

and shall and may sue and be sued in all courts in the Colony and shall and may have and use a common seal and may from time to time break, change, alter and make anew the said seal.

Powers of corporation.

3. (1) The corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever 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.

Transfer of property.

4. The legal estate in any property whatsoever, vested in the corporation in any manner whatsoever, shall, in the event of death of the Visitor, or in the event of his ceasing to hold office as such Visitor pass to his successor in such office subject to compliance with subsection (2) of section 6.

Execution of documents.

5. All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the Visitor 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 Visitor or his attorney.

Appointment of Visitor & registration of particulars.

6. (1) The Appointment of a new Visitor in the event of death or for any other reason, shall be made by the General Board of Administration of The Institute of the Marist Brothers of the Schools of St. Genis-Laval, Rhone, France.

(2) Within three weeks of the coming into operation of the Ordinance or within such further period as the Governor may allow and whenever thereafter any person is appointed to the office of Visitor within the same period or extended period after

such appointment, the Visitor 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) The registration of the appointment of a Visitor shall be conclusive evidence of such appointment.

(4) There shall be payable to the Registrar of Companies a fee of five dollars in respect of a registration of appointment and address under subsection (2) and a similar fee in respect of each change of address, and a fee of one dollar shall be payable in respect of each search of the file.

7. Nothing in this Ordinance shall affect or be deemed to affect 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. Saving.

Passed the Legislative Council of Hong Kong, this 16th day of December, 1953.


Deputy Clerk of Councils.

(Secretariat 26/3231/53)

HONG KONG

No. 40 OF 1953.

I assent.


W. H. Murray
Governor.

17th December, 1953.

An Ordinance for the incorporation of the executive committee
of the Hong Kong Juvenile Care Centre.

[18th December, 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 Hong Kong Juvenile Short title.
Care Centre Incorporation Ordinance, 1953.

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

“Centre” means the Hong Kong Juvenile Care Centre;

“constitution” means the constitution of the Centre approved
from time to time by the executive committee for the time
being of the Centre, subject to the provisions of the Ordinance
relating to any matter expressly dealt with in the Ordinance;

“executive committee” means the executive committee of the Centre for the time being appointed in accordance with the constitution.

Incorporation.

3. (1) The executive committee of the Centre and their successors in office shall be a body corporate, hereinafter referred to as the corporation, and shall have the name of “The Hong Kong Juvenile Care Centre” and in that name shall have perpetual succession and shall and may sue and be sued in all courts in the Colony and shall and may have use a common seal.

(2) The members of the executive committee shall be appointed in accordance with the constitution and shall for the periods of their respective appointments be members of the corporation upon notice of their appointment, and where such appointment is made to replace a retiring member of the executive committee, upon, in addition, notice of such retirement, being filed with the Registrar of Companies. Any such notice shall be signed by three of the continuing or retiring members and shall be sealed with the common seal of the corporation.

(3) The executive committee on incorporation shall consist of the persons holding such office at the date of the Ordinance coming into operation.

(4) The executive committee shall be lawfully constituted notwithstanding any vacancies occurring therein by death absence resignation or incapacity of any member or any other cause.

Powers of the corporation.

4. (1) 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 in this Colony, and also to invest moneys upon mortgage of any lands, buildings, debentures, stocks, funds, shares or securities of any corporation or company carrying on business or having an office in the Colony and also to purchase and acquire all goods and chattels of what nature or kind soever.

(2) The corporation shall further have power to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages or tenements, mortgages, debentures, stocks, securities, goods and chattels vested in the corporation on such terms as the corporation may seem fit.

5. All deeds documents and other instruments requiring Seal. the seal of the corporation shall be sealed with its common seal in the presence of three members of the executive committee and shall also be signed by them and such signing shall be taken as sufficient *prima facie* evidence of the due sealing of such deeds documents and other instruments.

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

Passed the Legislative Council of Hong Kong, this 16th day of December, 1953.




Deputy Clerk of Councils.

(Secretariat 30/3231/53)

HONG KONG

No. 41 OF 1953.

I assent.



W. H. Murray
Governor.

30th December, 1953.

An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1953.

[31st December, 1953.]

WHEREAS it has become necessary to make further provision for the public service of the Colony for the financial year ended the 31st day of March, 1953, in addition to the charge upon the revenue of the Colony authorized by the Appropriation for (9 of 1952). 1952-1953 Ordinance, 1952:

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 Supplementary Short title. Appropriation (1952-53) Ordinance, 1953.

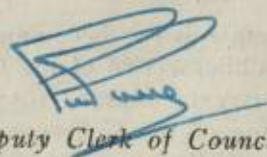
2. A sum of one hundred and forty-five million six hundred and fifty-three thousand six hundred and fifty-seven dollars is hereby charged upon the revenue and other funds of the Colony

Appropriation.

for the service of the financial year ended the 31st day of March, 1953, the appropriation of the sum so charged being approved as specified in the Schedule.

SCHEDULE.		
<i>Number of vote.</i>	<i>Title of vote.</i>	<i>Amount of vote.</i>
		\$
1.	His Excellency the Governor	19,042
9.	Defence:—	
	G. Miscellaneous Measures	4,992,531
13.	Judiciary:—	
	A—Supreme Court	26,354
	B—Hong Kong Magistracy	9,120
19.	Miscellaneous Services	36,554,003
20.	New Territories, District Administration ...	49,321
26.	Public Debt	1,992,518
30.	Public Works Recurrent	570,700
32.	Quartering Authority	665
37.	Secretariat for Chinese Affairs:—	
	B—Social Welfare Office	1,152,966
38.	Stores Department	286,437
41.	Transfer of Surplus Balance to Revenue Equalization Fund	100,000,000
	Total	\$145,653,657

Passed the Legislative Council of Hong Kong, this 30th day of December, 1953.



Deputy Clerk of Councils.

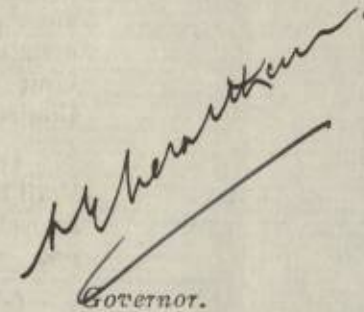
(Secretariat 13/2311/52)

HONG KONG

No. 42 OF 1953.



I assent.



Governor.

30th December, 1953.

An Ordinance to amend the Compulsory Service Ordinance, 1951.

[31st December, 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 Compulsory Service Short title. (Amendment) Ordinance, 1953.
2. Part III of the Compulsory Service Ordinance, 1951, Amendment of Part III. (24 of 1951).
 - (a) by the deletion of the heading "Compulsory Transfers." and the substitution therefor of the following—
"Compulsory Medical Examinations and Transfers.";

(b) by the addition after section 18 of the following new section—

"Power to order medical examination.

18A. (1) The Commandant of the Royal Hong Kong Defence Force, the Commissioner of the Essential Services Corps and the Commissioner of Police may require any member of the body under his command to submit himself for such medical examination as the Director of Medical and Health Services may consider necessary or desirable.

(2) The power conferred upon the Commissioner of the Essential Services Corps by subsection (1) shall so far as it concerns members of the Auxiliary Fire Service Unit, members of the Civil Aid Services Unit and members of the Auxiliary Medical Service Unit be exercised by the respective Unit Controllers thereof.

(3) No person to whom this Part applies shall be required under this section to submit himself to medical examination more than once in every two years.

(4) Any person who fails to comply with a requirement made under this section shall be guilty of an offence and shall be liable to a fine of one thousand dollars."

Passed the Legislative Council of Hong Kong, this 30th day of December, 1953.

Deputy Clerk of Councils.

(Secretariat D/M/C)

HONG KONG

No. 43 OF 1953.



I assent.

Governor.

30th December, 1953.

An Ordinance to amend the Vehicle and Road Traffic Ordinance, Chapter 220.

[31st December, 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 Vehicle and Road Traffic (Amendment) Ordinance, 1953.

2. Section 7 of the Vehicle and Road Traffic Ordinance is repealed and replaced by the following section—

Repeal and replacement of section 7. (Cap. 220).

"7. (1) Where a person is prosecuted for any offence under section 4, 5 or 6, he shall not be convicted unless either—

- (a) he was warned at the time the offence was committed that the question of prosecuting him for an offence under some one or other of the sections aforesaid would be taken into consideration; or

- (b) within fourteen days of the commission of the offence he was either charged before a magistrate or a summons for the offence was served on him; or
- (c) within the said fourteen days a notice of the intended prosecution specifying the nature of the alleged offence and the time and the place where it is alleged to have been committed was served on, or sent by registered post to, him or the person registered as the owner of the vehicle at the time of the commission of the offence:

Provided that—

- (a) failure to comply with the requirements of this section shall not be a bar to the conviction of the accused in any case where the court or magistrate is satisfied that—

- (i) neither the name and address of the accused nor the name and address of the registered owner of the vehicle could with reasonable diligence have been ascertained in time for a summons to be served or for a notice to be served or sent as aforesaid; or

- (ii) the accused by his own conduct contributed to the failure; and

- (b) the requirements of this section shall in every case be deemed to have been complied with unless and until the contrary is proved.

(2) Where a person is prosecuted under any regulation made under this Ordinance for an offence alleging that he has driven a vehicle in excess of the speed permitted in respect of that vehicle or in respect of a particular place, he shall not be convicted unless he was warned reasonably soon after the offence was committed that the question of prosecuting him would be taken into consideration."

Passed the Legislative Council of Hong Kong, this 30th day of December, 1953.



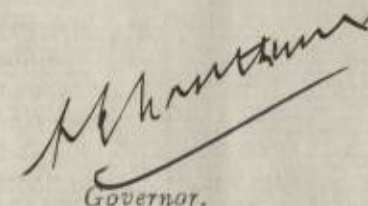
Deputy Clerk of Councils.

(Secretariat 31/3231/53)

HONG KONG

No. 44 OF 1953.

I assent.


Governor.

30th December, 1953.

An Ordinance to amend the Urban Council Ordinance, Chapter 101.

[31st December, 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 Urban Council Short title, (Amendment) (No. 2) Ordinance, 1953.

2. Section 3 of the Urban Council Ordinance is amended—
(a) by the deletion from subsection (2A) of the words "either part" and the substitution therefor of the following—

"the first or second part";

Amendment of section 3. (Cap. 101).

(b) by the addition after subsection (4) of the following new subsection—

“(4A) (a) The third part of the register shall consist of persons qualified as hereinafter stated who have made due application to be included in the list.

(b) The persons qualified for inclusion in this part are all persons having reached the age of twenty-one years who, not being entitled to be included in the first or second part, are—

(33 of
1952).

(i) persons permitted to teach by section 21 or 25 of the Education Ordinance, 1952, or who are certified by the Director of Education as teachers in schools exempted from the Education Ordinance by section 6 thereof;

(Cap. 3).

(ii) persons in the service of the Government whose whole time is at the service of the Government, and who produce a certificate from the head of their department stating that they possess the qualifications set out in section 4 of the Jury Ordinance;

(iii) persons who are members of the following services—

the Royal Hong Kong Defence Force, the Essential Services Corps, which expression shall include the Civil Aid Services, the Auxiliary Medical Services and the Auxiliary Fire Services;

(Cap. 112).

(iv) persons who produce a certificate from the Commissioner of Inland Revenue stating that they have paid tax assessed under Part III or Part VII of the Inland Revenue Ordinance for the two years of assessment immediately preceding their application and any two other years:

Provided that the following shall not be qualified for inclusion—

(i) any member of the Police Force, which expression shall not include the Police Reserve or the Special Constabulary;

(ii) any member of the Regular Armed Forces of the Crown.

(c) The third part of the register shall be kept by the Registrar of the Supreme Court and shall be compiled anew after the 1st day of January in each year.”;

(c) by the insertion in the second line of subsection (5) and in the seventh line of subsection (7), after the word “second” of the following—

“or third”;


(d) by the addition after subsection (9) of the following new subsection—

“(10) No person shall be entitled to be included in any of the parts of the register who—

(a) has in any part of Her Majesty's Dominions or in any territory under Her Majesty's Protectorate or in any territory in which Her Majesty has from time to time jurisdiction been sentenced to death or imprisonment (by whatever name called) for a term exceeding six months and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon; or

(b) is under any law in force in Hong Kong found or declared to be of unsound mind or adjudged to be a lunatic.”

Passed the Legislative Council of Hong Kong, this 30th day of December, 1953.



Deputy Clerk of Councils.

(Secretariat 2/1146/52c)

D. 15. No. 8/20

PUBLIC RECORDS OFFICE
OF HONG KONG

H.K.R.S. No. 30

28.29