

Amendment
of section 9.

4. Section 9 of the principal Ordinance is amended—
- (a) in subsection (1), by the deletion of the words “fourteen days” and the substitution therefor of the following—
“forty-two days”;
- (b) in subsection (2)—
- (i) by the deletion of the words “fourteen days” and the substitution therefor of the following—
“forty-two days”; and
- (ii) by the deletion of the words “one dollar” and the substitution therefor of the following—
“two dollars”; and
- (c) in subsection (3), by the deletion of the words “ten dollars” and the substitution therefor of the following—
“fifteen dollars”.

Amendment
of section 10.

5. Section 10 of the principal Ordinance is amended by the deletion of the words “fourteen days” and the substitution therefor of the following—
“forty-two days”.

Repeal of
section 11.

6. Section 11 of the principal Ordinance is repealed.

Amendment
of section 13.

7. Section 13 of the principal Ordinance is amended—
- (a) in subsection (2), by the deletion of the words “one dollar” and the substitution therefor of the following—
“two dollars”; and
- (b) in subsection (3), by the deletion of the words “one dollar” and the substitution therefor of the following—
“five dollars”.

Amendment
of section 20.

8. Section 20 of the principal Ordinance is amended by the deletion, in paragraph (d), of the words “the nomenclature of diseases of the Royal College of Physicians of London” and the substitution therefor of the following—

“such classification as may be prescribed”.

9. Section 21 of the principal Ordinance is repealed and replaced by the following—

Repeal and
replacement
of section 21.

“Investigation
of cause of
death and of
correctness
of death
certificate.

21. (1) In the case of the death of any person who has not been attended during his last illness by any registered medical practitioner it shall be the duty of the Registrar to institute, or cause to be instituted, inquiries with a view to ascertaining the true cause of death.

(2) It shall be lawful for the Registrar in any case in which he wishes to verify the correctness of any certificate of the cause of death of any person to institute, or cause to be instituted, inquiries with a view to verifying the correctness of such certificate.

(3) Any person who obstructs, resists, uses abusive language to, or refuses to answer without sufficient cause or wilfully makes a false answer to any reasonable inquiry put by any officer authorized by the Registrar for the purpose of carrying out any inquiry pursuant to this section shall be guilty of an offence and liable on summary conviction to a fine of one thousand dollars and three months' imprisonment.”.

10. Section 22 of the principal Ordinance is amended—

Amendment
of section 22.

- (a) in subsection (1)—
- (i) by the insertion, after the words “one dollar”, of the following—
“and fifty cents”; and
- (ii) by the deletion of the proviso thereto and the substitution therefor of the following—
“Provided that a fee of three dollars shall be paid in respect of any such copy required to be posted by a registrar to an addressee outside the Colony, and, if the copy is required to be sent by airmail, an additional fee shall be paid of an amount equal to the airmail postage at the normal rate.”;
- (b) in subsection (2), by the deletion of the words “one dollar” and the substitution therefor of the following—
“two dollars”; and
- (c) in subsection (3), by the deletion of the words “five dollars” and the substitution therefor of the following—
“twenty-five dollars”.

Amendment
of section 27.

11. Section 27 of the principal Ordinance is amended by the deletion, in paragraph (c), of the words "one dollar" and the substitution therefor of the following—

"five dollars".

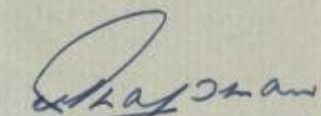
Amendment
of Second
Schedule.

12. The Second Schedule to the principal Ordinance is amended by—

- (a) the deletion of Form 4; and
- (b) the deletion of the symbol and figure "\$1", where they occur in Forms 7 and 8, and the substitution therefor of the following—

"\$2".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of January, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

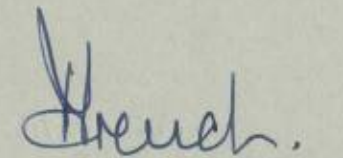
(Secretariat FR L/M 396/62)

HONG KONG

No. 2 OF 1965.



I assent.


Governor.

7th January, 1965.

An Ordinance to amend the Colonial Treasurer Incorporation Ordinance.

[8th January, 1965.]

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

1. This Ordinance may be cited as the Colonial Treasurer Incorporation (Amendment) Ordinance 1965. Short title.

2. Section 2 of the Colonial Treasurer Incorporation Ordinance (hereinafter referred to as the principal Ordinance) is amended by the insertion, after the words "shares in any", of the following— Amendment of section 2. (Cap. 278).

"private or".

3. The principal Ordinance is amended by the addition, after section 3, of the following new section— Addition of new section 3A.

"Power of
Financial
Secretary
to delegate
powers.

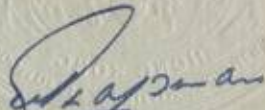
3A. The occupant of the corporation for the time being may in writing delegate to any public officer, either generally or for any particular occasion and by name or by reference to a public office, such of his powers and functions under this Ordinance as he considers necessary (except this power of delegation)."

Amendment
of section 4.

4. Section 4 of the principal Ordinance is amended by the insertion, after the words "official seal and to be signed by", of the following—

"or on behalf of".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of January, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

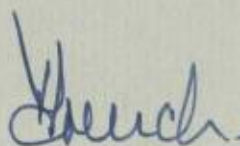

Deputy Clerk of Councils.

(Secretariat FR7/3231/64)

HONG KONG

No. 3 OF 1965.

I assent.


Governor.

21st January, 1965.

An Ordinance to amend the Summer Time Ordinance 1953.

[22nd January, 1965.]

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

1. This Ordinance may be cited as the Summer Time (Amendment) Ordinance 1965. Short title.

2. Section 2 of the Summer Time Ordinance 1953 is amended in subsection (2)— Amendment
of section 2.
(20 of 1953).

(a) by the deletion of the figures and words "17th day of March" and the substitution therefor of the following—

"15th day of April"; and

(b) by the deletion of the figures and words "30th day of October" and the substitution therefor of the following—

"15th day of October".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of January, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

(Secretariat GR3/3799/45)

[Signature]
Deputy Clerk of Councils.



HONG KONG

No. 4 OF 1965.



I assent.

[Signature]
Governor.

21st January, 1965.

An Ordinance further to amend the Medical Clinics Ordinance 1963.

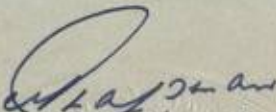
[1st January, 1964.]

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

1. This Ordinance may be cited as the Medical Clinics (Amendment) Ordinance 1965, and shall be deemed to have had effect as from the 1st day of January, 1964. Short title and commencement.
2. Section 11 of the Medical Clinics Ordinance 1963 is amended— Amendment of section 11. (27 of 1963).
 - (a) in subsection (1), by the insertion, after the words "within fourteen days of such refusal or cancellation", of the following—
"or within such further time as the Governor in Council may allow";
 - (b) in subsection (2), by the insertion, after the words "where there is an appeal", of the following—
"within fourteen days from the date on which it is made".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of January, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

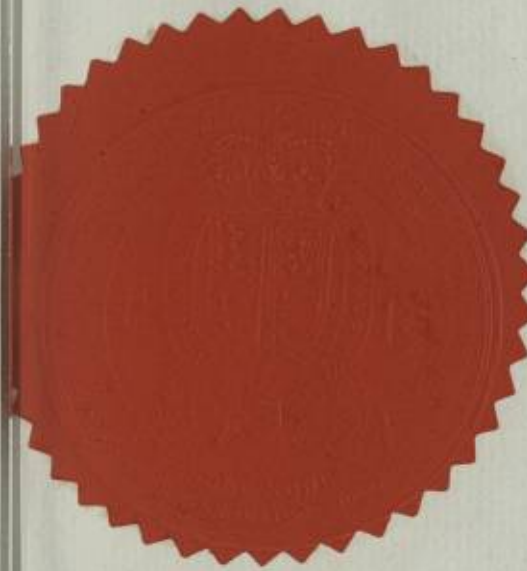
(Secretariat CR3862/57¹¹)


Deputy Clerk of Councils.

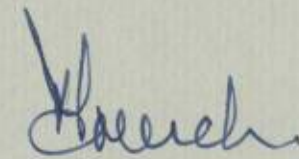


HONG KONG

No. 5 OF 1965.



I assent.


Governor.

21st January, 1965.

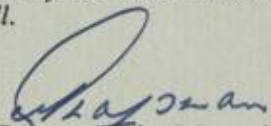
An Ordinance to amend The Hongkong and Shanghai Banking Corporation Ordinance.

[22nd January, 1965.]

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

- 1. This Ordinance may be cited as The Hongkong and Shanghai Banking Corporation (Amendment) Ordinance 1965. Short title.
- 2. Subsection (1) of section 9 of The Hongkong and Shanghai Banking Corporation Ordinance is amended by the deletion of the commas and words “, subject to the prior approval of the Governor.”. Amendment of section 9. (Cap. 70).

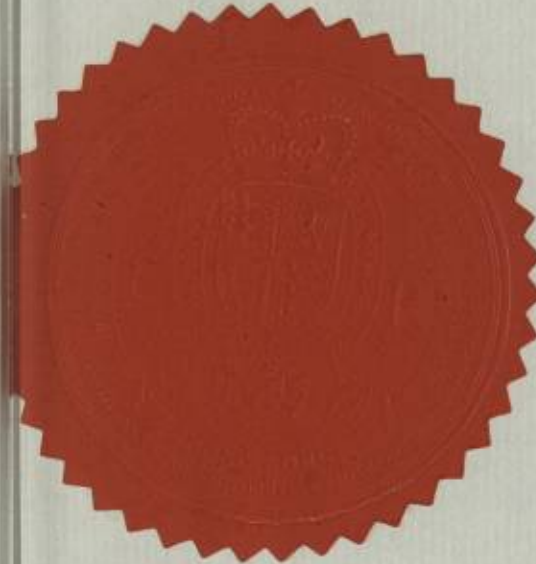
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of January, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

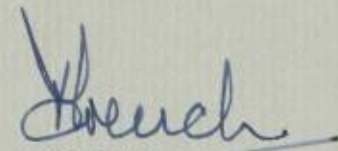
(Secretariat FR L/M 119/64)

HONG KONG

No. 6 OF 1965.



I assent.


Governor.

21st January, 1965.

An Ordinance further to amend the Urban Council Ordinance 1955.

[22nd January, 1965.]

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

1. (1) This Ordinance may be cited as the Urban Council (Amendment) Ordinance 1965.

Short title
and commen-
cement.

(2) Section 2 of this Ordinance shall come into operation on the 1st day of April, 1965.

2. Section 3 of the Urban Council Ordinance 1955 (hereinafter referred to as the principal Ordinance) is amended—

Amendment
of section 3.
(14 of 1955).

(a) by the deletion, in paragraph (a), of sub-paragraph (v) and the substitution therefor of the following—

“(v) The public officer for the time being designated by the Governor as the Director of Social Welfare;

(vi) the public officer for the time being designated by the Governor as the Commissioner for Resettlement;” and

- (b) by the deletion of the word "eight" where it occurs in both sub-paragraph (i) and sub-paragraph (ii) of paragraph (b) and the substitution therefor of the following—

"ten".

Amendment
of section 4.

3. Section 4 of the principal Ordinance is amended by the insertion, after subsection (5), of the following new subsection—

"(5A) (a) The ordinary election to be held in March, 1965, shall be for the election of six members, of whom five shall hold office as provided in paragraph (a) of subsection (1) and the remaining one, notwithstanding that paragraph, shall hold office until the 31st day of March, 1967.

- (b) The member who shall hold office until the 31st day of March, 1967, shall be ascertained as follows—

(i) where a contested election has been held for the election of the six members (whether such election is the ordinary election referred to in paragraph (a) or, in the event of the countermanding of that election, any extraordinary election held in substitution therefor), then, except where sub-paragraph (iii) is applicable in the event of the election being declared void so far as it relates to two or more candidates, the person elected by the smallest number of votes shall be deemed to be elected to hold office until the 31st day of March, 1967, but in the case of an equality of votes between the persons who are elected by the smallest number of votes, then, as between such persons, the person who shall hold office until the 31st day of March, 1967, shall be determined by the returning officer by lot;

(ii) if the number of persons standing nominated for election at the ordinary election or, in the event of the countermanding of that election, at any extraordinary election held in substitution therefor is six and, accordingly, such persons are, pursuant to sub-paragraph (e) of paragraph (2) of regulation 9 of the Urban Council Elections (Procedure) Regulations 1955, declared duly elected, the member who shall hold office until the 31st day of March, 1967, shall be determined by the returning officer by lot;

(G.N.A.
64/55).

(iii) if the number of persons standing nominated for election at the ordinary election or, in the event of the countermanding of that election, at any extraordinary election held in substitution therefor is less than six and, accordingly, such persons are, pursuant as aforesaid, declared duly elected, or if, at such election (being a contested election), the returning officer, pursuant to regulation 52 of the Urban Council Elections (Procedure) Regulations 1955, declares the election void so far as it relates to two or more candidates, the person who shall hold office until the 31st day of March, 1967, shall be the person elected, or, if more than one person is elected, then the person elected by the smallest number of votes, at the extraordinary election held to fill the vacancy or vacancies remaining unfilled or, if there is more than one extraordinary election held to fill a vacancy or vacancies owing to an insufficiency of candidates standing nominated for election at the previous extraordinary election or owing to such previous election being declared void under the aforesaid regulation 52 so far as it relates to two or more candidates, at the last such extraordinary election to be held; but if there is more than one vacancy to be filled and the extraordinary election held to fill the vacancies is not contested or, if contested, there is an equality of votes between the persons elected by the smallest number of votes thereat, then as between all persons elected thereat if the election was not contested, or as between those persons elected by the smallest number of votes as aforesaid, the member who shall hold office until the 31st day of March, 1967, shall be determined by the returning officer by lot.

(G.N.A.
64/55).

- (c) In ascertaining the member who shall hold office until the 31st day of March, 1967, tendered ballot papers (within the meaning of regulation 36 of the Urban Council Elections (Procedure) Regulations 1955) shall not be counted except in the case of an equality of votes between persons who are elected by the smallest number of votes."

(G.N.A.
64/55).

4. Section 5 of the principal Ordinance is amended by the insertion, after subsection (6), of the following new subsection—

Amendment
of section 5.

"(6A) In the month of March, 1965, the Governor may, notwithstanding subsection (2), appoint one member to hold office

from the 1st day of April, 1965, until the 31st day of March, 1966, and one member to hold office from the 1st day of April, 1965, until the 31st day of March, 1968.”.

Amendment
of section 13.

5. Section 13 of the principal Ordinance is amended by the deletion of the word “six” and the substitution therefor of the following—
“three”.

Amendment
of section 35.

6. Section 35 of the principal Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following—
“(2) The Registrar shall forthwith send two certified true copies of the petition to the secretary who shall, forthwith upon receipt thereof, cause one of such copies to be posted in a conspicuous place on or near the outer door of his office or in some conspicuous place on or near the outer door of the Council Chamber.”.

Amendment
of section 38.

7. Section 38 of the principal Ordinance is amended in subsection (1) by the insertion, after the words “within five days thereafter”, of the following—

“or such other period as the Court may direct”.

Amendment
of section 40.

8. Section 40 of the principal Ordinance is amended—

(a) in subsection (1), by the insertion, after the words “A petitioner shall not withdraw”, of the following—

“or abandon or cease to endeavour to prosecute successfully”;

(b) in subsection (2), by the insertion, after the words “any person who might have been a petitioner in respect of the election”, of the following—

“, or the Attorney General.”;

(c) in subsection (3), by the deletion of the words “If the proposed withdrawal is” and the substitution therefor of the following—

“If any application to withdraw or abandon or to cease to prosecute any election petition is”;

(d) in subsection (4), by the deletion of the words “if the Court does not so direct” and the substitution therefor of the following—

“Except in the case of the Attorney General, if the Court does not so direct”;

(e) in subsection (5), by the deletion of the full stop at the end thereof and the substitution therefor of a comma and by the insertion thereafter of the following—

“and the original petitioner shall furnish such substituted petitioner with all evidence available to him and relevant to the continued prosecution of the petition.”;

(f) in subsection (6), by the insertion, after the words “If a petition is withdrawn”, of the following—

“or abandoned or the petitioner ceases to prosecute the petition”;

(g) in subsection (7), by the insertion, after the words “application to withdraw”, of the following—

“or abandon or cease to prosecute”; and

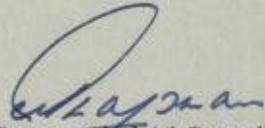
(h) by the insertion of the following new subsection—

“(8) Any person who contravenes any of the provisions of subsection (1) or who fails to furnish a substituted petitioner with evidence as required by the provisions of subsection (5) shall be guilty of an offence and liable on summary conviction to a fine of two thousand dollars and imprisonment for six months.”.

9. The Urban Council (Commissioner for Resettlement) Ordinance 1954 is repealed with effect from the 1st day of April, 1965.

Repeal.
(19 of 1954).

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of January, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

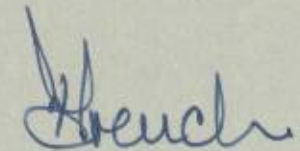
(Secretariat GR23/3231/55¹¹)

HONG KONG

No. 7 OF 1965.



I assent.


Governor.

11th February, 1965.

An Ordinance to amend the Telephone Ordinance 1951.

[12th February, 1965.]

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

1. (1) This Ordinance may be cited as the Telephone (Amendment) Ordinance 1965.

Short title and commencement.

(2) Sections 2 and 3 shall be deemed to have had effect as from the 1st day of January, 1964, and sections 4 and 5 shall be deemed to have had effect as from the 24th day of January, 1964.

2. Section 7 of the Telephone Ordinance 1951 (hereinafter referred to as the principal Ordinance) is repealed and replaced by the following—

Repeal and replacement of section 7. (18 of 1951).

"Royalty.

7. (1) The company shall pay to the Government by way of royalty the annual sum of eight dollars for each exchange line in service on the 31st day of December in the

preceding year less an amount equal to one twelfth of such annual sum for each month during the whole or part of which an exchange line is withdrawn from service.

(2) For each exchange line brought into service during the current year, there shall be payable by way of royalty a sum equal to one twelfth of the annual royalty charge for an existing line for each month during the whole or part of which such line is in service.

(3) (a) The company shall make monthly payments not later than the 15th day of each month on account of the annual royalty and the amount of each such payment shall be—

(i) a sum equal to one twelfth of the annual royalty for each exchange line in service on the last day of the preceding month; or

(ii) such sum as the Financial Secretary may determine.

(b) As soon as the total sum for the current year has been ascertained a final adjustment shall be made not later than the last day of the following January and the Government shall refund any sum paid on account in excess of the royalty due for that year or, if the amounts paid on account by the company are less than the royalty due, the company shall pay the Government the balance thereof."

Repeal of section 7A.

3. Section 7A of the principal Ordinance is repealed.

Amendment of section 34.

4. Section 34 of the principal Ordinance is amended by the substitution of a full stop for the comma after the word "required" and the deletion of the remainder of the section thereafter.

Amendment of Schedule.

5. The Schedule to the principal Ordinance is amended, in Parts I, II and IV, by the deletion of column 4.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 10th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
Deputy Clerk of Councils.

(Secretariat FR4/1026/57)

HONG KONG

No. 8 OF 1965.



I assent.

[Signature]
Governor.

11th February, 1965.

An Ordinance to control contracts of employment entered into in the Colony by manual workers proceeding overseas for employment and the obtaining and supply of such workers and to provide for matters ancillary thereto.

[]

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

PART I.

PRELIMINARY.

1. This Ordinance may be cited as the Contracts for Overseas Short title. Employment Ordinance 1965.

2. In this Ordinance, unless the context otherwise requires—
"Commissioner" means the Commissioner of Labour;

Inter-pretation.

"dependant" means the spouse of a worker, and his or her children, step-children, and lawfully adopted children, who are unmarried and under the age of sixteen years;

"manual worker" includes personal and domestic servants;

"overseas contract" means a contract to which this Ordinance applies;

"worker" means a person who has entered or is about to enter the employment of another under a contract to which this Ordinance applies.

Delegation
by Commis-
sioner.

3. The Commissioner may, in writing, delegate to any public officer, either generally or for any particular purpose and either by name or by reference to a public office, such of his powers and functions under this Ordinance as he may consider expedient.

Contracts to
which the
Ordinance
applies.

4. This Ordinance applies to contracts of employment entered into in the Colony after the commencement of this Ordinance, by which a person in the Colony enters or agrees to enter into the service of another person as a manual worker, where the contract is to be performed, whether wholly or partially, outside the Colony:

Provided that this Ordinance shall not apply in respect of—

- (a) persons employed for service as members of the crews of ships or aircraft;
- (b) persons proceeding to the United Kingdom for the purpose of employment there who are in possession of a current voucher issued for the purposes of section 2 of the Commonwealth Immigrants Act 1962 by or on behalf of the appropriate authority in the United Kingdom;
- (c) any person or class of persons migrating for employment in respect of whom the Commissioner is satisfied that admission to the country of immigration will be granted on a permanent basis.

(10 & 11
Eliz. 2,
c. 21).

PART II.

CONTROL OF OVERSEAS CONTRACTS.

Overseas
contracts to
be in writing
and to
contain
certain
particulars.

5. (1) Every overseas contract shall be in writing, and, before the departure of the worker from the Colony, shall be signed by the worker and by the employer or other person acting on behalf of the employer:

Provided that a worker who is unable to sign may indicate his assent by affixing to the contract the impression of his thumb.

(2) Every overseas contract shall contain all such particulars as may be necessary to define the rights and obligations of the parties thereto, and shall in all cases include the following—

- (a) the name of the employer and where applicable the name of the business or undertaking;
- (b) the name of the worker and particulars of the place of engagement and the place of origin of the worker and any other particulars necessary for his identification;
- (c) the name of the place at which the contract is to be performed and particulars of the nature of the employment;
- (d) particulars of the rates of wages, including rates for overtime work where applicable, and the manner and periodicity of payment;
- (e) particulars governing the advances of wages, if any, and the manner of repayment of any such advances;
- (f) except in the case of a contract for employment in domestic service, particulars of the days and hours during which the worker may be called on to work and of his entitlement in respect of rest days and paid holidays;
- (g) particulars of the duration of the contract, the grounds of, provision for, and manner of, terminating the contract, provisions for varying the contract and provisions for re-engagement of the worker;
- (h) a stipulation that the contract shall not be transferred from the employer to any other employer except with the consent of the worker freely given and not obtained by or as a result of any threat, intimidation, bribery, deceit, undue influence, misrepresentation or mistake, and except with the endorsement of the transfer upon the contract by an officer or official of the country in which the contract is performed for the time being responsible for matters pertaining to employment;
- (i) particulars of the measures to be taken to provide for the welfare of the worker and any dependants who may accompany him under the terms of the contract, including particulars as to medical treatment, compensation in the event of the death of or injury to, or incapacity due to occupational disease of, the worker arising out of and in the course of the employment, and the provision of food and quarters;
- (j) particulars relating to the passage of the worker and his dependants to and from the place at which the contract is to be performed and an undertaking that the passage of the worker and his dependants to the place at which the contract is to be performed and all necessary documents, including travel and

employment permits, for the worker and his dependants shall be provided by or on behalf of the employer free of charge to the worker and his dependants;

- (k) an undertaking that, upon the termination of contract otherwise than by, or in consequence of, the default of the worker, the worker, if he so requests the employer within three months after such termination, shall be repatriated at the employer's expense (which shall include travelling and subsistence expenses during the journey and subsistence expenses during the period, if any, between the date of such termination and the date of repatriation other than a period during which repatriation has been delayed by the worker's own choice or for reasons of *force majeure*) to his place of engagement or, at the worker's request, to his place of origin if such place is nearer to the place at which the contract was performed, together with his dependants (if any) who were brought to the place at which the contract was performed by or on behalf of the employer;
- (l) an undertaking that in the event of the death of the worker his dependants (if any) who were brought to the place at which the contract was being performed by or on behalf of the employer shall, if they so request within three months after the death of the worker, be repatriated at the employer's expense (which shall include travelling and subsistence expenses referred to in paragraph (k)) to the worker's place of engagement or, at their request, to the worker's place of origin if such place is nearer to the place at which the contract was being performed;
- (m) a stipulation that the employer shall provide free of charge facilities for the worker to make remittances to his family or dependants in the Colony;
- (n) an undertaking that, on the expiry of the contract, the worker will not be required to begin the employment stipulated in any re-engagement contract if—
- (i) on the expiry of the contract, he has been separated from all his dependants for more than eighteen months; or
- (ii) the period served under such contract together with the duration stipulated in the re-engagement contract will involve the separation of the worker from all his dependants for more than eighteen months,
- until he has had the opportunity of returning, at the employer's expense, to the place stipulated in the contract as his home, being the place at which his dependants or the majority of his dependants are at the date when he entered into the contract or such other place as the Commissioner in the special circumstances of the case may approve;
- (o) any other special conditions of the contract.

6. Every overseas contract shall be presented to the Commissioner for attestation before the departure of the worker from the Colony.

Presentation of overseas contract for attestation.

7. Where an overseas contract—

- (a) is not in writing in accordance with subsection (1) of section 5; or
- (b) has not been presented to the Commissioner for attestation before the departure of the worker from the Colony,

Effect of non-compliance with section 5 or 6.

it shall not be enforceable against the worker and no action shall be maintainable against the worker for breach or non-fulfilment thereof, and, where the omission to make the contract in writing or to present the contract for attestation, as the case may be, is due to wilful omission or neglect on the part of the employer or any person acting on the employer's behalf, the worker may, without prejudice to any right he may have to sue for damages for breach of contract, sue the employer or such person for any expenses reasonably incurred by him in the return of himself and any dependants accompanying him to the Colony.

8. The Commissioner may require, as a condition precedent to the attestation of any overseas contract, that a person approved by him and permanently resident in the Colony shall—

Power to require bond or guarantee for due performance of overseas contract.

- (a) furnish a bond in such sum and in such form as he may require, with or without sureties; or
- (b) sign a guarantee in such form as he may require,

generally for the performance of the contract by the employer, and, in particular, for performance by the employer of his undertaking respecting repatriation of the worker and his dependants (if any) contained in the contract pursuant to paragraph (k) or (l), as the case may be, and, as regards provision of travel documents, pursuant to paragraph (j), of subsection (2) of section 5, whether, as regards any such undertaking, the contract is or may be or becomes void or unenforceable for any reason.

9. Every worker who enters into an overseas contract shall, at the expense of the employer or other person acting on the employer's behalf, be medically examined prior to the attestation of the contract as to his fitness to perform the work contemplated by the contract.

Medical examination prior to attestation.

10. (1) Before attesting any contract pursuant to section 6, the Commissioner shall satisfy himself that—

Attestation of overseas contracts.

- (a) the worker has freely consented to the contract and that the consent has not been obtained by or as a result of any threat, intimidation, bribery, deceit, undue influence, misrepresentation or mistake;

- (b) the worker has fully understood the terms of the contract;
- (c) the contract is in accordance with the requirements of this Ordinance;
- (d) in relation to the worker, there has been no contravention of any of the provisions of subsection (1) of section 14;
- (e) the provisions relating to medical examination set out in section 9 have been complied with and the worker is in a fit condition to perform the contract;
- (f) any bond or guarantee required to be furnished has been furnished in accordance with section 8; and
- (g) the worker has declared himself not bound by a previous engagement;
- (h) in respect of a contract to be performed in a territory for which the Contracts of Employment (Indigenous Workers) Convention 1939, of the International Labour Organization, is not in force, the worker will be entitled in that territory, either in virtue of the law of that territory or in virtue of the terms of the contract, to the rights and protection specified in articles 10 to 16 of the aforementioned Convention.

(2) The Commissioner may refuse to attest any such contract in respect of which he is not satisfied in regard to any of the matters specified in subsection (1), and any contract which the Commissioner has refused to sign, being a contract required to be presented to him for attestation pursuant to section 6, shall have no further validity.

(3) Where the Commissioner attests any such contract, he shall attest not less than two copies in addition to the original and shall—

- (a) deliver one copy to the worker; and
- (b) retain one copy in safe custody for a period of not less than six years.

11. A person whose age is either less than eighteen years or less than the minimum age of capacity for entering into an overseas contract allowed by the law of the territory in which the contract is to be performed shall not be capable of entering into an overseas contract.

12. The maximum duration which may be stipulated in any overseas contract shall in no case exceed—

- (a) two years if the worker is not accompanied by any dependants, or three years if the worker is accompanied by a dependant or dependants; or

Capacity to enter into an overseas contract.

Maximum duration of overseas contract.

- (b) the maximum period prescribed by the law of the territory in which the contract is to be performed, whichever is the less.

13. For the avoidance of doubt, all the provisions of this Ordinance save where the context otherwise requires shall apply to overseas contracts of re-engagement.

Provisions to apply to overseas contract of re-engagement.

PART III.

THE OBTAINING OR SUPPLY OF PERSONS FOR OVERSEAS CONTRACTS.

14. (1) No person shall, in the Colony, undertake any operation with the object of obtaining or supplying, for employment under overseas contracts, the labour of persons who do not spontaneously offer their services at an emigration or employment office registered with the Commissioner.

Prohibition in respect of obtaining and supplying labour of certain persons.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for six months.

(3) Nothing in this section shall be construed to prohibit the advertisement, in the press or by means of posters, notices, letters or word of mouth, of vacancies for employment under overseas contracts.

15. The Commissioner may by regulation provide for the maintenance by persons engaged in obtaining or supplying persons for employment under overseas contracts of written records, and for the submission of returns, in such form as may be specified therein.

Power to make regulations.

PART IV.

CONSEQUENTIAL AMENDMENT AND COMMENCEMENT.

16. (1) The Asiatic Emigration Ordinance 1915 is amended—
- (a) in subsection (1) of section 2, by the deletion of paragraph (f) (which contains the definition "Free emigrant");
 - (b) by the repeal of section 17;
 - (c) by the deletion in paragraph 2 of the Form of Emigration Officer's certificate for ships under special licence, contained in the First Schedule, of the comma and words " , of whom none are to be under any contract of service whatever"; and

Consequential amendment of Asiatic Emigration Ordinance 1915.

(30 of 1915).

(d) by the deletion in each of Forms of general licence, special licence and outport licence, specified in the Eleventh Schedule, of the words "free emigrants" and the substitution therefor of the following—

"emigrants".

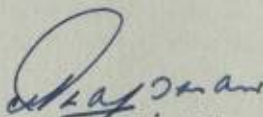
(2) Every Emigration Officer's certificate for any ship under special licence issued under section 8 of the Asiatic Emigration Ordinance 1915 and in force on the commencement of this Ordinance shall, during the validity thereof after the commencement of this Ordinance, be construed as if amended in the same manner as the Form contained in the First Schedule to the Asiatic Emigration Ordinance 1915 is amended by paragraph (c) of subsection (1) of this section.

(3) Every general licence, special licence and outport licence issued under the Asiatic Emigration Ordinance 1915 and in force on the commencement of this Ordinance shall, during the validity thereof after the commencement of this Ordinance, be construed as if any reference therein to free emigrants were a reference to emigrants.

Suspending
clause.

17. This Ordinance shall not come into operation until Her Majesty's confirmation of the same has been proclaimed in the Colony by the Governor and thereafter it shall come into operation upon such day as the Governor shall by the same or any other proclamation appoint.

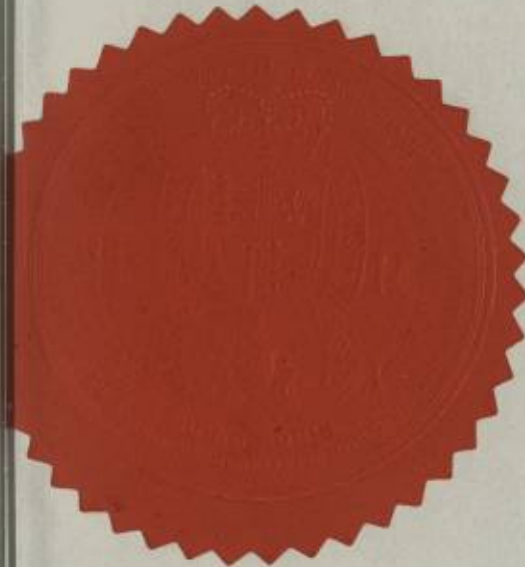
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 10th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

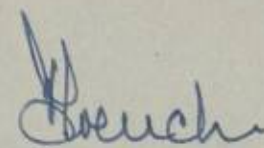
(Secretariat GR30/3/5683/58)

HONG KONG

NO. 9 OF 1965.



I assent.


Governor.

11th February, 1965.

An Ordinance to amend the Employment of Young Persons and Children at Sea Ordinance.

[12th February, 1965.]

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

1. This Ordinance may be cited as the Employment of Young Persons and Children at Sea (Amendment) Ordinance 1965. Short title.

2. Section 2 of the Employment of Young Persons and Children at Sea Ordinance is repealed and replaced by the following— Repeal and replacement of section 2. (Cap. 58).

"Restriction on employment on vessels of children under 14.

2. No child under fourteen years of age shall be employed or be caused or permitted to work as a member of the crew of any vessel, other than a vessel upon which only members of the same family are so employed;

Provided that nothing in this section shall be construed to affect the employment or work of any such child who

is a pupil on any school ship or training ship if such employment or work is approved and, so far as may be, supervised by the Director of Education.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 10th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

(Secretariat GR8/3231/64)



[Signature]
Deputy Clerk of Councils.

HONG KONG

No. 10 OF 1965.



I assent.

[Signature]
Governor.

11th February, 1965.

An Ordinance to amend the Factories and Industrial Undertakings Ordinance 1955.

[12th February, 1965.]

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

1. This Ordinance may be cited as the Factories and Industrial Undertakings (Amendment) Ordinance 1965. Short title.

2. Section 2 of the Factories and Industrial Undertakings Ordinance 1955 (hereinafter referred to as the principal Ordinance) is amended, in subsection (1), by the deletion of— Amendment of section 2. (34 of 1955).

(a) the definition “Commissioner” and the substitution therefor of the following—

““Commissioner” means the Commissioner of Labour appointed under section 3, and, except where the expression “Commissioner of Labour” is used, includes a deputy commissioner, any assistant commissioner and any person

appointed as a senior labour officer, a labour officer, a labour officer (industrial undertakings) or an industrial health officer;"; and

(b) the definition "inspector" and the substitution therefor of the following—

"“inspector” means any person appointed under section 3 as superintendent of factory inspectors, a divisional factory inspector, a factory or an assistant factory inspector, a senior labour inspector or a labour inspector;”.

Repeal and replacement of section 3.

3. Section 3 of the principal Ordinance is repealed and replaced by the following—

"Appointment of Commissioner and other officers.

3. The Governor may appoint a Commissioner of Labour, a deputy commissioner of labour, assistant commissioners of labour, senior labour officers, labour officers, assistant labour officers, a labour officer (industrial undertakings), an industrial health officer, assistant industrial health officers, a superintendent of factory inspectors, divisional factory inspectors, factory or assistant factory inspectors, senior labour inspectors and labour inspectors and such other officers as he may consider necessary for carrying out the purpose of this Ordinance."

Amendment of section 4.

4. Section 4 of the principal Ordinance is amended in subsection (1) by the deletion of the words "The Commissioner and any assistant labour officer appointed under section 3 and any inspector shall have the following powers—" and the substitution therefor of the following—

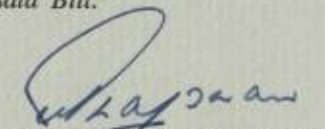
"The Commissioner and any assistant labour or industrial health officer appointed under section 3, any inspector, and any other officer authorized in writing generally or particularly by the Commissioner of Labour shall have the following powers—".

Amendment of section 5.

5. Section 5 of the principal Ordinance is amended in paragraph (d) of subsection (1) by the deletion of the words "assistant labour officers and inspectors" and the substitution therefor of the following—

"all officers appointed under section 3".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 10th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

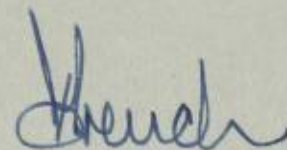
(Secretariat CR16/2961/46III)

HONG KONG

No. 11 OF 1965.



I assent.



Governor.

11th February, 1965.

An Ordinance to amend the Boilers and Pressure Receivers Ordinance 1962.

[12th February, 1965.]

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

1. This Ordinance may be cited as the Boilers and Pressure Receivers (Amendment) Ordinance 1965. Short title.

2. Section 2 of the Boilers and Pressure Receivers Ordinance 1962 (hereinafter referred to as the principal Ordinance) is amended, in subsection (1), by the deletion of— Amendment of section 2. (38 of 1962).

(a) the definition "labour inspector" and the substitution therefor of the following—

"“factory inspector” means any person appointed under section 3 of the Factories and Industrial Undertakings Ordinance 1955 as superintendent of factory inspectors, divisional factory inspector, factory or assistant factory inspector;"; and

(b) the definition "labour officer" and the substitution therefor of the following—

" "labour officer" means any person appointed under section 3 of the Factories and Industrial Undertakings Ordinance 1955, as a senior labour officer, a labour officer, an assistant labour officer or a labour officer (industrial undertakings);".

Amendment
of section 55.

3. Section 55 of the principal Ordinance is amended by the deletion from paragraph (j) of subsection (1), and from subsection (2), of the words "labour inspector" and the substitution therefor of the following—

"factory inspector".

Amendment
of section 64.

4. Section 64 of the principal Ordinance is amended, in subsection (2), by the deletion of the words "labour inspector" and the substitution therefor of the following—

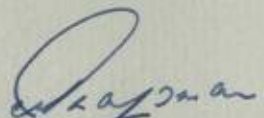
"factory inspector".

Amendment
of section 66.

5. Section 66 of the principal Ordinance is amended, in subsection (2), by the deletion of the words "labour inspector" and the substitution therefor of the following—

"factory inspector".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 10th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.



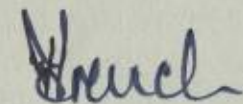
Deputy Clerk of Councils.

(Secretariat CR16/2961/46III)

HONG KONG

No. 12 OF 1965.

I assent.



Governor.

25th February, 1965.

An Ordinance to amend the Dangerous Drugs Ordinance.

[26th February, 1965.]

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

1. This Ordinance may be cited as the Dangerous Drugs (Amendment) Ordinance 1965. Short title.

2. The Dangerous Drugs Ordinance is amended by the addition, after section 17, of the following new section— Addition of
new section
17A.

"Withdrawal
of authority
to possess,
etc. danger-
ous drugs.

17A. (1) Whenever the Director is of the opinion that it is in the public interest so to do, he may, subject to the provisions of this section, by order withdraw any authority granted at any time by or under any regulation to any person to be in possession of or to supply, administer or prescribe any dangerous drug:

(Cap. 134).

Provided that—

- (a) no such order shall have effect until the same is published in the *Gazette*; and
- (b) no such order shall be published in the *Gazette* until the expiration of fourteen days after a copy of the order has been served upon such person together with a statement in writing of the grounds upon which the Director has made the order and an expression of his intention to publish the order.

(2) Withdrawal of any authority pursuant to the provisions of subsection (1) may be effected wholly or in part or may be effected subject to suspension upon condition and may be effected in relation to dangerous drugs generally or to any particular such drug or class of drugs and may be effected without limitation as to time or for a specified period.

(3) Any person who considers that he will be aggrieved by withdrawal of the authority referred to in subsection (1) may, before the expiration of fourteen days after the service upon him of the copy of the order to that effect referred to in that subsection, appeal by way of petition to the Governor in Council.

(4) A petition under subsection (3) shall be lodged at the offices of the Clerk of Councils within the period prescribed in that subsection, and the Clerk of Councils shall thereupon take steps to ensure that the order be not published in the *Gazette* until the determination or abandonment of the appeal.

(5) Upon consideration of any appeal lodged pursuant to the provisions of subsection (4), the Governor in Council may affirm, vary or reverse the order; and the decision of the Governor in Council thereon shall be final.

(6) Where any authority has been withdrawn pursuant to the provisions of this section, the Director may, upon application, at any time restore the authority, or suspend the withdrawal thereof, by publication in the *Gazette* of a further order to that effect, and in the event of the Director refusing the application, the applicant may appeal by way of petition to the Governor in Council and the Governor in Council may deal with the appeal in the manner provided by subsection (5):

Provided that where any authority has been withdrawn without limitation as to time or for any period specified to be in excess of one year no application for the restoration

thereof or for the suspension of the withdrawal, as the case may be, shall be entertained within six months after the withdrawal was effected.”.

3. Regulation 15 of the Dangerous Drugs Regulations, is revoked.

Revocation
of regulation
15 of the
Dangerous
Drugs
Regulations.
(Vol. X,
p. 31).

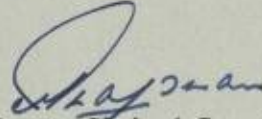
4. Regulation 16 of the Dangerous Drugs Regulations is amended—

Amendment
of regulation
16 of the
Dangerous
Drugs
Regulations.
(Vol. X,
p. 31).

- (a) by the deletion of the words and figures “regulations 14 and 15” and the substitution therefor of the following—
“regulation 14”; and
- (b) by the insertion, after the words “dentist or veterinary surgeon”, of the following—

“or if an order has been published in the *Gazette* pursuant to the provisions of section 17A of the Ordinance withdrawing authority for such medical practitioner, dental surgeon or veterinary surgeon, as the case may be, to prescribe any of the drugs.”.

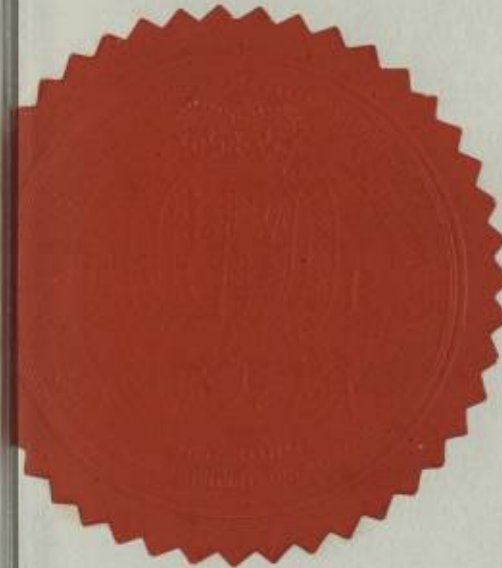
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 25th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

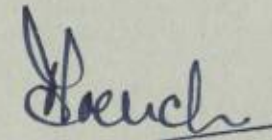
(Secretariat CR5/3281/51)

HONG KONG

No. 13 of 1965.



I assent.


Governor.

25th February, 1965.

An Ordinance to provide for the operations of the Universities Service Centre for the incorporation of the Director thereof and for other purposes connected therewith.

[26th February, 1965.]

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

1. This Ordinance may be cited as the Director of the Universities Service Centre Incorporation Ordinance 1965. Short title.

2. The Director for the time being of the Universities Service Centre (hereinafter referred to as "the Director") shall be a corporation sole (hereinafter referred to as "the Corporation") and shall have the name "the Director of the Universities Service Centre" and in that name shall have perpetual succession, and may sue and be sued in all courts in the Colony and shall have and may use a common seal and may from time to time break, change, alter and make anew the said seal. Incorporation.

Powers.
(23 of 1958).

3. (1) Subject to the provisions of the Charities (Land Acquisition) Ordinance 1958, the Corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and where-soever situate, and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities of any government, municipality, corporation, or company and also to purchase, acquire and possess goods and chattels of what nature and kind soever.

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

Vesting in
succession.

4. The legal estate in any property whatsoever, vested in the Corporation in any manner whatsoever, shall, in the event of death of the Director, or in the event of his ceasing to hold office as such Director pass to his successor in such office subject to compliance with subsection (2) of section 7.

Sealing of
deeds.

5. All deeds and other instruments requiring the seal of the Corporation shall be sealed in the presence of the Director or of his attorney duly authorized, and such deeds and instruments and all other documents, instruments and writings requiring the signature of the Corporation shall be signed by the Director or his attorney.

Power to
make regula-
tions, method
of amendment
and the
certification
and deposit
thereof.

6. (1) The Corporation may, with the approval of the Registrar of Companies, make regulations for its internal management and control.

(2) No addition, alteration or amendment shall be made to or in the regulations for the time being in force unless the same shall have been previously submitted to and approved by the Registrar of Companies.

(3) A copy of the regulations certified as correct by the Director and sealed with the common seal of the Corporation shall be deposited and filed with the Registrar of Companies, and whenever such regulations are altered a copy thereof as altered and certified as aforesaid shall also be forthwith deposited and filed with the said Registrar.

Appointment
of new
Director and
registration
with the
Registrar of
Companies.

7. (1) The appointment of a new Director in the event of death or for any other reason shall be subject to the approval of the Registrar of Companies and be made in accordance with the regulations of the Universities Service Centre.

(2) Within three weeks of the commencement of the Ordinance or within such further period as the Governor may allow and whenever

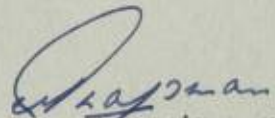
thereafter any person is appointed to the office of Director within the same period or extended period after such appointment, the Director shall furnish to the Registrar of Companies notice of his appointment and evidence thereof to the satisfaction of such Registrar, and shall then and within three weeks of any change of address, furnish to such Registrar particulars of his place of residence or other sufficient address within the Colony.

(3) A notification in the *Gazette* under the hand of the Registrar of Companies that such notice and evidence have been furnished by such person to and accepted by the Registrar of Companies shall be conclusive evidence of such appointment and of the approval of the Registrar of Companies as required by subsection (1).

(4) There shall be payable to the Registrar of Companies a filing fee of five dollars in respect of every document required to be registered or deposited with the Registrar under this Ordinance and a fee of one dollar in respect of each search of the file.

8. Nothing in this Ordinance shall affect or be deemed to affect Saving. the rights of Her Majesty the Queen, Her Heirs or Successors, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 25th day of February, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat SCR29/2041/63)

HONG KONG

No. 14 OF 1965.



I assent.

Hutch.

—Governor.

11th March, 1965.

An Ordinance to repeal the Lepers Ordinance.

[]

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

1. This Ordinance may be cited as the Lepers (Repeal) Ordinance 1965, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*. Short title and commencement.

2. The Lepers Ordinance is repealed. Repeal.
(Cap. 135).

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 11th day of March, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
Deputy Clerk of Councils.

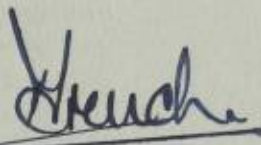
(Secretariat GR3/3231/64)

HONG KONG

No. 15 OF 1965.



I assent.


Governor.

11th March, 1965.

An Ordinance to amend the Employers and Servants Ordinance 1961.

[12th March, 1965.]

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

1. This Ordinance may be cited as the Employers and Servants (Amendment) Ordinance 1965. Short title.

2. Section 3 of the Employers and Servants Ordinance 1961 (hereinafter referred to as the principal Ordinance) is amended— Amendment of section 3. (46 of 1961).

- (a) by being renumbered subsection (1) thereof;
- (b) by the deletion of the word "The" and the substitution thereof of the following—
"Subject to subsections (2) and (3), the"; and
- (c) by the insertion of the following new subsections—

"(2) The provisions of this Ordinance shall not apply to any contract of apprenticeship made on or after the 1st

day of April, 1965, if, within one month after it has been made, the contract is attested by the Commissioner of Labour or by any person authorized by him for such purpose.

(3) For the avoidance of doubt, it is hereby declared that the provisions of subsection (2A) of section 4 shall not apply to any contract made before the 1st day of April, 1965."

Amendment
of section 4.

3. Section 4 of the principal Ordinance is amended—

(a) by the insertion, after subsection (2), of the following new subsection—

"(2A) Notwithstanding any other provision of this section, a contract of service for a period of six months or more than six months or for a number of working days equivalent to six months or more than six months, other than an agreement between a seaman and the master of a ship, shall be deemed to be a contract for one month renewable from month to month."; and

(b) in subsection (3), by the insertion, after the word, brackets and figure "subsection (2)", of the following—

"or (2A)".

Addition of
new sec-
tion 7A.

4. The principal Ordinance is amended by the addition, after section 7, of the following new section—

"Prohibition
in respect of
obtaining
and supply-
ing labour.

7A. (1) No person shall undertake any operation with the object of obtaining or supplying the labour of persons who do not spontaneously offer their services either to an employer direct or to an employment office registered with the Commissioner of Labour.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and liable on summary conviction to a fine of five thousand dollars and six months imprisonment.

(3) Nothing in this section shall be construed to prohibit the advertisement, in the press or by means of posters, notices, letters or word of mouth, of vacancies for employment."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 11th day of March, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

Deputy Clerk of Councils.

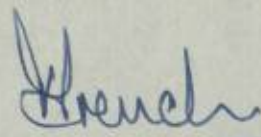
(Secretariat GR6/3231/50)

HONG KONG

No. 16 OF 1965.



I assent.


Governor.

26th March, 1965.

An Ordinance to apply a sum not exceeding one thousand seven hundred and eleven million, four hundred and eight thousand and forty dollars to the Public Service of the financial year ending the 31st day of March, 1966.

[1st April, 1965.]

WHEREAS the expenditure required for the service of this Colony Preamble. for the financial year ending on the 31st day of March, 1966, has been estimated at the sum of one thousand seven hundred and eleven million, four hundred and eight thousand and forty dollars:

NOW, THEREFORE, BE IT ENACTED by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Appropriation (1965-66) Short title. Ordinance 1965.

Appropriation from the general revenues and other funds.

Schedule.

2. A sum not exceeding one thousand seven hundred and eleven million, four hundred and eight thousand and forty dollars shall be and the same is hereby charged upon the revenue and other funds of the Colony for the service of the financial year commencing on the 1st day of April, 1965, and ending on the 31st day of March, 1966, and the said sum so charged may be expended in the manner expressed in the Schedule.

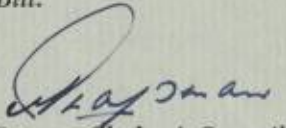
SCHEDULE.

[s. 2.]

Number of vote.	Head of Expenditure.	Amount of vote.
		\$
21.	His Excellency the Governor's Establishment	673,500
22.	Agriculture and Fisheries Department	11,799,100
23.	Audit Department	1,432,800
24.	Civil Aviation Department	6,938,800
25.	Colonial Secretariat and Legislature	10,058,200
26.	Commerce and Industry Department	15,757,400
27.	Defence: Hong Kong Regiment (The Volunteers)	2,152,700
28.	Defence: Hong Kong Royal Naval Reserve	1,232,000
29.	Defence: Hong Kong Auxiliary Air Force	572,000
30.	Defence: Essential Services Corps and Directorate of Manpower	192,200
31.	Defence: Auxiliary Fire Service	493,400
32.	Defence: Auxiliary Medical Service	1,560,500
33.	Defence: Civil Aid Services	2,105,800
34.	Defence: Registration of Persons Office	1,749,800
35.	Defence: Miscellaneous Measures	49,393,500
36.	Education Department	76,609,200
37.	Fire Services Department	21,998,000
38.	Immigration Department	4,533,000
39.	Information Services Department	3,438,600
40.	Inland Revenue Department	6,762,200
41.	Judiciary	8,083,300
42.	Kowloon-Canton Railway	8,226,000
43.	Labour Department: Labour Division	3,146,500
44.	Labour Department: Mines Division	324,600
45.	Legal Department	2,475,900
46.	Marine Department	25,178,500
47.	Medical and Health Department	106,044,500
48.	Miscellaneous Services	42,103,700
49.	New Territories Administration	11,001,000
50.	Pensions	29,982,000
51.	Police Force: Hong Kong Police	102,443,200
52.	Police Force: Auxiliary Police	1,502,000
53.	Post Office	43,749,800
54.	Printing Department	6,662,400

Number of vote.	Head of Expenditure.	Amount of vote.
		\$
55.	Prisons Department	15,544,300
56.	Public Debt	5,888,940
57.	Public Enquiry Service	348,100
58.	Public Services Commission	53,500
59.	Public Works Department	75,357,500
60.	Public Works Recurrent	76,570,100
61.	Public Works Non-recurrent: Headquarters	39,445,900
62.	Public Works Non-recurrent: Buildings	247,311,300
63.	Public Works Non-recurrent: Civil Engineering	114,094,200
64.	Public Works Non-recurrent: Waterworks	161,678,800
65.	Radio Hong Kong	3,288,500
66.	Rating and Valuation Department	2,169,800
67.	Registrar General's Department	4,269,900
68.	Registry of Trade Unions	293,800
69.	Resettlement Department	27,285,900
70.	Royal Observatory	3,857,400
71.	Secretariat for Chinese Affairs	2,128,900
72.	Social Welfare Department	10,720,800
73.	Stores Department	25,428,900
74.	Subventions: Education	151,832,900
75.	Subventions: Medical	41,534,200
76.	Subventions: Social Welfare	6,135,500
77.	Subventions: Miscellaneous	12,442,500
78.	Treasury	3,896,900
79.	Urban Services Department and Urban Council	51,055,800
80.	Urban Services Department: City Hall	2,838,500
81.	Urban Services Department: Housing Division	6,739,200
82.	Urban Services Department: New Territories Division	6,233,400
83.	Colonial Development and Welfare Schemes	182,700
84.	World Refugee Year Schemes	2,403,800
	TOTAL	1,711,408,040

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of March, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

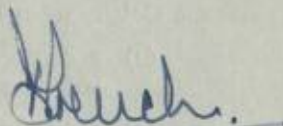
(Secretariat FR4/2291/63)

HONG KONG

No. 17 OF 1965.



I assent.


Governor.

26th March, 1965.

An Ordinance further to amend the Merchant Shipping Ordinance 1953.

[]

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

1. This Ordinance may be cited as the Merchant Shipping (Amendment) Ordinance 1965, and, subject to the provisions of section 68, shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*.

Short title
and com-
mencement.

2. Section 2 of the Merchant Shipping Ordinance 1953 (hereinafter referred to as the principal Ordinance) is amended—

Amendment
of section 2.
(14 of 1953).

(a) in the definition "Merchant Shipping Acts", by the deletion of the figures "1952" and the substitution therefor of the following—

"1960";

(b) in the definition "Minister", by the deletion of the words "and Civil Aviation" wherever they appear; and

- (c) by the deletion of the definition "river steamer" and the substitution therefor of the following—

"river trade limits" means—

- (a) the waters in the vicinity of the Colony within the following boundaries—
- (i) to the East, meridian 114° 30' East;
 - (ii) to the South, parallel 22° 09' North;
 - (iii) to the West, meridian 113° 31' East; and
- (b) all inland waterways in the provinces of Kwangtung and Kwangsi on the mainland of China to which access can be obtained by water from the area defined in paragraph (a);".

Amendment
of section 3.

3. Section 3 of the principal Ordinance is amended by the deletion of subsection (1) and the substitution therefor of the following—

"(1) Every ship trading outwards from the Colony or trading or being used for any other commercial purpose in the waters of the Colony must be provided with—

- (a) a certificate of registry in conformity with the Merchant Shipping Acts; or
- (b) a certificate of foreign registry or other document similar or equivalent to that required in the case of a British ship:

Provided that in the case of any such ship which is not required to be provided with a certificate referred to in paragraph (a) or which is not provided with a certificate referred to in paragraph (b) it shall be sufficient if such ship is provided with a licence granted in accordance with regulations made under section 94 or 102."

Amendment
of section 5.

4. Section 5 of the principal Ordinance is amended—

- (a) in subsection (1)—
- (i) by the deletion of the words and comma "Every British ship," and the substitution therefor of the following—
"Subject to the provisions of subsection (2), every British ship";
 - (ii) by the deletion of the colon at the end of paragraph (e) and the substitution therefor of a full stop; and
 - (iii) by the deletion of both of the provisos;
- (b) in subsection (2), by the deletion of the words "Every British river steamer not exceeding sixty tons and every ferry vessel

as defined in Part XIII shall comply with the prescribed regulations, and" and the substitution therefor of the following—

"Every ship, whether British or foreign, to which Part XIII or XIV applies shall comply with the prescribed regulations, and, except as otherwise provided by such regulations,";

- (c) in subsection (4)—

(i) by the deletion of the word "applies" and the substitution therefor of the following—

"refers"; and

(ii) by the deletion of the words "one thousand dollars" and the substitution therefor of the following—

"four thousand dollars";

- (d) in subsection (5), by the deletion of the words "two thousand five hundred dollars" and the substitution therefor of the following—

"ten thousand dollars"; and

- (e) in subsection (6), by the deletion of the words "five hundred dollars" and the substitution therefor of the following—

"two thousand dollars".

5. Section 7 of the principal Ordinance is amended by the deletion of the words "five thousand dollars or" and the substitution therefor of the following—

"twenty thousand dollars and".

Amendment
of section 7.

6. Section 10 of the principal Ordinance is amended, in subsection (2), by the deletion of the words "five hundred dollars" and the substitution therefor of the following—

"two thousand dollars".

Amendment
of section 10.

7. Section 12 of the principal Ordinance is amended—

- (a) in subsection (1), by the deletion of the words "two hundred dollars" and the substitution therefor of the following—

"one thousand dollars";

- (b) in subsection (2), by the deletion of the words "two hundred dollars or" and the substitution therefor of the following—

"one thousand dollars and"; and

- (c) in subsection (5), by the deletion of the words "five hundred dollars or" and the substitution therefor of the following—

"two thousand dollars and".

Amendment
of section 12.

Amendment
of section 15.

- 8.** Section 15 of the principal Ordinance is amended—
- (a) in subsection (2), by the deletion of the words “two hundred dollars” and the substitution therefor of the following—
“one thousand dollars”;
- (b) in subsection (4), by the deletion of the words “five hundred dollars or” and the substitution therefor of the following—
“two thousand dollars and”; and
- (c) in subsection (5), by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”.

Amendment
of section 17.

- 9.** Section 17 of the principal Ordinance is amended, in subsection (2), by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”.

Amendment
of section 18.

- 10.** Section 18 of the principal Ordinance is amended by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”.

Amendment
of section 20.

- 11.** Section 20 of the principal Ordinance is amended by the deletion of the words “one hundred dollars” and the substitution therefor of the following—
“one thousand dollars”.

Amendment
of section 21.

- 12.** Section 21 of the principal Ordinance is amended—
- (a) in paragraph (a) of subsection (2), by the deletion of the words “two thousand dollars” and the substitution therefor of the following—
“five thousand dollars”; and
- (b) in paragraph (b) of subsection (2), by the deletion of the words “two thousand dollars” and the substitution therefor of the following—
“five thousand dollars”.

Repeal and
replacement
of section 22.

- 13.** Section 22 of the principal Ordinance is repealed and replaced by the following—

“Inter-
pretation
in this Part.

22. In this Part, “passenger ship” means—

- (a) any ship exceeding three hundred tons which carries passengers exclusively within the waters of the Colony except such as plies solely as a ferry

vessel between two or more points within the Colony; and

- (b) any ship of any tonnage which carries passengers to or from any place within the Colony to or from any place outside the Colony.”.

14. Section 25 of the principal Ordinance is amended, in subsection (2), by the deletion of the words “one hundred dollars” and the substitution therefor of the following—

“five hundred dollars”.

15. Section 27 of the principal Ordinance is amended—

Amendment
of section 27.

(a) in subsection (1)—

(i) by the deletion of the words “being within the waters of the Colony”; and

(ii) by the insertion after the word “surveyors” of the following—

“or by one or more Board of Trade surveyors appointed under the Merchant Shipping Acts”; and

- (b) in subsection (5), by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”.

16. Section 30 of the principal Ordinance is amended, in subsection (2), by the deletion of the words “two hundred dollars” and the substitution therefor of the following—

“one thousand dollars”.

17. Section 32 of the principal Ordinance is amended—

Amendment
of section 32.

(a) in subsection (1), by the deletion of the words “one hundred dollars” and the substitution therefor of the following—

“five hundred dollars”; and

- (b) in subsection (2), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”.

18. Section 33 of the principal Ordinance is amended, in subsection (1)—

Amendment
of section 33.

(a) by the deletion of the words “five hundred dollars” and the substitution therefor of the following—

“two thousand dollars”; and

- (b) by the deletion of the words "one hundred dollars" in both places where they appear and the substitution therefor in each case of the following—

"five hundred dollars".

Amendment
of section 34.

19. Section 34 of the principal Ordinance is amended, in subsection (2), by the deletion of the words "one thousand dollars" and the substitution therefor of the following—

"four thousand dollars".

Amendment
of section 35.

20. Section 35 of the principal Ordinance is amended—

- (a) in subsection (2)—

(i) by the deletion of the words "one thousand dollars" and the substitution therefor of the following—

"four thousand dollars"; and

(ii) by the deletion of the words "five hundred dollars" and the substitution therefor of the following—

"two thousand dollars"; and

- (b) in subsection (4), by the deletion of the words "one thousand dollars" and the substitution therefor of the following—

"four thousand dollars".

Amendment
of section 36.

21. Section 36 of the principal Ordinance is amended—

- (a) in subsection (1), by the deletion of the words "two thousand five hundred dollars" and the substitution therefor of the following—

"ten thousand dollars"; and

- (b) in subsection (2), by the deletion of the words "five hundred dollars, in addition to a fine of twenty-five dollars" and the substitution therefor of the following—

"two thousand dollars, in addition to a fine of one hundred dollars".

Amendment
of section 37.

22. Section 37 of the principal Ordinance is amended, in subsection (4), by the deletion of the words "the limits within which river steamers ply" and the substitution therefor of the following—

"river trade limits".

Amendment
of section 38.

23. Section 38 of the principal Ordinance is amended—

- (a) by the deletion of the words "two thousand dollars" and the substitution therefor of the following—

"eight thousand dollars"; and

- (b) by the deletion of the words "one thousand dollars" and the substitution therefor of the following—

"four thousand dollars".

24. Section 40 of the principal Ordinance is amended—

Amendment
of section 40.

- (a) in subsection (1)—

(i) by the deletion of the words "appliances and equipment required by the rules for life-saving appliances to be carried" and the substitution therefor of the following—

"appliances and equipment required to be carried by virtue of any rules made by the Minister under section 427 of the principal Act or any regulations made by the Governor in Council under section 37 of this Ordinance relating to the carriage of life-saving appliances"; and

(ii) in paragraph (c), by the insertion after the word "rules" of the following—

"or regulations"; and

- (b) in subsection (3), by the deletion of the words "two hundred dollars" and the substitution therefor of the following—

"one thousand dollars".

25. Section 50 of the principal Ordinance is amended by the deletion of subsection (3) and the substitution therefor of the following—

Amendment
of section 50.

"(3) The assessors appointed to such court shall be remunerated at a rate which shall take account of the amount of work and time occupied by them upon the business of the court and such remuneration shall be determined by the Governor either generally from time to time or specifically in any particular case:

Provided that nothing in this subsection shall be construed to authorize the payment of remuneration to any person employed full time in any office of emolument under the Crown."

26. Section 52 of the principal Ordinance is amended—

Amendment
of section 52.

- (a) in subsection (3), by the deletion of the words "five hundred dollars" and the substitution therefor of the following—

"one thousand dollars"; and

- (b) in subsection (4), by the deletion of the word "Minister" in both places in which it appears and the substitution therefor in each case of the following—

"Governor".

Amendment of section 54. **27.** Section 54 of the principal Ordinance is amended by the deletion of subsection (2).

Amendment of section 56. **28.** Section 56 of the principal Ordinance is amended by the deletion of the words "five hundred dollars" and the substitution therefor of the following—
"one thousand dollars".

Amendment of section 60. **29.** Section 60 of the principal Ordinance is amended by the deletion of the words "shall be guilty of an offence" and the substitution therefor of the following—
"shall be liable to a fine of one thousand dollars".

Amendment of section 61. **30.** Section 61 of the principal Ordinance is amended—
(a) in subsection (1), by the deletion of the words "two hundred dollars" and the substitution therefor of the following—
"one thousand dollars"; and
(b) in subsection (2), by the deletion of the words "fifty dollars" and the substitution therefor of the following—
"two hundred dollars".

Amendment of section 62. **31.** Section 62 of the principal Ordinance is amended by the deletion of the words "five hundred dollars" and the substitution therefor of the following—
"two thousand dollars".

Amendment of section 63. **32.** Section 63 of the principal Ordinance is amended—
(a) by being renumbered as subsection (1) thereof;
(b) by the deletion of the words "five hundred dollars" and the substitution therefor of the following—
"two thousand dollars"; and
(c) by the insertion of the following new subsection—
"(2) In the event of any master failing to comply with any direction issued by the Director pursuant to the provisions of subsection (1), or where the master is absent or cannot be found and no other responsible officer of the ship in question capable of giving effect to such direction is available and willing to give effect thereto, the Director may himself cause effect to be given to such direction and may recover from the owner, agent or charterer of the ship any expenses properly incurred thereby."

33. Section 64 of the principal Ordinance is amended, in subsection (2), by the deletion of the words "two thousand five hundred dollars" and the substitution therefor of the following—
"ten thousand dollars".

34. Section 65 of the principal Ordinance is amended by the deletion of the words "one hundred dollars" and the substitution therefor of the following—
"one thousand dollars".

35. Section 66 of the principal Ordinance is amended—
(a) in subsection (1), by the deletion of the words "two hundred dollars" and the substitution therefor of the following—
"one thousand dollars"; and
(b) in subsection (2), by the deletion of the words "two hundred dollars" and the substitution therefor of the following—
"one thousand dollars".

36. Section 67 of the principal Ordinance is amended—
(a) by being renumbered as subsection (1) thereof; and
(b) by the insertion of the following new subsection—
"(2) Regulations made under this section may include provisions for controlling the use of and preventing obstruction and nuisances upon any public praya, seawall or waterfrontage."

37. Section 68 of the principal Ordinance is amended—
(a) in subsection (1), by the deletion of the words "one thousand dollars" and the substitution therefor of the following—
"four thousand dollars";
(b) in subsection (5)—
(i) by the deletion of the words "five hundred dollars or" and the substitution therefor of the following—
"two thousand dollars and"; and
(ii) by the deletion of the words "two hundred and fifty dollars" and the substitution therefor of the following—
"one thousand dollars";

- (c) in subsection (6)—
- (i) by the deletion of the words “gun, firearm or firework” and the substitution therefor of the following—
“gun or firearm”; and
- (ii) by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”; and
- (d) by the deletion of subsection (7) and the substitution therefor of the following—
“(7) Any person who by any unlawful act, or in any manner whatsoever without reasonable excuse, endangers or causes to be endangered the safety of any person conveyed in or being in or upon any vessel or in the sea shall be liable to a fine of four thousand dollars and imprisonment for six months.”.

Amendment
of section 71.

- 38.** Section 71 of the principal Ordinance is amended—
- (a) in paragraph (a) of subsection (2), by the deletion of the words “three thousand dollars” and the substitution therefor of the following—
“twelve thousand dollars”; and
- (b) in paragraph (b) of subsection (2), by the deletion of the words “three thousand dollars” and the substitution therefor of the following—
“twelve thousand dollars”.

Amendment
of section 73.

- 39.** Section 73 of the principal Ordinance is amended, in subsection (4), by the deletion of the words “fifty dollars” and the substitution therefor of the following—
“three hundred dollars”.

Amendment
of section 75.

- 40.** Section 75 of the principal Ordinance is amended—
- (a) in subsection (1), by the deletion of the word “sub-inspector” and the substitution therefor of the following—
“inspector”; and
- (b) in subsection (3), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”.

- 41.** Section 78 of the principal Ordinance is amended—
- (a) by the deletion of subsection (1) and the substitution therefor of the following—
“(1) The Governor in Council may by regulations provide for the payment of dues by vessels entering the waters of the Colony.”;
- (b) in subsection (4), by the deletion of the words and brackets “the person appointed to collect the same (hereafter in this section referred to as the collector)” and the substitution therefor of the following—
“the Director”;
- (c) in subsections (5) and (6), by the deletion of the word “collector” wherever it occurs and the substitution therefor of the following—
“Director”; and
- (d) in subsection (7), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”.

Amendment
of section 78.

- 42.** Section 79 of the principal Ordinance is amended, in subsection (1), by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”.

Amendment
of section 79.

- 43.** Section 80 of the principal Ordinance is amended, in subsection (1), by the deletion of the words “five hundred dollars or” and the substitution therefor of the following—
“two thousand dollars and”.

Amendment
of section 80.

- 44.** The principal Ordinance is amended by the addition in Part XI, before section 81, of the following new section—

Addition of
new section
80A.

“Interpre-
tation.

- 80A.** In this Part, unless the context otherwise requires—
“dangerous goods anchorage” means such anchorage as is specified in regulations made under the Dangerous Goods Ordinance 1956, as appropriate to the use of ships conveying dangerous goods.”.

(38 of 1956).

- 45.** Section 82 of the principal Ordinance is repealed.

Repeal of
section 82.

Amendment
of section 85.

46. Section 85 of the principal Ordinance is amended—
- (a) by the deletion of the words, figures and symbols “subsection (1) or (2) of section 82.”; and
- (b) by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”.

Amendment
of section 87.

47. Section 87 of the principal Ordinance is amended—
- (a) in subsection (1)—
- (i) by the deletion of the words “five thousand dollars” and the substitution therefor of the following—
“twenty thousand dollars”; and
- (ii) by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”; and
- (b) in subsection (2), by the deletion of the words “five thousand dollars” and the substitution therefor of the following—
“twenty thousand dollars”.

Amendment
of section 90.

48. Section 90 of the principal Ordinance is amended—
- (a) in subsection (1), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”; and
- (b) in subsection (2), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”.

Amendment
of section 93.

49. Section 93 of the principal Ordinance is amended by the deletion of subsection (1) and the substitution therefor of the following—
- “(1) This Part applies to ferry vessels and launches, which expressions in this Part shall be interpreted as follows—
- “ferry vessel” means any steam or motor vessel which plies regularly for the conveyance of persons and things between two or more points within the Colony;
- “launch” means any mechanically propelled vessel of European type not exceeding three hundred tons which does not carry passengers beyond the waters of the Colony.”.

Amendment
of section 94.

50. Section 94 of the principal Ordinance is amended, in subsection (1), by the insertion, after paragraph (c), of the following—
- “(d) examination for and issue of local certificates of competency in relation to masters and engineers.”.

Amendment
of section 95.

51. Section 95 of the principal Ordinance is amended—
- (a) in subsection (1), by the deletion of the words “five hundred dollars, and also to an additional fine of one hundred dollars” and the substitution therefor of the following—
“two thousand dollars, and also to an additional fine of four hundred dollars”;
- (b) in subsection (2), by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”;
- (c) in subsection (3), by the deletion of the words “five hundred dollars” and the substitution therefor of the following—
“two thousand dollars”;
- (d) in subsection (4), by the deletion of the words “two thousand dollars” and the substitution therefor of the following—
“eight thousand dollars”; and
- (e) in subsection (5), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
“four thousand dollars”.

52. Section 96 of the principal Ordinance is amended by the deletion of the words “five hundred dollars” and the substitution therefor of the following—

“two thousand dollars”.

53. Section 97 of the principal Ordinance is amended, in subsection (5), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—

“four thousand dollars”.

54. Section 98 of the principal Ordinance is amended by the deletion of the words “one thousand dollars” and the substitution therefor of the following—

“four thousand dollars”.

55. Section 100 of the principal Ordinance is repealed.

Repeal of
section 100.

56. Section 101 of the principal Ordinance is amended by the deletion of subsection (1) and the substitution therefor of the following—

Amendment
of section 101.“Application
and inter-
pretation.

101. (1) This Part applies to all junks, hulks, lighters, crane barges, diving barges, dredgers and other craft of like nature, whether mechanically propelled or not, and in respect of which no other provision is made under this Ordinance.”.

Amendment
of sec-
tion 102.**57.** Section 102 of the principal Ordinance is amended—

- (a) by the substitution of a semi-colon for the comma at the end of paragraph (h); and
- (b) by the insertion, after paragraph (h), of the following new paragraph—
- “(i) examination for and issue of local certificates of competency in relation to masters and engineers.”.

Addition of
new section
102A.**58.** The principal Ordinance is amended by the addition, after section 102, of the following new section—

“Inspection.

102A. The Director or a Government surveyor, or any person so authorized by either of them, may go on board any vessel to which the provisions of this Part apply at any time for the purpose of inspecting the same, and any person who obstructs any such inspection shall be liable to a fine of two thousand dollars.”.

Amendment
of sec-
tion 104.**59.** Section 104 of the principal Ordinance is amended—

- (a) in subsection (1), by the deletion of the words “five hundred dollars and an additional fine of fifty dollars” and the substitution therefor of the following—
- “two thousand dollars and an additional fine of two hundred dollars”; and
- (b) in subsection (2), by the deletion of the words “one thousand dollars and an additional fine of fifty dollars” and the substitution therefor of the following—
- “four thousand dollars and an additional fine of four hundred dollars”.

Amendment
of sec-
tion 106.**60.** Section 106 of the principal Ordinance is amended—

- (a) in subsection (1), by the deletion of the words “five thousand dollars” and the substitution therefor of the following—
- “twenty thousand dollars”; and
- (b) in subsection (2)—
- (i) by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
- “four thousand dollars”; and
- (ii) by the deletion of the words “one hundred dollars” and the substitution therefor of the following—
- “four hundred dollars”.

61. Section 111 of the principal Ordinance is amended—

- (a) in paragraph (c) of subsection (1), by the deletion of the words “under the Ordinance or regulations made under the Ordinance” and the substitution therefor of the following—
- “under this Ordinance or under the Asiatic Emigration Ordinance 1915”; and
- (b) in subsection (2), by the deletion of the words “one thousand dollars” and the substitution therefor of the following—
- “four thousand dollars”.

Amendment
of sec-
tion 111.**62.** Section 112 of the principal Ordinance is amended, in subsection (3), by the deletion of the words “the collector appointed by the Governor” and the substitution therefor of the following—

“the Director”.

Amendment
of sec-
tion 112.**63.** Section 115 of the principal Ordinance is amended, in subsection (2), by the insertion, after “XIII.”, of the following—

“XIV.”.

Amendment
of sec-
tion 115.**64.** Section 116 of the principal Ordinance is amended by the deletion of the words “Without prejudice to the general application of subsection (2) of section 7 of the Interpretation Ordinance, the” and the substitution therefor of the following—

“The”.

Amendment
of sec-
tion 116.**65.** Section 117 of the principal Ordinance is amended—

- (a) in subsection (2), by the deletion of the words “specified in the Third Schedule” and the substitution therefor of the following—

“made under the provisions of this Ordinance”; and

- (b) by the deletion of subsection (3).

Amendment
of sec-
tion 117.**66.** The Third Schedule to the principal Ordinance is deleted.Deletion of
Third
Schedule.**67.** The enactments specified in the first column of the Schedule are amended respectively in the manner specified in the second column thereof.Consequential
amendment
of other
enactment.
Schedule.**68.** This Ordinance shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in the Colony by notification in the *Gazette*.Suspension
clause.

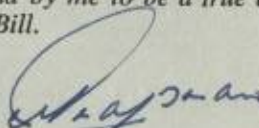
SCHEDULE.

[s. 67.]

CONSEQUENTIAL AMENDMENTS.

<i>Enactment.</i>	<i>Amendments.</i>
(Cap. 12). Fire Investigation Ordinance.	In section 9, delete the words "sixty tons" and substitute therefor "three hundred tons".
(Cap. 80). Merchant Shipping (Aliens Employment) Ordinance.	In subsection (2) of section 2, delete the words "sixty tons" and substitute therefor "three hundred tons".
(Cap. 81). Pilots Ordinance.	In section 2, in the definition "ship", delete the words "sixty tons" and substitute therefor "three hundred tons".
(Cap. 83). Stowaways Ordinance.	Delete section 9.
(Cap. 84). Sunday Cargo Working Ordinance.	In section 2, in the definition "ship", delete the words "sixty tons" and substitute therefor "three hundred tons".
(Cap. 85). Tallyclerks (Licensing) Ordinance.	In section 2, in the definition "ship", delete the words "sixty registered tons" and substitute therefor "three hundred registered tons".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of March, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


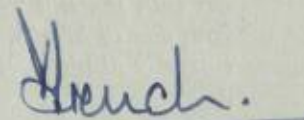

Deputy Clerk of Councils.

(Secretariat GR17/3231/53II)

HONG KONG

No. 18 OF 1965.

I assent.



Governor.

26th March, 1965.

An Ordinance to amend the Hawker Control Force Ordinance 1960.

[27th March, 1965.]

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

1. This Ordinance may be cited as the Hawker Control Force Short title. (Amendment) Ordinance 1965.

2. Section 2 of the Hawker Control Force Ordinance 1960 (herein- Amendment of section 2. after referred to as the principal Ordinance) is amended by the deletion (31 of 1960). of the definition "regular gazetted police officer".

3. Section 6 of the principal Ordinance is amended— Amendment of section 6.

(a) by the insertion, after the words "who shall be", of the following—

"such person as the Governor may, from time to time, appoint or";

(b) by the deletion of the words "regular gazetted".

Repeal and
replacement
of section 8.

4. Section 8 of the principal Ordinance is repealed and replaced by the following—

"Oath of
office.

8. Every person appointed to the force, other than a police officer seconded to the force, shall, on first appointment and before entering on the duties of his office, make before a magistrate or a justice of the peace an oath or declaration in the form prescribed in the Second Schedule."

Second
Schedule.

Amendment
of section 11.

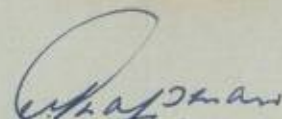
5. Section 11 of the principal Ordinance is amended by the deletion of the commas and words " , other than a non-commissioned officer who is appointed on secondment from the Police Force."

Amendment
of section 34.

6. Section 34 of the principal Ordinance is amended by the deletion of the words "those inspectors of the Force and any non-commissioned officers who" and the substitution therefor of the following—

"the inspectors of the Force where such officers".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of March, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

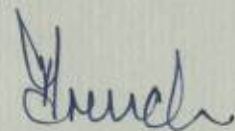

Deputy Clerk of Councils.

(Secretariat GR17/3231/60)

HONG KONG

No. 19 OF 1965.

I assent.


Governor.
14th April, 1965.

An Ordinance to amend the Streets (Alteration) Ordinance.

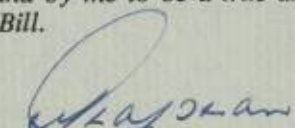
[15th April, 1965.]

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

1. This Ordinance may be cited as the Streets (Alteration) (Amendment) Ordinance 1965. Short title.

2. Section 3 of the Streets (Alteration) Ordinance is amended by the deletion of the words "in Council". Amendment
of section 3.
(Cap. 130).

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of April, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat BL12/3220/61)

HONG KONG

No. 20 OF 1965.



I assent.

Governor.

14th April, 1965.

An Ordinance further to amend the Widows and Orphans Pension Ordinance.

[15th April, 1965.]

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

1. This Ordinance may be cited as the Widows and Orphans Pension (Amendment) Ordinance 1965. Short title.

2. Section 7 of the Widows and Orphans Pension Ordinance (hereinafter referred to as the principal Ordinance) is amended— Amendment of section 7. (Cap. 94).

(a) by the deletion, in subsection (1), of the words “of whom the Financial Secretary shall be one” and the substitution therefor of the following—

“of whom one shall be nominated as chairman by the Governor”;

(b) by the deletion, in subsection (4), of the words “Financial Secretary” and the substitution therefor of the following—

“chairman”; and

- (c) by the deletion, in subsection (4), of the words "the chairman shall have a casting vote" and the substitution therefor of the following—

"the chairman or in his absence the officer presiding shall have a casting vote".

Amendment
of section 10.

3. Section 10 of the principal Ordinance is amended by the insertion, after subsection (5), of the following new subsection—

"(6) (a) Any officer (being an officer who is on the date of commencement of the Widows and Orphans Pension (Amendment) Ordinance 1965 liable to contribute under this Ordinance notwithstanding that he has left the public service) who—

(i) left the public service before the 24th day of May, 1963; and

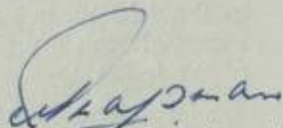
(ii) did not have any children pensionable under this Ordinance at the time when he left the public service; and

(iii) became a widower after he left the public service but before the 24th day of May, 1963,

may, by notice in writing received by the Accountant General at any time within six months after the commencement of the Widows and Orphans Pension (Amendment) Ordinance 1965, elect to discontinue being a contributor whereupon he shall not be required to make any further contribution and shall cease to have any rights under this Ordinance save that he shall receive back the amount of the contributions paid by him since the date on which he became a widower with compound interest thereon, and for the purposes of this paragraph the provisions of subsection (5) and (6) of section 10A shall apply *mutatis mutandis*.

(b) An election made under paragraph (a) of this subsection shall be irrevocable."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of April, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


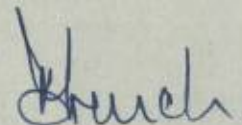

Deputy Clerk of Councils.

(Secretariat PR4388/48III)

HONG KONG

No. 21 OF 1965.

I assent.

Governor.

14th April, 1965.

An Ordinance to amend the Bankruptcy Ordinance.

[15th April, 1965.]

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

1. This Ordinance may be cited as the Bankruptcy (Amendment) Ordinance 1965. Short title.

2. The Bankruptcy Ordinance is amended by the addition, after section 100, of the following new sections—

"Court may make a regulating order.

100A. (1) Where it appears to the court on application being made by the Official Receiver or by any creditor at any time after the presentation of a bankruptcy petition, whether presented before or after the commencement of the Bankruptcy (Amendment) Ordinance 1965, that by reason of the large number of creditors or for any other

Addition of
new sections
100A to
100H.

(Cap. 6).

reason the interest of the creditors so requires, it may, on or after the making of a receiving order, order that the bankruptcy proceedings shall be regulated specially by the court, and such order shall be known as a regulating order.

(2) A regulating order shall be published in such manner as the court may direct, and sections 100B to 100H inclusive shall apply to the bankruptcy proceedings where a regulating order has been made but not otherwise.

(Vol. VII,
p. 361).

(3) Where a regulating order is made the Bankruptcy Rules shall apply *mutatis mutandis* to the Official Receiver, trustee and committee of inspection appointed or acting after the making of a regulating order, and to the conduct of any ballot or other proceedings ordered by the court under section 100B or 100F.

(4) Where any order made under sections 100B to 100G inclusive prescribes any procedure it shall be deemed to be in substitution for the procedure which would be required by this Ordinance but for the making of such order, and in particular where any such order prescribes a procedure for doing something which would otherwise be done at a meeting of creditors no such meeting shall be required to be held.

First meeting
and composi-
tion.

100B. (1) The court may on the application of the Official Receiver by order dispense with the summoning of the first meeting of creditors required under section 17.

(2) The court may order that the wishes of creditors be ascertained for the purpose of accepting or rejecting any composition in such manner as it may direct without the holding of meetings under section 20 or 25, and for such purpose may direct the manner in which any composition be communicated to such creditors.

(3) Without derogating from the generality of subsection (2) the court may direct the holding of a ballot and the use of voting letters.

(4) Notwithstanding anything in section 20 or 25, where a majority in number and three-fourths in value of all the creditors who have proved their debt, or who by virtue of section 100H are deemed for voting purposes to have proved a debt exceeding one hundred dollars, agree to accept a composition, the composition shall be deemed to be duly accepted by the creditors, and when approved by the court shall be binding on all the creditors.

(5) For the purposes of this section and section 100C, "composition" means any proposal for a composition in

satisfaction of the debts of the debtor or for any scheme of arrangement of the affairs of the debtor.

Adjudication.

100C. (1) The court shall on application being made by the Official Receiver adjudge the debtor bankrupt unless—

(a) within one month of the date of the receiving order the debtor submits a proposal under section 20 which—

(i) in the opinion of the Official Receiver appears to be reasonable and calculated to benefit the general body of creditors; and

(ii) is one which the court is not bound to refuse to approve; and

(b) the court approves the composition.

(2) On the adjudication the property of the bankrupt shall become divisible among his creditors and shall vest in a trustee.

(3) The provisions of this section shall be in substitution for subsection (1) of section 22.

Trustee.

100D. (1) The court may on application being made by the Official Receiver by order appoint the Official Receiver or such other person recommended by him trustee of the property of the bankrupt, remove any trustee and fill any vacancy. Upon making any order for the appointment or removal of a trustee or for filling any vacancy the provisions of subsections (1) and (4) of section 23, or subsections (1), (2) and (3) of section 81, or subsection (1) of section 96, as the case may be, shall cease to apply to the bankruptcy and any action taken under such provisions in respect of any appointment or removal of a trustee or filling of any vacancy shall cease to have effect.

(2) The court may by order give such directions to a trustee as it shall think fit. Such directions shall be deemed to be the directions of creditors for the purposes of section 82. Neither a trustee nor the Official Receiver shall be required to summon any meetings of creditors save where the court so orders.

Committee of
inspection.

100E. (1) The court may on application being made by the Official Receiver or trustee by order appoint such qualified persons as it thinks fit as a committee of inspection for the purpose of superintending the administration of the property of the bankrupt by the trustee, remove any member thereof and fill any vacancy therein.

(2) The continuing members of the committee, provided there be not less than two such continuing members, may act notwithstanding any vacancy in their body.

(3) Upon the making of any order for such appointment, removal or filling of a vacancy the provisions of subsection (1), (7), (8) or (9) of section 24, as the case may be, shall cease to apply to the bankruptcy and any action taken under such provisions in respect of any appointment of a committee of inspection, any removal of any member thereof or the filling of any vacancy therein shall cease to have effect.

Informing creditors and ascertaining their wishes.

100F. The court may by order give such directions to the Official Receiver or trustee as it shall think fit for the purpose of keeping creditors informed of any matter relating to the bankruptcy and for ascertaining their wishes, and may require the Official Receiver or trustee to make such reports to the court as it may specify.

Creditors to give notice of intention to take part in public examination.

100G. (1) The court may order that any creditor wishing to exercise his right to question the debtor on his public examination under subsection (4) of section 19 shall give notice in writing of such intention to the Official Receiver, and may direct that no creditor may exercise such right unless notice is received by the Official Receiver within such time as may be specified.

(2) For the purpose of this section the court may direct that notice of the public examination of a debtor shall be published in such manner as it may specify, and notice of such examination or of adjourned hearings thereof shall not be required to be sent to creditors individually.

Proof of debts in the case of banks.

100H. (1) Where the bankrupt was carrying on the business of a bank, any creditor who is a depositor, whether on current, savings, deposit, fixed deposit or other account, shall, unless and until the Official Receiver by notice in writing requires him to make a formal proof of debt, be deemed to have proved his debt—

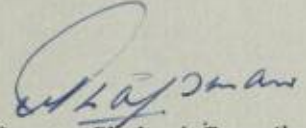
(a) for voting purposes, for the net balance to his credit in the books of the bank on all his accounts taken together, at the date of the receiving order:

Provided that if the said balance does not exceed one hundred dollars he shall not be deemed to have proved his debt for the purposes of subsections (2) and (4) of section 20, subsection (1) of section 25 and subsection (4) of section 100B; and

(b) for dividend purposes, for the said balance plus or minus, as the case may be, the net amount of interest accrued due by or to the bank on the said accounts at the date of the receiving order.

(2) Any debt which is deemed to have been proved by virtue of subsection (1) shall be treated as if a proof thereof had been duly lodged in due time with the Official Receiver or trustee and had been admitted for voting and dividend purposes respectively for the said amounts stated in subsection (1)."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of April, 1965, and is found by me to be a true and correctly printed copy of the said Bill.



Deputy Clerk of Councils.

(Secretariat CR37/65)

HONG KONG

No. 22 OF 1965.

I assent.



French
Governor.

14th April, 1965.

An Ordinance to amend the Companies Ordinance.

[15th April, 1965.]

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

1. This Ordinance may be cited as the Companies (Amendment) Ordinance 1965. Short title.

2. The Companies Ordinance is amended by the addition, after section 212, of the following new sections—

“(iiA) Winding Up by the Court with a Regulating Order.”

Court may
make a
regulating
order.

212A. (1) Where it appears to the court on application being made by the Official Receiver, liquidator or by any creditor at any time after the presentation of a winding up petition, whether presented before or after the commencement of the Companies (Amendment) Ordinance 1965, that by reason of the large number of creditors or contributories or for any other reason the interest of

Addition of
new sections
212A to
212E.
(Cap. 32).

the creditors so requires, it may, on or after the making of a winding up order, order that the winding up of the company by the court shall be regulated specially by the court, and such order shall be known as a regulating order.

(2) Where a regulating order is made it shall be published in such manner as the court may direct, and sections 212B to 212E inclusive shall apply to the winding up.

(Vol. VIII,
p. 44).

(3) Where a regulating order is made the Companies (Winding-up) Rules shall apply *mutatis mutandis* to the Official Receiver, liquidator and committee of inspection appointed or acting after the making of a regulating order, and to the conduct of any ballot or other proceedings ordered by the court under section 212C or 212D.

(4) Where any order made under section 212B, 212C or 212D prescribes any procedure it shall be deemed to be in substitution for the procedure which would be required by this Ordinance but for the making of such order, and in particular where any such order prescribes a procedure for doing something which would otherwise be done at a meeting of creditors or contributories no such meeting shall be required to be held.

Appointment
of liquidator
and com-
mittee of
inspection.

212B. (1) The court may on the application of the Official Receiver by order—

- (a) dispense with the summoning of first meetings of creditors and contributories as required under sections 179 and 191 for the purpose of considering the appointment of a liquidator and a committee of inspection;
- (b) appoint the Official Receiver or such other person or persons recommended by him as liquidator or liquidators; and
- (c) appoint such qualified persons as it thinks fit as a committee of inspection, and may remove any member thereof and fill any vacancy therein.

(2) Where under subsection (1) the court makes any appointment of a liquidator or a committee of inspection, or where it removes any member of such committee of inspection or fills any vacancy therein, it shall not be necessary to ascertain the wishes of the creditors or contributories, and the provisions of paragraph (b) of section 179 or subsections (1) and (2) of section 191 or subsections (6) and (7) of section 192, as the case may be, shall cease

to apply and any action taken under such provisions in respect of any appointment of a liquidator or committee of inspection or any removal therefrom or any filling of any vacancy therein shall cease to have effect.

Informing
creditors
and contri-
butories and
ascertaining
their wishes
and direc-
tions.

212C. The court may vary the procedure for ascertaining the wishes and directions of creditors and contributories, and for keeping such creditors and contributories informed as to any matter relating to the winding up, and for such purposes the court may—

- (a) order that the Official Receiver or liquidator inform the creditors and contributories of such matters in such manner as it may direct;
- (b) for the purposes of sections 185 and 272 order that the wishes of creditors and contributories be ascertained by the Official Receiver or liquidator in such manner as it may direct;
- (c) for the purposes of section 185 order that the wishes of the creditors and contributories ascertained pursuant to paragraph (b) be reported by the Official Receiver or liquidator to the court, which may thereupon give such directions as it sees fit, and that notwithstanding subsection (2) of section 185 the liquidator shall not be required to summon any meetings of creditors or contributories:

Provided that nothing in subsection (4) of section 212A or in this paragraph shall operate to prevent any person making application to the court under subsection (5) of section 185;

- (d) order that instead of the same being sent by post as required under subsection (5) of section 188 the account of the liquidator or a summary thereof be communicated by the Official Receiver to the creditors and contributories in such manner as it may direct.

Compromises
and arrange-
ments with
creditors.

212D. (1) The court may for the purposes of section 151 and notwithstanding subsection (1) thereof order that the wishes of creditors or contributories concerning agreement to or rejection of any compromise or arrangement be ascertained by the liquidator in such manner as it may direct including the conduct of a ballot and the use of voting letters and without holding meetings.

(2) Where a majority in number and three-fourths in value of the creditors, or a class of creditors, as the case may be, who have proved their debt, or who by virtue of section 212E are deemed for voting purposes to have proved a debt exceeding one hundred dollars, agree to any compromise, such agreement shall, for the purposes of section 151, have the same effect as if a meeting of the creditors or class of creditors had been summoned under subsection (1) of section 151 and a majority in number representing three-fourths in value of the creditors or class of creditors, as the case may be, had been present and voted either in person or by proxy at the meeting and agreed to the compromise.

(3) In the event of the court ordering the holding of any meetings it may order that the provisions of this Ordinance relating to the holding of meetings be varied, abrogated or added to for the purpose of such meetings.

(4) In this section the expressions "company" and "arrangement" shall have the meanings assigned to them by subsection (5) of section 151.

Proof of debts.

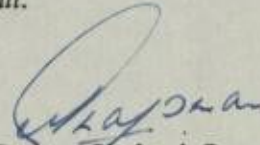
212E. (1) In the case of a bank, any creditor who is a depositor, whether on current, savings, deposit, fixed deposit or other account, shall, unless and until the Official Receiver or liquidator by notice in writing requires him to make a formal proof of debt, be deemed to have proved his debt—

- (a) for voting purposes, for the net balance to his credit in the books of the bank on all his accounts taken together, at the relevant date,
- (b) for dividend purposes, for the said balance plus or minus, as the case may be, the net amount of interest accrued due by or to the bank on the said accounts at the relevant date.

(2) Any debt which is deemed to have been proved by virtue of subsection (1) shall be treated as if a proof thereof had been duly lodged in due time with the Official Receiver or liquidator, and had been admitted for voting and dividend purposes respectively for the said amounts stated in subsection (1).

(3) In subsection (1) the expression "the relevant date" shall have the meaning assigned to it by subsection (6) of section 250."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of April, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

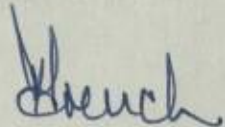
(Secretariat CR37/65)

HONG KONG

No. 23 OF 1965.



I assent.


Governor.

29th April, 1965.

An Ordinance further to amend the Workmen's Compensation Ordinance 1953.

[30th April, 1965.]

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

1. This Ordinance may be cited as the Workmen's Compensation (Amendment) Ordinance 1965. Short title.

2. Section 6 of the Workmen's Compensation Ordinance 1953 (hereinafter referred to as the principal Ordinance) is amended, in paragraph (a), by the deletion of the words "be a sum equal to thirty-six months' earnings or ten thousand dollars" and the substitution therefor of the following— Amendment of section 6. (28 of 1953).

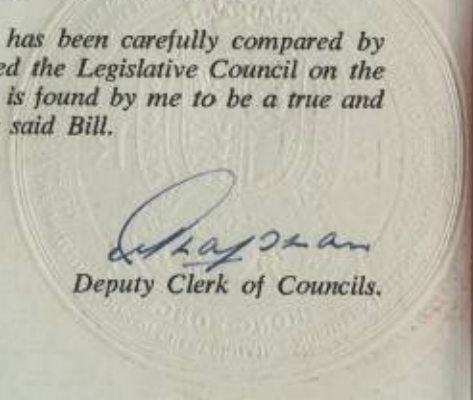
" , where the accident happens before the 1st day of May, 1965, be a sum equal to thirty-six months' earnings or ten thousand dollars, whichever is less, and shall, where the accident happens on or after the 1st day of May, 1965, be a sum equal to thirty-six months' earnings or eighteen thousand dollars."

Amendment
of section 7.

3. Section 7 of the principal Ordinance is amended by the deletion of the words "be a sum equal to forty-eight months' earnings or fourteen thousand dollars" and the substitution therefor of the following—

"; where the accident happens before the 1st day of May, 1965, be a sum equal to forty-eight months' earnings or fourteen thousand dollars, whichever is less, and shall, where the accident happens on or after the 1st day of May, 1965, be a sum equal to forty-eight months' earnings or twenty-four thousand dollars."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 28th day of April, 1965, and is found by me to be a true and correctly printed copy of the said Bill.




Deputy Clerk of Councils.

(Secretariat GR7569/45II)

HONG KONG

No. 24 OF 1965.

I assent.



Governor.

13th May, 1965.

An Ordinance further to amend the Land Registration Ordinance.

[14th May, 1965.]

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

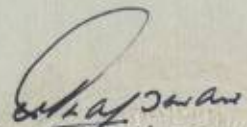
1. This Ordinance may be cited as the Land Registration Short title. (Amendment) Ordinance 1965.
2. Section 7 of the Land Registration Ordinance is amended—
 - (a) by the deletion of the full stop at the end thereof and the substitution therefor of the following—

"; or"; and
 - (b) by the insertion, after paragraph (b), of the following new paragraph—

"(c) where the memorial has been prepared in the Land Office, by the certificate of the Land Officer."

Amendment
of section 7.
(Cap. 128).

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

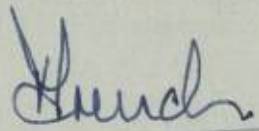
(Secretariat BL8/741/52)



HONG KONG

No. 25 of 1965.

I assent.


Governor.

13th May, 1965.

An Ordinance further to amend the Summary Offences Ordinance.

[14th May, 1965.]

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

1. This Ordinance may be cited as the Summary Offences Short title.
(Amendment) Ordinance 1965.

2. Section 3 of the Summary Offences Ordinance (hereinafter Amendment
referred to as the principal Ordinance) is amended by the deletion of of section 3.
paragraphs (4), (6) and (32). (Cap. 228).

3. The principal Ordinance is amended by the addition, after Addition of
section 3, of the following new section— new section
3A.

3A. Any person who without lawful authority or
excuse—

"Other
nuisances in
public places.

- (1) sets out or leaves, or causes to be set out or left,
any matter or thing which obstructs, incommodes
or endangers, or may obstruct, incommode or
endanger, any person or vehicle in any public
place;

- (2) encroaches on any public place or Crown land by erecting any building, either on or projecting over the same, or constructs any spout which projects water thereon;
- (3) deposits any earth, stones or other materials on Crown land without a permit from the Director of Public Works or from the District Commissioner,

shall be liable to a fine of five thousand dollars or imprisonment for three months.”.

Amendment
of section 30.

4. Section 30 of the principal Ordinance is amended by the deletion of the words, brackets and figures “paragraph (1), (4), (14) or (15) of section 3” and the substitution therefor of the following—

“paragraph (1) or (14) of section 3 or paragraph (1) of section 3A”.

Amendment
of section 36.

5. Section 36 of the principal Ordinance is amended by the insertion, after the word and figure “sections 3” where they occur in paragraphs (a) and (b), of the following—

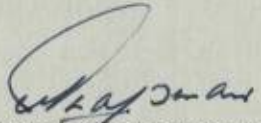
“, 3A”.

Amendment
of section 37.

6. Section 37 of the principal Ordinance is amended by the insertion after the word and figure “section 3” of the following—

“, section 3A”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

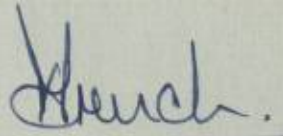
(Secretariat GR37/2961/46)

HONG KONG

No. 26 OF 1965.



I assent.


Governor.

13th May, 1965.

An Ordinance further to amend the Radiation Ordinance 1957.

[]

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

1. This Ordinance may be cited as the Radiation (Amendment) Ordinance 1965, and shall come into operation on the day appointed for the commencement of the Radiation (Amendment) Ordinance 1961.

Short title
and commen-
cement.
(6 of 1961).

2. Section 7 of the Radiation Ordinance 1957 (hereinafter referred to as the principal Ordinance) is amended—

Amendment
of section 7.
(35 of 1957).

(a) in subsection (1)—

(i) by the deletion of the semicolon and word “; or” at the end of paragraph (c) and the substitution of a comma; and

(ii) by the deletion of paragraphs (d) and (e); and

- (b) by the insertion, after subsection (2), of the following new subsection—

“(3) Nothing in this section shall apply to any radioactive substance or irradiating apparatus in transit through the Colony in any ship so long as such substance or apparatus remains in the ship.”.

3. Section 8 of the principal Ordinance is repealed.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
Deputy Clerk of Councils.

(Secretariat CR1/3916/52)

HONG KONG

No. 27 OF 1965.

I assent.

[Signature]
Governor.

27th May, 1965.

An Ordinance to amend the Miscellaneous Licences Ordinance.

[28th May, 1965.]

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

1. This Ordinance may be cited as the Miscellaneous Licences (Amendment) Ordinance 1965. Short title.
2. Section 2 of the Miscellaneous Licences Ordinance (hereinafter referred to as the principal Ordinance) is amended— Amendment of section 2. (Cap. 114).
 - (a) by the deletion of paragraph (iv) of the the definition “dancing school” and the substitution therefor of the following—
 - “(iv) a place used for the purpose of giving instruction in dancing where no charge whatsoever to any person resorting thereto, whether for admittance or instruction, or for food or drink supplied, or otherwise, is made;”;

(b) by the deletion of the definition "table tennis saloon and the substitution therefor of the following—

"public table tennis saloon" means any place opened, kept or used for the purpose of playing table tennis or ping pong, to which the general public are admitted with or without payment for admission;" and

(c) in the definition "timber store" by the insertion, after the words "storage of timber", of the following—

"or bamboo in any quantity in excess of four hundred cubic feet."

Amendment
of section 3.

3. Section 3 of the principal Ordinance is amended by the insertion, after paragraph (c) of subsection (1), of the following new paragraph—

"(cc) the lighting to be used in any place licensed under this Ordinance and in such regulations to provide the general specifications and requirements to be satisfied in respect of such lighting, or to empower any officer specified therein to determine, at the time of the issue or renewal of any licence under this Ordinance, the particular specifications and requirements to be satisfied in respect of such lighting in the place to which the licence relates;"

Amendment
of section 5.

4. Section 5 of the principal Ordinance is amended by the insertion, after the words "shall lie" in subsection (3), of the following—

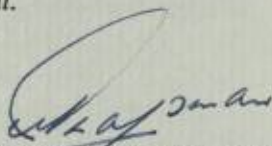
"by way of petition, in such manner and form and within such period as may be provided by regulation under section 3,"

Amendment
of First
Schedule.

5. The First Schedule to the principal Ordinance is amended by the deletion of the words "Table tennis saloon" and the substitution therefor of the following—

"Public table tennis saloon".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

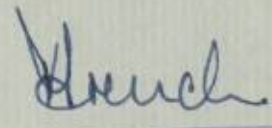
(Secretariat GR13/3231/52)

HONG KONG

No. 28 OF 1965.



I assent.


Governor.

27th May, 1965.

An Ordinance to amend the Charities (Land Acquisition) Ordinance 1958.

[28th May, 1965.]

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

1. (1) This Ordinance may be cited as the Charities (Land Acquisition) (Amendment) Ordinance 1965.

Short title
and com-
mencement.

(2) Sections 3 and 5 of this Ordinance shall be deemed to have had effect as from the 18th day of July, 1958.

2. Section 2 of the Charities (Land Acquisition) Ordinance 1958 (hereinafter referred to as the principal Ordinance) is amended, in paragraph (c) of the definition "charity", by the deletion of the word "trustees" and the substitution therefor of the following—

Amendment
of section 2.
(23 of 1958).

"persons whose trustees are".

Amendment
of section 3.

3. Section 3 of the principal Ordinance is amended in subsection (1)—

- (a) by the deletion of the full stop and the substitution thereof of a colon; and
(b) by the insertion of the following new proviso—

“Provided that no licence shall be required in the case of any grant by the Crown of land by private treaty to a charitable body or for a charitable purpose.”

Repeal and
replacement
of section 9.

4. Section 9 of the principal Ordinance is repealed and replaced by the following—

“Application
to certain
bodies
corporate.

9. For the avoidance of doubt, it is hereby declared that, without prejudice to the generality of the provisions of this Ordinance, they shall apply to the bodies corporate incorporated by the Ordinances specified in Part II of the

First
Schedule.

First Schedule.”

Repeal and
replacement
of section 10.

5. Section 10 of the principal Ordinance is repealed and replaced by the following—

“Saving in
relation to
land vested
in a charity
at the date
of coming
into operation
of the
Ordinance.

10. Nothing in this Ordinance shall affect any land (which for the purpose of this section shall include any right or interest comprised in or arising out of any mortgage subsisting at the date of coming into operation of this Ordinance) vested in or possessed by or on behalf of or for the benefit of any charity or possessed for any charitable purpose at that date:

Provided that if after that date any such land shall cease to be vested in or possessed by or on behalf of or for the benefit of the charity in which it was vested or by or on behalf of which it was possessed at that date, or shall cease to be possessed for the charitable purpose for which it was possessed at that date, this Ordinance shall thereupon apply to such land.”

Amendment
of Second
Schedule.

6. The Second Schedule of the principal Ordinance is amended by the deletion therefrom of the word “charitable”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
Deputy Clerk of Councils.

(Secretariat BL1/2/3220/54)

HONG KONG

No. 29 OF 1965.

I assent.

[Signature]
Governor.

27th May, 1965.

An Ordinance further to amend the “Star” Ferry Company (Service) Ordinance 1951.

[28th May, 1965.]

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

1. This Ordinance may be cited as the “Star” Ferry Company Short title. (Service) (Amendment) Ordinance 1965.

2. The long title to the “Star” Ferry Company (Service) Ordinance 1951 (hereinafter referred to as the principal Ordinance) is amended by the deletion of the words “a ferry service” and the substitution thereof of the following—

“ferry services”.

3. Section 1 of the principal Ordinance is amended by the deletion of the word “Service” and the substitution thereof of the following—

“Services”.

Amendment
of long title.
(41 of 1951).

Amendment
of section 1.

Amendment
of section 2.

4. Section 2 of the principal Ordinance is amended—

(a) by the deletion of the definition "ferry service" and the substitution therefor of the following—

"ferry service" means the ferry services authorized by section 4;" and

(b) by the deletion of the definition "piers".

Repeal and
replacement
of section 4.

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

"Particulars
of ferry
services.
Schedule.

4. The ferry services authorized by this Ordinance are the services described in the Schedule. Such services shall be maintained and operated on the terms and conditions specified in the Schedule."

Amendment
of Schedule.

6. The Schedule to the principal Ordinance is amended—

(a) by the deletion of paragraphs 1 and 2 and the substitution therefor of the following—

"Ferry
services.

1. (1) The ferry services authorized shall be—

(a) a service conducted by the Company for the carriage of persons and their luggage between the pier situated immediately to the west of Queen's Pier in Victoria and the Star Ferry pier at Kowloon Point for the period of fifteen years commencing on the 1st day of January, 1950 and for the further periods authorized upon exercise of the right of renewal granted by paragraph 19; and

(b) a service conducted by the Company for the carriage of persons and their luggage between the pier situated immediately to the west of Queen's Pier in Victoria and Berth No. 3 of the Hung Hom Reclamation for a period of fifteen months from the 1st day of June, 1965, and thereafter for such periods as Government may permit on the written request of the Company.

(2) The Company may at any time during the continuance of the service specified in sub-paragraph (1)(b) give notice in writing that such service is to become part of the concession, and it shall

thereupon become part of the concession and continue for the same period and subject to the same right of renewal as the service specified in sub-paragraph (1)(a).

Piers.

2. (1) The Company shall use for the purpose of the ferry services the piers and berth specified in sub-paragraphs (1)(a) and (1)(b) of paragraph 1 (hereinafter referred to as the piers, which term shall include any pier substituted under the proviso to this sub-paragraph):

Provided that if the Governor in Council decides at any time to substitute another pier within the frontages the Company shall be bound to use such other pier on terms to be agreed or failing agreement on terms to be determined by arbitration.

(2) The frontages referred to in sub-paragraph (1) are—

In Victoria: The seafront from the eastern boundary of the new Blake Pier to the western boundary of the Victoria Naval Basin.

In Kowloon: At Kowloon Point, the seafront from the southern boundary of Kowloon Marine Lot No. 10 to the western boundary of the property known as "Holts Wharf".

At Hung Hom, the seafront from the southern extremity of Whampoa Street to the eastern boundary of the property known as "Holts Wharf".

(3) In the event of the service specified in sub-paragraph (1)(b) of paragraph 1 ceasing or in the event of a pier being substituted for Berth No. 3 of the Hung Hom Reclamation under the proviso to sub-paragraph (1) Government may require—

(a) the Company to remove all pontoons and marine works and all the fixtures, fittings and buildings to ground level; or

(b) the Company to sell to the Government the said pontoons, fixtures, fittings and buildings for and in consideration of the then salvage value of the same to the Company without any addition in respect

of goodwill, compulsory purchase, or of any profits which might have been made from the undertaking,

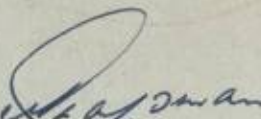
and the Company shall thereupon so remove or sell as required.”;

(b) by the insertion, in paragraph 3, of the following new subparagraph—

“(3) If any other pier be substituted for Berth No. 3 of the Hung Hom Reclamation, the amount of additional rent therefor shall be such sum as may be agreed between Government and the Company regard being had to the capital cost of the said substituted pier (excluding the cost of frontage) and including interest on capital cost at the rate of 4% :

Provided that such additional rent, inclusive of rates, shall not exceed \$3,000 a month.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

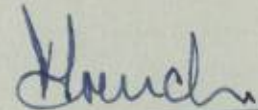
(Secretariat CR1/5481/59)

HONG KONG

No. 30 OF 1965.



I assent.


Governor.

27th May, 1965.

An Ordinance further to amend the Ferries Ordinance.

[1st June, 1965.]

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

1. This Ordinance may be cited as the Ferries (Amendment) Ordinance 1965, and shall come into operation on the 1st day of June, 1965. Short title and commencement.

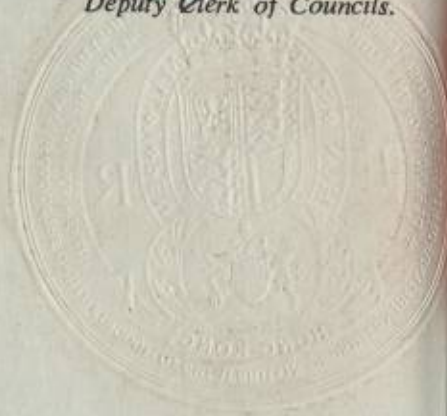
2. Section 9 of the Ferries Ordinance is repealed and replaced by the following— Repeal and replacement of section 9. (Cap. 104).

“Exemption. 9. This Ordinance shall not apply to any ferry maintained by the “Star” Ferry Company, Limited, under the “Star” Ferry Company (Service) Ordinance 1951, or to any ferry maintained by The Hong Kong and Yaumati Ferry Company, Limited under The Hong Kong and Yaumati Ferry Company (Services) Ordinance 1951.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of May, 1965, and is found by me to be a true and correctly printed copy of the said Bill.

(Secretariat CR1/5481/59)

[Signature]
Deputy Clerk of Councils.



HONG KONG

No. 31 OF 1965.



I assent.

[Signature]
Governor.

10th June, 1965.

An Ordinance to consolidate and amend the law relating to the limitation of actions and arbitrations.

[11th June, 1965.]

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

PART I.

PRELIMINARY.

1. This Ordinance may be cited as the Limitation Ordinance 1965. Short title.
2. (1) In this Ordinance, unless the context otherwise requires—

<p>“action” includes any proceeding in a court of law;</p> <p>“the court”, in relation to an action, means the court in which the action has been, or is intended to be, brought;</p>	<p>Interpretation. 2 & 3 Geo. 6, c. 21, s. 31; 2 & 3 Eliz. 2, c. 36, s. 2(3).</p>
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"foreshore" means the shore and bed of the sea and of any tidal water, below the line of the medium high tide between the spring tides and the neap tides;

"land" includes corporeal hereditaments and rentcharges, and any legal or equitable estate or interest therein, including an interest in the proceeds of the sale of land held upon trust for sale, but save as aforesaid does not include any incorporeal hereditament;

"parent" includes father and mother, and grandfather and grandmother, and stepfather and stepmother, whether any such relationship is legitimate, illegitimate or in consequence of adoption;

"personal estate" and "personal property" do not include chattels real;

"personal injuries" includes any disease and any impairment of a person's physical or mental condition;

"rent" includes a rentcharge and a rent service;

"rentcharge" means any annuity or periodical sum of money charged upon or payable out of land, except a rent service or interest on a mortgage on land;

"ship" includes every description of vessel used in navigation not propelled solely by oars;

"trust", "trustee" and "trust for sale" have the same meanings respectively as in the Trustee Ordinance.

(Cap. 29).

(2) A person shall be deemed to claim through another person, if he became entitled by, through, under, or by the act of that other person to the right claimed:

Provided that a person becoming entitled to any estate or interest by virtue of a special power of appointment shall not be deemed to claim through the appointer.

(3) References in this Ordinance to a right of action to recover land shall include references to a right to enter into possession of the land or, in the case of rentcharges, to distrain for arrears of rent, and references to the bringing of such an action shall include references to the making of such an entry or distress.

(4) In the case of rentcharges, references in this Ordinance to the possession of land shall be construed as references to the receipt of the rent, and references to the date of dispossession or discontinuance of

possession of land shall be construed as references to the date of the last receipt of rent.

(5) In Part III of this Ordinance, references to a right of action shall include references to a cause of action and to a right to receive money secured by a mortgage or charge on any property or to recover proceeds of the sale of land, and to a right to receive a share or interest in the personal estate of a deceased person; and references to the date of the accrual of a right of action shall—

- (a) in the case of an action for an account, be construed as references to the date on which the matter arose in respect of which an account is claimed;
- (b) in the case of an action upon a judgment, be construed as references to the date on which the judgment became enforceable;
- (c) in the case of an action to recover arrears of rent or interest, or damages in respect thereof, be construed as references to the date on which the rent or interest became due.

PART II.

PERIODS OF LIMITATION FOR DIFFERENT CLASSES OF ACTION.

3. The provisions of this Part shall have effect subject to the provisions of Part III which provide for the extension of the periods of limitation in the case of disability, acknowledgment, part payment, fraud and mistake, and in the case of certain actions in respect of personal injuries.

Part II to be subject to provisions of Part III.
2 & 3 Geo. 6, c. 21, s. 1.

Actions of contract and tort and certain other actions.

4. (1) The following actions shall not be brought after the expiration of six years from the date on which the cause of action accrued, that is to say—

- (a) actions founded on simple contract or on tort;
- (b) actions to enforce a recognizance;
- (c) actions to enforce an award, where the submission is not by an instrument under seal;

Limitation of actions of contract and tort, and certain other actions.
2 & 3 Geo. 6, c. 21, s. 2;
2 & 3 Eliz. 2, c. 36, s. 2(1).