,329,000
66.	Public Works Department: Building Development .....	257,554,000	5,800,000	263,354,000
67.	Public Works Department: Engineering Development .....	481,555,000	103,180,000	584,735,000
68.	Public Works Department: Lands, Survey and Town Planning ..	85,682,000	3,000,000	88,682,000
69.	Public Works Department: New Territories Development .....	22,335,000	200,000	22,535,000
70.	Public Works Department: Water Supplies .....	8,496,000	351,000,000	359,496,000
71.	Public Works Non-recurrent: Land Acquisition .....	441,210,000	—	441,210,000
72.	Public Works Non-recurrent: Buildings .....	312,479,000	—	312,479,000
73.	Public Works Non-recurrent: Engineering .....	1,287,487,000	—	1,287,487,000
74.	Public Works Non-recurrent: New Towns and Public Housing (other than Housing Authority) .....	1,542,167,000	—	1,542,167,000
75.	Public Works Non-recurrent: Waterworks .....	216,657,000	—	216,657,000
76.	Radio Television Hong Kong .....	62,851,000	—	62,851,000
77.	Rating and Valuation Department .....	28,311,000	—	28,311,000
78.	Registrar General's Department .....	—	24,053,000	24,053,000

Number of Vote	Head of Expenditure	Amount of Vote	Appropriations-in-Aid	Gross Expenditure
		\$	\$	\$
79.	Registry of Trade Unions .....	1,119,000	—	1,119,000
80.	Royal Observatory .....	19,728,000	136,000	19,864,000
81.	Social Welfare Department .....	603,921,000	1,623,000	605,544,000
82.	Social Welfare Subventions .....	145,000,000	—	145,000,000
83.	Standing Commission on Civil Service Salaries and Conditions of Service .....	1,487,000	—	1,487,000
84.	Subventions: Miscellaneous .....	186,966,000	—	186,966,000
85.	Television and Entertainment Licensing Authority .....	1,099,000	1,467,000	2,566,000
86.	Trade Industry and Customs Department .....	69,898,000	48,422,000	118,320,000
87.	Transfers to Funds .....	1,955,200,000	—	1,955,200,000
88.	Transport Department .....	16,581,000	18,781,000	35,362,000
89.	Treasury .....	28,206,000	60,000	28,266,000
90.	Universities and Polytechnic .....	746,124,000	—	746,124,000
91.	Urban Services Department .....	130,771,000	6,431,000	137,202,000
	Total .....	17,267,304,000	1,174,419,000	18,441,723,000

Passed by the Hong Kong Legislative Council this 30th day of April 1980.

  
Clerk to the Legislative Council.

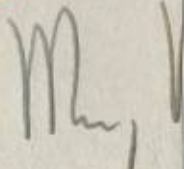
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 13 of 1980



I assent.

  
Governor.

	Revenue	Donations-in-Aid	Expenditure
	\$	\$	\$
of Trade Unions .....	1,119,000	—	1,119,000
servatory .....	19,728,000	136,000	19,864,000
elfare Department .....	603,921,000	1,623,000	605,544,000
elfare Subventions .....	145,000,000	—	145,000,000
Commission on Civil Service and Conditions of Service .....	1,487,000	—	1,487,000
ns: Miscellaneous .....	186,966,000	—	186,966,000
and Entertainment Licensing ity .....	1,099,000	1,467,000	2,566,000
dustry and Customs Department	69,898,000	48,422,000	118,320,000
to Funds .....	1,955,200,000	—	1,955,200,000
t Department .....	16,581,000	18,781,000	35,362,000
.....	28,206,000	60,000	28,266,000
les and Polytechnic .....	746,124,000	—	746,124,000
ervices Department .....	130,771,000	6,431,000	137,202,000
<b>Total .....</b>	<b>17,267,304,000</b>	<b>1,174,419,000</b>	<b>18,441,723,000</b>

by the Hong Kong Legislative Council this 30th day of April

## HONG KONG

No. 13 OF 1980



I assent.

*M. H. Leung*

Governor.

1 May 1980.

An Ordinance to amend the Oaths and Declarations Ordinance.

[2 May 1980]

1. This Ordinance may be cited as the Oaths and Declarations (Amendment) Ordinance 1980. Short title.
2. Section 22(1) of the principal Ordinance is amended by deleting "the same office" and substituting the following—  
"a judicial office specified in the Third Schedule". Amendment of section 22. (Cap. 11.)
3. The Second Schedule to the principal Ordinance is amended by deleting Part II and substituting the following—  
Amendment of Second Schedule.

"PART II

[ss. 16, 17.]

### Judicial Oath

I, \_\_\_\_\_, swear that I will well and truly serve Our Sovereign Lady Queen Elizabeth the Second in the office of \_\_\_\_\_ and in any other judicial office specified in the Third Schedule to the Oaths and Declarations Ordinance to which I may be appointed, and

I will do right to all manner of people after the laws and usages of this Colony, without fear or favour, affection or ill will. So help me God.

OR

司法宣誓

本人，  
謹此宣誓：在奉委為  
及其後可能出任宣誓及聲明條例第三附表所指之任何其他司法  
職位時，定當為女皇伊利沙伯二世陛下效力，盡忠職守，努力服務，並遵行香港法  
律與習俗，以不懼、不偏、無私、無欺之精神，為全體民衆主持正義，此誓。

Amendment of  
Third  
Schedule.

4. The Third Schedule to the principal Ordinance is amended by inserting below "Adjudicator, Small Claims Tribunal" the following—

"President, Lands Tribunal ..... } The Oaths to be  
Coroner ..... } tendered by a  
Judge."

Passed by the Hong Kong Legislative Council this 30th day of April 1980.



*Heung*  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*Heung*  
Clerk to the Legislative Council.



I assent.

*Murray*  
Governor.

1 May 1980

OR

司法宣誓

，謹此宣誓：在奉委為

及其後可能出任宣誓及聲明條例第三附表所指之任何其他司法  
女皇伊利沙伯二世陛下效力，盡忠職守，努力服務，並遵行香港法  
權、不偏、無私、無欺之精神，為全體民衆主持正義，此誓。

Third Schedule to the principal Ordinance is amended by  
w "Adjudicator, Small Claims Tribunal" the following—

t, Lands Tribunal ..... } The Oaths to be  
..... } tendered by a  
..... } Judge."

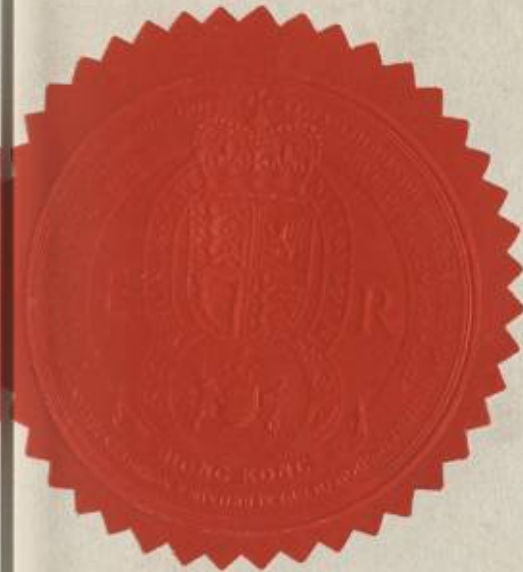
y the Hong Kong Legislative Council this 30th day of April

*[Signature]*  
Clerk to the Legislative Council.

printed impression has been carefully compared by me  
bill, and is found by me to be a true and correctly  
copy of the said bill.

HONG KONG

No. 14 OF 1980



I assent.

*[Signature]*

Governor.

1 May 1980.

An Ordinance to amend the Criminal Procedure Ordinance.

[2 May 1980]

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 Criminal Procedure (Amend- Short title.  
ment) Ordinance 1980.

2. The principal Ordinance is amended by adding after section 109A Addition of  
the following sub-heading and sections— new sections  
109AA, 109AB  
& 109AC.  
(Cap. 221.)

"Supervision of young prisoners on release from prison

Supervision  
orders.

109AA. (1) On the release from prison of a person  
who has not yet attained the age of 25 the Commissioner of  
Prisons shall, subject to subsection (2), make a supervision  
order against him where the sentence of imprisonment which  
that person has served is for a term—

- (a) of 3 months or more;
- (b) other than in default of payment of a sum of  
money; and
- (c) which that person began to serve—
  - (i) before he attained the age of 21; and

(No. 14 of  
1980.)

(ii) after the commencement of the Criminal Procedure (Amendment) Ordinance 1980.

(2) No supervision order shall be made under subsection (1) on the release of a person sentenced to a term of imprisonment of 2 years or less in respect of whom there is revived upon his release—

(Cap. 244.)

(a) a detention order, supervision order, or recall order, that was suspended under section 6A of the Drug Addiction Treatment Centres Ordinance; or

(Cap. 280.)

(b) a sentence of detention in a training centre, a supervision notice, or an order of recall, that was suspended under section 5A of the Training Centres Ordinance.

(3) A supervision order under subsection (1) shall contain conditions that the person against whom it is made shall—

(a) subject to subsections (4) and (5), be subject to supervision by such organization or person as may be specified therein for a period commencing on the date of his release from prison and expiring not more than 12 months thereafter; and

(b) while under supervision, comply with such requirements, including requirements as to residence, as may be specified therein.

(4) The Commissioner of Prisons may at any time cancel or vary the terms of a supervision order under subsection (1).

(5) A supervision order under subsection (1) shall—

(a) be suspended in its operation for any period during which the person against whom it was made—

(i) is detained pursuant to a recall order under section 109AB; or

(ii) is serving a term of imprisonment of less than 3 months,

but shall not by reason of any such suspension expire more than 12 months after the date on which it was made;

(b) cease to have effect where the person against whom it was made—

(i) is ordered to serve a term of imprisonment of 3 months or more;

(Cap. 244.)

(ii) is ordered to be detained in an addiction treatment centre under the Drug Addiction Treatment Centres Ordinance;

(Cap. 280.)

(iii) is ordered to be detained in a training centre under the Training Centres Ordinance;

(Cap. 298.)

(iv) is made the subject of a probation order under section 3 of the Probation of Offenders Ordinance; or

(v) attains the age of 26.

(6) A person who fails to comply with a supervision order under subsection (1) shall be guilty of an offence and liable on conviction to a fine of \$5,000 and to imprisonment for 12 months.

Recall orders.

**109AB.** (1) Where the Commissioner of Prisons is satisfied that a person against whom a supervision order under subsection (1) of section 109AA is in force has failed to comply with the order, he may, if such person earned remission under rule 69 of the Prison Rules in respect of the period of imprisonment which ended on his release from prison referred to in that subsection, make a recall order against him requiring him to return to prison.

(Cap. 234,  
sub. leg.)

(2) Subject to subsections (3) and (4), a person against whom a recall order is made under subsection (1) may be detained in prison for a period equivalent to the amount of the remission that was earned by him.

(3) The Commissioner of Prisons may at any time release a person who is detained pursuant to a recall order under subsection (1).

(4) A recall order under subsection (1) shall cease to have effect where the person against whom it was made—

(Cap. 244.)

(a) is ordered to serve a term of imprisonment;

(b) is ordered to be detained in an addiction treatment centre under the Drug Addiction Treatment Centres Ordinance;

(Cap. 280.)

(c) is ordered to be detained in a training centre under the Training Centres Ordinance;

(Cap. 298.)

(d) is made the subject of a probation order under section 3 of the Probation of Offenders Ordinance; or

(e) attains the age of 26.

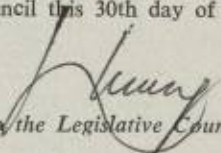
Arrest etc.  
of persons  
unlawfully  
at large.

**109AC.** (1) If a person against whom a recall order is made under section 109AB(1) is at large at the time it is made, he shall be deemed to be unlawfully at large.

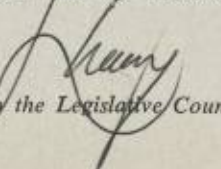
(2) A police officer may, if he reasonably suspects that a recall order under section 109AB(1) is in force against a person and that that person is unlawfully at large, arrest him and take him to a prison.

(3) Any period during which a person against whom a recall order under section 109AB(1) is in force is unlawfully at large shall be disregarded in calculating the period for which he may be detained under the recall order, unless the Governor otherwise directs in a particular case."

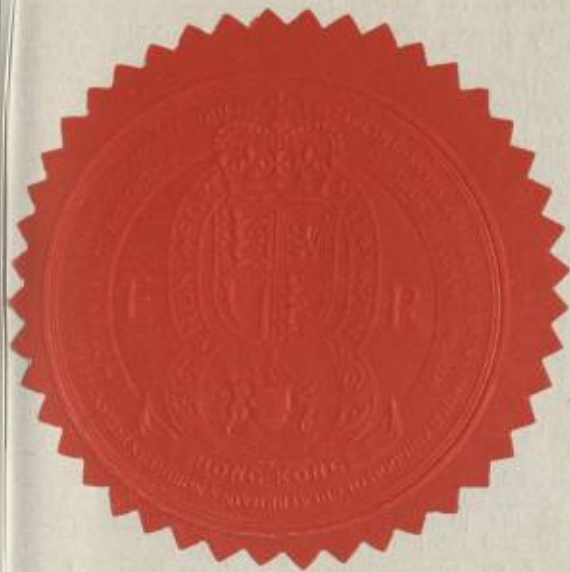
Passed by the Hong Kong Legislative Council this 30th day of April 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 15 of 1980



I assent.

*Governor.*

*1 May 1980.*

**HONG KONG**

No. 15 of 1980



I assent.

*Governor.*

*1 May 1980.*

An Ordinance to amend the Immigration Ordinance.

[2 May 1980]

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 Immigration (Amendment) Ordinance 1980. Short title.

2. Section 3(3)(b) of the principal Ordinance is amended by deleting "30 yards" and substituting the following—  
"30 m". Amendment of section 3. (Cap. 115.)

3. Section 29 of the principal Ordinance is amended—  
Amendment of section 29.

- (a) in subsection (1), by deleting "Governor" and substituting the following—  
"Secretary for Security";
- (b) in subsection (2), by deleting "Governor" wherever it occurs and substituting in each case the following—  
"Secretary for Security"; and
- (c) in subsection (4), by deleting "Governor" and substituting the following—  
"Secretary for Security".

Amendment of  
section 32.

4. Section 32 of the principal Ordinance is amended—
- (a) in subsection (2), by deleting “Chief Secretary” and substituting the following—  
“Secretary for Security”;
- (b) in subsection (3), by deleting “Chief Secretary” and substituting the following—  
“Secretary for Security”; and
- (c) in subsection (4)(a), by deleting “Chief Secretary” and substituting the following—  
“Secretary for Security”.

Amendment of  
section 34.

5. Section 34(b) of the principal Ordinance is amended by deleting “Chief Secretary” and substituting the following—  
“Secretary for Security”.

Amendment of  
section 35.

6. Section 35 of the principal Ordinance is amended—
- (a) in subsection (1), by deleting “Governor” in the first place where it occurs and substituting the following—  
“Secretary for Security”; and
- (b) in subsection (2), by deleting “Governor” and substituting the following—  
“Secretary for Security”.

Amendment of  
section 37K.

7. Section 37K(2) of the principal Ordinance is amended by deleting “person charged is” and substituting the following—  
“person charged was, at the date on which the offence is alleged to have taken place,”.

Amendment of  
section 56.

8. Section 56 of the principal Ordinance is amended—
- (a) in subsection (1)—
- (i) by inserting after “immigration officer” the following—  
“or immigration assistant”; and
- (ii) by deleting paragraphs (c), (d) and (f); and
- (b) by inserting, after subsection (1), the following subsection—  
“(1A) For the purposes of this Ordinance, an immigration officer may—
- (a) detain for not more than 7 days any document—
- (i) produced pursuant to a requirement under section 5(6)(b); or
- (ii) found on any person searched under subsection (1)(b);
- (b) arrest and detain any person if he has reason to suspect that such person has committed an offence under this Ordinance;
- (c) board and search any ship, aircraft, vehicle or train (not being a ship of war or a military aircraft), or enter and search any premises or place, if he has reason to suspect that there is therein—
- (i) any person who may be arrested under this Ordinance; or

(ii) any thing which may be seized under this Ordinance.”.

9. Section 60 of the principal Ordinance is amended by deleting “Governor” and substituting the following—

“Secretary for Security”.

10. The sections of the principal Ordinance specified in the first column of the Schedule are amended to the extent and in the manner set out in the second column of that Schedule.

## SCHEDULE

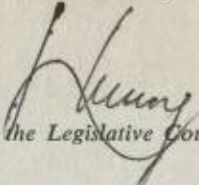
[s. 10.]

## AMENDMENTS

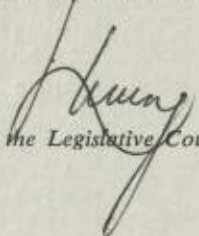
Section	Amendment
2(1).	(a) In paragraph (d) of the definition of “specified country”, by inserting “or immigration assistant” after “immigration officer”; and
	(b) in the definition of “travel document”, by inserting “or immigration assistant” after “immigration officer”.
4(1).	By inserting “or immigration assistant” after “immigration officer” wherever it occurs.
4(2).	By inserting “or immigration assistant” after “immigration officer”.
5(3).	By inserting “or immigration assistant” after “immigration officer”.
5(7).	By inserting “or immigration assistant” after “immigration officer”.
7.	By inserting “or immigration assistant” after “immigration officer”.
9(1).	By inserting “or immigration assistant” after “immigration officer”.
9(2).	By inserting “or immigration assistant” after “immigration officer” wherever it occurs.
9(3).	By inserting “or immigration assistant” after “immigration officer” wherever it occurs.
10(1).	By inserting “or immigration assistant” after “immigration officer”.
10(2).	By inserting “or immigration assistant” after “immigration officer”.
10(3).	By inserting “or immigration assistant” after “immigration officer” wherever it occurs.
11(1).	(a) By inserting “or immigration assistant” after “immigration officer” wherever it occurs; and
	(b) by deleting “or refuse” and substituting the following— “but an immigration officer only may refuse”.
11(2).	By inserting “or immigration assistant” after “immigration officer” wherever it occurs.
12.	By inserting “or immigration assistant” after “immigration officer”.

<i>Section</i>	<i>Amendment</i>
15(1).	By inserting "or immigration assistant" after "immigration officer".
17(4).	By inserting ", immigration assistant" after "immigration officer".
38(1).	By inserting "or immigration assistant" after "immigration officer".
38(2).	By inserting "or immigration assistant" after "immigration officer".
57A(1)(a).	By inserting "or immigration assistant" after "immigration officer".
57A(2)	By inserting "or immigration assistant" after "immigration officer".
62(1).	(a) By inserting "or immigration assistant" after "immigration officer" in the first place where it occurs; and (b) by inserting ", immigration assistant" after "immigration officer" in the second place where it occurs.
62(2).	By inserting "or immigration assistant" after "immigration officer".
63A(b)	By inserting "or immigration assistant" after "immigration officer".

Passed by the Hong Kong Legislative Council this 30th day of April 1980.

  
Clerk to the Legislative Council.

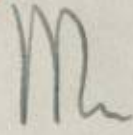
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 16 of 1980



I assent.

  
Governor.

1 May 1980

An Ordinance to amend the Immigration Service Ordinance

By inserting "or immigration assistant" after "immigration officer".

By inserting ", immigration assistant" after "immigration officer".

By inserting "or immigration assistant" after "immigration officer".

By inserting "or immigration assistant" after "immigration officer".

By inserting "or immigration assistant" after "immigration officer".

By inserting "or immigration assistant" after "immigration officer".

(a) By inserting "or immigration assistant" after "immigration officer" in the first place where it occurs; and

(b) by inserting ", immigration assistant" after "immigration officer" in the second place where it occurs.

By inserting "or immigration assistant" after "immigration officer".

By inserting "or immigration assistant" after "immigration officer".

By the Hong Kong Legislative Council this 30th day of April

**HONG KONG**

No. 16 OF 1980



I assent.

Governor.

1 May 1980.

An Ordinance to amend the Immigration Service Ordinance.

[2 May 1980]

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 Immigration Service (Amendment) Ordinance 1980. Short title.

2. Section 6 of the principal Ordinance is amended by deleting "signed by the Director,". Amendment of section 6. (Cap. 331.)

Passed by the Hong Kong Legislative Council this 30th day of April 1980.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



No. 17 of 1980



I assent.



HONG KONG

No. 17 of 1980



I assent.

A handwritten signature in dark ink, appearing to read 'Mr. N. Leung', is written over a faint circular stamp on the right page.

*Governor.*

*1 May 1980.*

An Ordinance to amend the Urban Council Ordinance.

[2 May 1980]

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 Urban Council (Amendment) Short title. Ordinance 1980.

Amendment of section 52A. (Cap. 101.)

- 2. Section 52A(1) of the principal Ordinance is amended—
  - (a) by deleting "emblem" wherever it occurs and substituting the following—  
"armorial bearings"; and
  - (b) in paragraph (a), by deleting "is" and substituting the following—  
"are".

Replacement of Fourth Schedule.

3. The principal Ordinance is amended by deleting the Fourth Schedule and substituting the following—

"FOURTH SCHEDULE [s. 52A.]



Passed by the Hong Kong Legislative Council this 30th day of April 1980.

*[Signature]*  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*[Signature]*  
Clerk to the Legislative Council.

No. 18 of 1980



I assent.

*[Signature]*

Governor.

deleting "emblem" wherever it occurs and substituting the following—

"armorial bearings"; and

paragraph (a), by deleting "is" and substituting the following—

"are".

The principal Ordinance is amended by deleting the Fourth Schedule and substituting the following—

"FOURTH SCHEDULE

[s. 52A.]



**HONG KONG**

No. 18 OF 1980



I assent.

Governor.

1 May 1980.

An Ordinance to amend the Customs and Excise Service Ordinance.

[9 May 1980]

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 Customs and Excise Service (Amendment) Ordinance 1980. Short title.

2. Section 4 of the principal Ordinance is repealed and replaced by the following—

"Direction and administration.

4. (1) (a) A Commissioner of Trade, Industry and Customs designated by the Governor shall be the Commissioner of the Customs and Excise Service.
- (b) A Deputy Commissioner of Trade, Industry and Customs designated by the Governor shall be the Deputy Commissioner of the Customs and Excise Service.
- (c) An Assistant Commissioner of Trade, Industry and Customs designated by the Governor shall be the Assistant Commissioner of the Customs and Excise Service.

Repeal and replacement of section 4. (Cap. 342.)

(2) The Commissioner, subject to the orders and control of the Director of Trade, Industry and Customs, shall be charged with the direction and administration of the Customs and Excise Service.”.


3. The principal Ordinance is amended by inserting after section 4 the following—

“Commis-  
sioner,  
Director of  
Trade,  
Industry and  
Customs and  
other public  
officers to  
be subject  
to the  
Governor's  
directions.

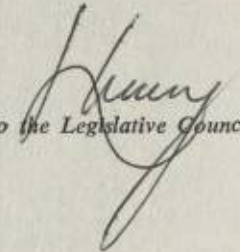
4A. (1) The Governor may give such directions as he thinks fit, either generally or in any particular case, with respect to the exercise or performance by the Director of Trade, Industry and Customs, the Commissioner or any other public officer, other than a judge, a District Judge or a magistrate, of any powers, functions or duties under this Ordinance.

(2) The Director of Trade, Industry and Customs, the Commissioner and every public officer shall, in the exercise or performance of any powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1).”.

Passed by the Hong Kong Legislative Council this 30th day of April 1980.

  
Clerk to the Legislative Council.

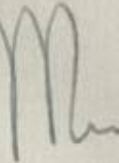
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 19 of 1980



I assent.



Governor.

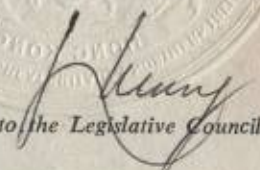
charged with the direction and administration of the Customs and Excise Service.”.

The principal Ordinance is amended by inserting after section 4—

4A. (1) The Governor may give such directions as he thinks fit, either generally or in any particular case, with respect to the exercise or performance by the Director of Trade, Industry and Customs, the Commissioner or any other public officer, other than a judge, a District Judge or a magistrate, of any powers, functions or duties under this Ordinance.

(2) The Director of Trade, Industry and Customs, the Commissioner and every public officer shall, in the exercise or performance of any powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1).”.

by the Hong Kong Legislative Council this 30th day of April

  
Clerk to the Legislative Council.

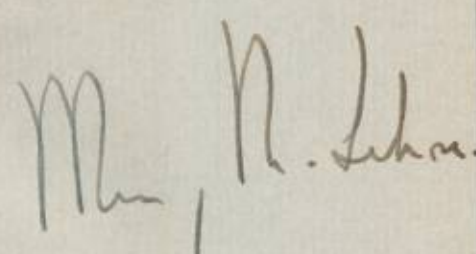
This printed impression has been carefully compared by me with the original and is found by me to be a true and correctly

**HONG KONG**

No. 19 OF 1980



I assent.



Governor.

15 May 1980.

An Ordinance to amend the Places of Public Entertainment Ordinance.

[16 May 1980]

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 Places of Public Entertainment (Amendment) Ordinance 1980. Short title.

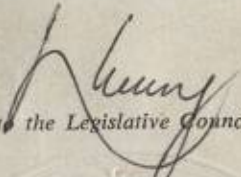
2. Section 2 of the principal Ordinance is amended in the definition of “place of public entertainment” by deleting paragraph (a) and substituting the following— Amendment of section 2. (Cap. 172.)

“(a) so much of any place, building, erection or structure, whether temporary or permanent, capable of accommodating the public; and”.

3. Section 7(1) of the principal Ordinance is amended by inserting after paragraph (b) the following— Amendment of section 7.

“(c) the location of a place of public entertainment generally or on or in any place, building, erection or structure and the circumstances, conditions and restrictions in or subject to which such location may be permitted;”.

Passed by the Hong Kong Legislative Council this 14th day of May 1980.

  
Clerk to the Legislative Council.

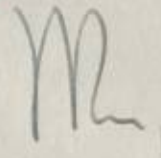
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

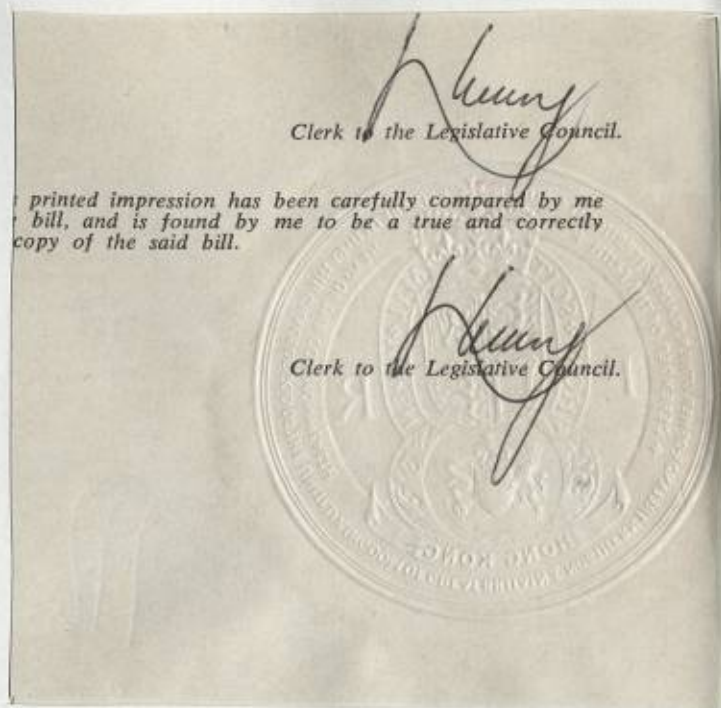


No. 20 of 1980



I assent.

  
Governor.



HONG KONG

No. 20 OF 1980



I assent.

Governor.

29 May, 1980.

An Ordinance to amend the Inland Revenue Ordinance.

[11 March 1980]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

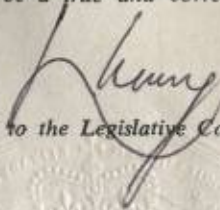
1. This Ordinance may be cited as the Inland Revenue (Amendment) Ordinance 1980 and shall be deemed to have come into operation on 11 March 1980. Short title and commencement.

2. Section 28(1) of the principal Ordinance is amended in paragraph (a) of the proviso by deleting "9½" and substituting the following— "10½". Amendment of section 28. (Cap. 112.)

Passed by the Hong Kong Legislative Council this 28th day of May 1980.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



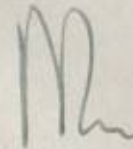
Clerk to the Legislative Council.



No. 21 OF 1980

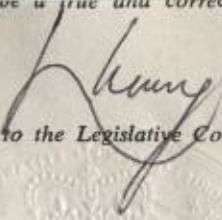


I assent.



Governor.

Bill, and is found by me to be a true and correct copy of the said bill.

  
Clerk to the Legislative Council.

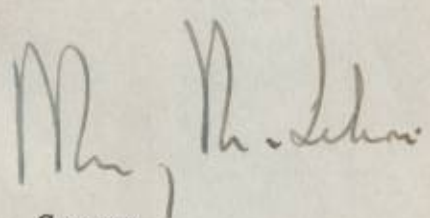


HONG KONG

No. 21 OF 1980



I assent.

  
Governor.

29 May, 1980.

An Ordinance to amend the Fire Investigation Ordinance.

[30 May 1980]

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 Fire Investigation (Amendment) Ordinance 1980. Short title.

2. Section 5 of the principal Ordinance is repealed and replaced by the following— Repeal and replacement of section 5. (Cap. 12.)

5. If, in the opinion of the magistrate, the investigation does not disclose any offence or, although it discloses an offence, does not show any reasonable cause for suspecting any person of having committed such offence, the magistrate shall close the inquiry.” “Close of inquiry.”

3. The principal Ordinance is amended by adding after section 6 the following new sections— Addition of new sections 6A and 6B.

6A. The magistrate may, at any time, if any premises have been taken into the possession of the Commissioner of Police under section 2, order the release of the premises. “Release of premises.”

Closure of inquiry or release of premises without prejudice to proceedings.

6B. The closure of an inquiry or the release of premises under this Ordinance shall be without prejudice to any proceedings against any person for an offence against the law."

Passed by the Hong Kong Legislative Council this 28th day of May 1980.

*[Signature]*  
Clerk to the Legislative Council.  
*[Signature]*  
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

No. 22 of 1980




I assent.

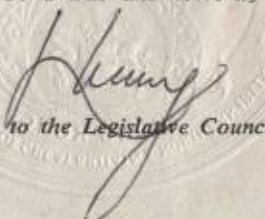
*[Handwritten signature]*

any proceedings against any person for an offence against the law."

by the Hong Kong Legislative Council this 28th day of

  
Clerk to the Legislative Council.

its printed impression has been carefully compared by me with the original bill, and is found by me to be a true and correct copy of the said bill.

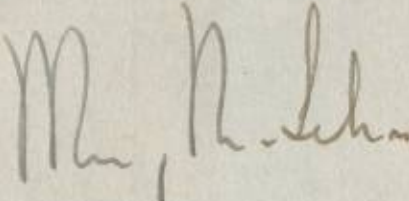
  
Clerk to the Legislative Council.

**HONG KONG**

No. 22 of 1980



I assent.



Governor.

12 June 1980.

An Ordinance to amend the Stamp Ordinance.

[28 February 1980]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

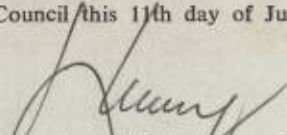
1. This Ordinance may be cited as the Stamp (Amendment) Ordinance 1980 and shall be deemed to have come into operation on 28 February 1980. Short title and commencement.

2. The Schedule to the principal Ordinance is amended— Amendment of Schedule. (Cap. 117.)  
(a) in head 19(1) by deleting paragraphs (c) and (d) and substituting the following—

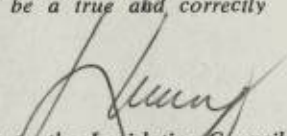
- “(c) if the amount or value of the consideration exceeds \$100,990 but does not exceed \$250,000 and the instrument is certified in accordance with section 12A at \$250,000;
- (a) \$1 for every \$100 or part thereof of the amount or value of the consideration.
  - (b) 30 days after execution.
  - (c) All parties executing.

- (d) if the amount or value of the consideration exceeds \$250,000 but does not exceed \$254,499 and the instrument is certified in accordance with section 12A at \$254,499.
- (a) \$2,500 with the addition thereto of an amount, not exceeding \$4,499, by which the amount or value of the consideration exceeds \$250,000.
- (b) 30 days after execution.
- (c) All parties executing.”;
- (b) in head 53(1) by deleting paragraphs (c) and (d) and substituting the following—
- “(c) if the value of the immovable property disposed of, conveyed or transferred exceeds \$100,990 but does not exceed \$250,000 and the instrument is certified in accordance with section 12B at \$250,000;
- (a) \$1 for every \$100 or part thereof of the value of the immovable property.
- (b) 30 days after execution.
- (c) All parties executing.”;
- (d) if the value of the immovable property disposed of, conveyed or transferred exceeds \$250,000 but does not exceed \$254,499 and the instrument is certified in accordance with section 12B at \$254,499;
- (a) \$2,500 with the addition thereto of an amount, not exceeding \$4,499, by which the value of the immovable property exceeds \$250,000.
- (b) 30 days after execution.
- (c) All parties executing.”.

Passed by the Hong Kong Legislative Council this 11th day of June 1980.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

No. 23 of 1980



I assent.



Governor.

\$250,000 but does not exceed \$254,499 and the instrument is certified in accordance with section 12A at \$254,499.

- (b) 30 days after execution.
- (c) All parties executing.”;

head 53(1) by deleting paragraphs (c) and (d) and substituting following—

if the value of the immovable property disposed of, conveyed or transferred exceeds \$100,990 but does not exceed \$250,000 and the instrument is certified in accordance with section 12B at \$250,000;

- (a) \$1 for every \$100 or part thereof of the value of the immovable property.
- (b) 30 days after execution.
- (c) All parties executing.

if the value of the immovable property disposed of, conveyed or transferred exceeds \$250,000 but does not exceed \$254,499 and the instrument is certified in accordance with section 12B at \$254,499;

- (a) \$2,500 with the addition thereto of an amount, not exceeding \$4,499, by which the value of the immovable property exceeds \$250,000.
- (b) 30 days after execution.
- (c) All parties executing.”.

by the Hong Kong Legislative Council this 11th day of June

**HONG KONG**

No. 23 of 1980



I assent.

Governor.

12 June 1980.

An Ordinance to amend the Business Registration Regulations.

[28 February 1980]

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 Business Registration Regulations (Amendment) Ordinance 1980 and shall be deemed to have come into operation on 28 February 1980.

Short title and commencement.

2. Regulation 7(1) of the Business Registration Regulations is amended by deleting “\$15” and substituting the following—

Amendment of Business Registration Regulations. (Cap. 310, sub. leg.)

“\$30”.

Passed by the Hong Kong Legislative Council this 11th day of June 1980.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*[Signature]*  
Clerk to the Legislative Council.



No. 24 of 1980



I assent.

*[Signature]*

Governor.

copy of the said bill.

*[Signature]*  
Clerk to the Legislative Council.



**HONG KONG**

No. 24 OF 1980



I assent.

*[Signature]*

Governor.

12 June 1980.

An Ordinance to amend the Landlord and Tenant (Consolidation) Ordinance.

[13 June 1980]

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 Landlord and Tenant (Consolidation) (Amendment) (No. 2) Ordinance 1980. Short title.

2. Section 50(6) of the principal Ordinance is amended by deleting paragraph (a) and substituting the following— Amendment of section 50. (Cap. 7.)

“(a) a tenancy or sub-tenancy—

(i) of premises to which Part I applies; or

(ii) of premises in respect of which there is in existence an order under section 4 other than the Landlord and Tenant (Consolidation) Ordinance (Application in New Territories) Order;” (Cap. 7, sub. leg.)

3. Section 116(1) of the principal Ordinance is amended by inserting after “section 3(1)” the following— Amendment of section 116.

“(Cap. 7, sub. leg.) “, or by virtue of the Landlord and Tenant (Consolidation) Ordinance (Application in New Territories) Order;”.