

Repeal and replacement of section 55.

4. Section 55 of the principal Ordinance is repealed and replaced by the following—

"Functions of Urban Services Department in relation to matters over which Council exercises control.

55. The functions of the Urban Services Department shall include the doing of such acts or things as may be necessary for the purpose of implementing any decision of the Council, or of any person or body of persons to whom the Council may, under the provisions of this or any other Ordinance, have delegated such power, made in exercise of any power conferred on the Council by any Ordinance or the regulations made thereunder."

Amendment of section 56.

5. Section 56 of the principal Ordinance is amended by—

- (a) the deletion therefrom of the words and commas ". and also health officers, and health and other inspectors and may also appoint such officers of the Urban Services Department as may be required"; and
- (b) the deletion from the marginal note thereto of the word "officials" and the substitution therefor of the following—  
"secretaries".

Amendment of section 57.

6. Section 57 of the principal Ordinance is amended by—

- (a) the deletion therefrom of the words "Assistant Director of Health Services" and the substitution therefor of the following—  
"Deputy Director of Medical and Health Services";
- (b) the deletion therefrom of the words "and to superintend the enforcement and observance of all Ordinances relating to public health and of the by-laws and regulations made thereunder"; and
- (c) the deletion from the marginal note thereto of the words "Assistant Director of Health Services" and the substitution therefor of the following—  
"Deputy Director of Medical and Health Services".

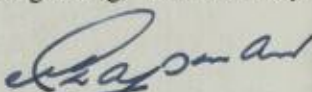
Amendment of section 58.

7. Section 58 of the principal Ordinance is amended by the deletion therefrom of the words and comma ", and shall be responsible also for the general administration of the Urban Services Department".

Commencement of sections 3 and 6.

8. Sections 3 and 6 shall not come into operation until such date as the Governor may appoint by Proclamation in the *Gazette*.

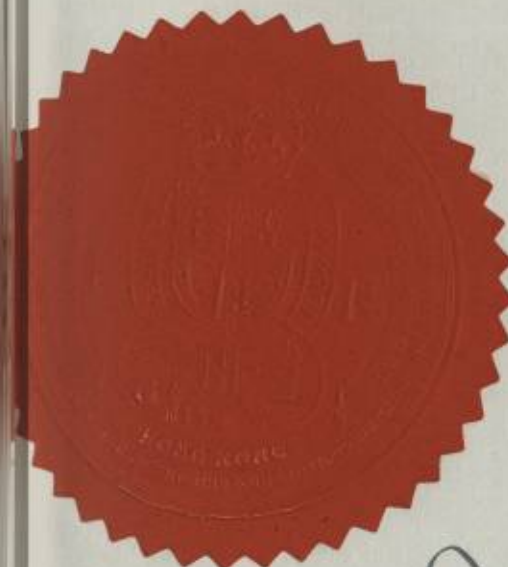
Passed the Legislative Council of Hong Kong, this 18th day of May, 1960.

  
Deputy Clerk of Councils.

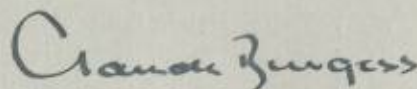
(Secretariat CR8/3231/59)

**HONG KONG**

No. 18 OF 1960.



I assent.

  
Officer Administering the Government.

19th May, 1960.

An Ordinance to provide for the registration of persons in the Colony, for the issue of identity cards and for purposes connected therewith.

[ ]

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 Registration of Persons Ordinance, 1960, and shall come into operation on such day as the Governor shall appoint by Proclamation in the *Gazette*.

Short title and commencement

2. (1) The Governor may appoint, by name or office, an officer to be Commissioner of Registration, and officers to be styled assistant commissioners, district registrars, registrars and assistant registrars, of registration, registration supervisors and such other officers as may be deemed necessary for the purposes of this Ordinance.

Power to make appointments.

(2) The powers and discretions vested in the Commissioner of Registration and duties required to be discharged by him may be exercised and discharged by an assistant commissioner of registration or such other officers as the Governor may specify by notification in the *Gazette*.

(3) The Governor may establish or set up such offices as he may deem necessary for the purposes of this Ordinance and may appoint an officer to be known by such style as the Governor may decide, to have charge of each such office.

3. (1) Subject to—

- (a) the provisions of subsection (2);
- (b) the provisos to section 10; and
- (c) any exemptions which may be granted by regulations made under this Ordinance,

every person being in the Colony at the commencement of this Ordinance or who thereafter enters the Colony shall make application to be registered under the provisions of this Ordinance and any regulations made thereunder.

(2) Notwithstanding the provisions of subsection (1), if administrative convenience so requires, the Governor may direct that such registration of all persons shall be effected progressively according to description or category of persons to be specified from time to time by order made under this subsection and published in the *Gazette*.

(3) On the publication of any such order made under subsection (2), every person so described or being a person of a category so specified shall make application to be registered under this Ordinance and any regulations made thereunder.

(4) Every application for registration made in compliance with the provisions of this section shall be made in such manner as may be prescribed by regulations made under section 8.

4. A certificate purporting to be under the hand of the Commissioner of Registration certifying that the document or photostat copy annexed thereto with his seal is a true facsimile of the statement or document it represents shall be admissible in evidence in any court, without further proof, as evidence of such statement or document and the contents thereof and of the signature of the Commissioner of Registration thereto. The provisions of section 20 of the Evidence Ordinance shall apply to all such certificates, and to the documents and photostat copies attached thereto.

Compulsory registration of persons.

Evidence.

(Cap. 8).

5. Notwithstanding the provisions of any law to the contrary, every person of the age of seventeen years and upwards, unless exempted from the provisions of this Ordinance by regulations made thereunder, shall in all dealings with Government—

- (a) use the personal name and surname by which he elected to be registered; and
- (b) furnish the number of his identity card to the satisfaction of the public officer requiring such number; and
- (c) when he is required by law to furnish particulars of any other person, so far as he is able—
  - (i) submit the personal name and surname by which such other person elected to be registered; and
  - (ii) furnish the number of the identity card relating to such person to the satisfaction of the public officer requiring it.

Duty to use registered name and to submit number of identity card.

6. (1) The Commissioner of Registration, any registration officer so authorized by him, the Immigration Officer for the Colony, any police officer of or above the rank of sub-inspector, any deputy immigration officer, and any immigration control officer so authorized by the Immigration Officer may without warrant and with or without assistance—

Power of search.

- (a) enter and search any premises;
- (b) stop and search any vessel, vehicle or individual whether in a public place or not,

if he has reason to believe that any evidence of the commission of an offence against this Ordinance or the regulations made thereunder is likely to be found on such premises or individual or in such vessel or vehicle, and may seize any evidence so found.

(2) A female person shall be searched under this section only by another female person.

7. Any person whom the Commissioner of Registration, or the Immigration Officer for the Colony, or any deputy immigration officer, or any immigration control officer so authorized by the Immigration Officer reasonably believes has committed an offence against this Ordinance or the regulations made thereunder may be arrested without warrant—

Power of arrest.

- (a) in the absence of the Immigration Officer for the Colony, or a police officer, or deputy immigration officer, or such duly authorized immigration control officer, by the Commissioner of Registration who shall either forthwith give such person into the custody of any police officer, or into the custody of any deputy immigration officer or immigration control officer,

when the provisions of paragraph (b) shall apply, or forthwith take him to the nearest police station and shall there hand him over to the custody of a police officer and thereupon the provisions of section 47 of the Police Force Ordinance shall apply; or

(Cap. 232).

- (b) by the Immigration Officer for the Colony, or a deputy immigration officer, or such duly authorized immigration control officer, who shall forthwith take him to the nearest police station and shall there hand him over to the custody of a police officer and thereupon the provisions of section 47 of the Police Force Ordinance shall apply.

Power to  
make  
regulations.

8. (1) The Governor in Council may make such regulations as may be necessary for the purposes of this Ordinance.

(2) Without prejudice to the generality of the powers conferred by subsection (1) such regulations may prescribe or provide for—

- (a) the manner in which and places at which application for registration shall be made;
- (b) the information and documents to be furnished for the purposes of registration;
- (c) the taking and recording of photographs and fingerprints of persons requiring to be registered and the destruction of such photographs and the facsimiles of all such fingerprints on the expiration of this Ordinance;
- (d) the method and manner by which information and documents furnished by a person requiring to be registered are to be recorded and maintained;
- (e) the photographing of fingerprints, information and documents furnished or made for the purposes of registration and the destruction of their originals;
- (f) the use of films and photographic reproductions of such films;
- (g) the issue of identity cards, their form, and particulars to be entered thereon;
- (h) the custody and production of identity cards;
- (i) the inspection of identity cards;
- (j) the amendment or cancellation of identity cards, and the issue of duplicates thereof;
- (k) the issue of reports and certificates;
- (l) the exemption of any person or category of persons from the provisions of this Ordinance;
- (m) destruction of documents and records;
- (n) forms;
- (o) fees.

(3) Any regulation made under this Ordinance may provide that a contravention thereof shall be an offence and may prescribe penalties for such offence not exceeding a fine of one thousand dollars and imprisonment for six months.

9. (1) It shall be lawful for the Legislative Council by resolution—

Power to  
suspend or  
revive  
operation of  
Ordinance.

- (a) from time to time to declare the suspension of the operation of this Ordinance from the date named in the resolution; and
- (b) from time to time to declare that any suspension declared under paragraph (a) shall terminate as from the date mentioned in the resolution.

(2) The suspension of this Ordinance under paragraph (a) of subsection (1) shall until the termination of such suspension have the same effect as the repeal of an enactment.

(3) The termination of the suspension under paragraph (b) of subsection (1) shall have the same effect as if the Ordinance had been re-enacted and come into operation on the date as from which the suspension is declared to terminate save and except that any regulations which were in force at the date when the suspension, which has thus been terminated, came into effect, shall revive and continue to have full force and effect.

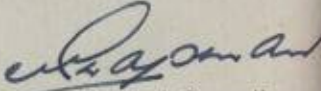
10. The Registration of Persons Ordinance is hereby repealed: Provided that—

Repeal.  
(Cap. 177).

- (i) all persons registered or exempted, other than children under twelve years of age, under the provisions of that Ordinance shall be deemed to be registered or exempted under the provisions of this Ordinance which shall apply, *mutatis mutandis*, to all such persons;
- (ii) all identity cards issued under the provisions of that Ordinance to persons so registered shall be deemed to be issued under the provisions of this Ordinance;
- (iii) all acts done and all records kept under the provisions of that Ordinance shall be deemed to have been done or kept under the provisions of this Ordinance;
- (iv) the Governor may by order published in the *Gazette*, require by description, category or name all persons deemed to be so registered or exempted under the provisions of that Ordinance to register again in accordance with the provisions of this Ordinance and any regulations made thereunder:

- (v) on the publication of any such order made under paragraph (iv) every person so described or named or being a person of a category so specified shall return his identity card issued under the provisions of that Ordinance and make application in such manner as may be prescribed by regulations made under section 8 to be registered under this Ordinance.

Passed the Legislative Council of Hong Kong, this 18th day of May, 1960.

  
Deputy Clerk of Councils.

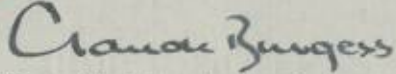
(Secretariat DR D/RPO)

**HONG KONG**

No. 19 OF 1960.



I assent.

  
Officer Administering the Government.

19th May, 1960.

An Ordinance to amend the Education Scholarships Fund Ordinance, 1955.

[20th May, 1960.]

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 Education Scholarships Fund (Amendment) Ordinance, 1960. Short title.

2. Section 10 of the Education Scholarships Fund Ordinance, 1955, is amended by the deletion of subsections (3), (4) and (5) and the substitution therefor of the following— Amendment of section 10. (67 of 1955).

“(3) The treasurer shall make all payments to holders of scholarships in accordance with the directions of the Trustee.


(4) The Trustee shall cause the treasurer to prepare for every period of twelve months ending on the 31st day of August in each year a statement of the accounts of the fund, which statement shall include an income and expenditure account, a balance sheet, and a

statement of the investments in respect of the separate moneys shown in each of the accounts specified in subsection (2) and shall be signed by the Trustee.

(5) The accounts of the fund and the signed statement of the accounts shall be audited by an auditor appointed by the Governor and the auditor shall certify the statement subject to such report, if any, as he may think fit.

(6) A copy of the signed and audited statement of account together with the auditor's report, if any, and a report by the Trustee on the administration of the fund during the period covered by the audited accounts shall be laid upon the Table of the Legislative Council not later than the 28th day of February next following the end of such period or so soon thereafter as the Governor, in his absolute discretion, may allow."

Passed the Legislative Council of Hong Kong, this 18th day of May, 1960.

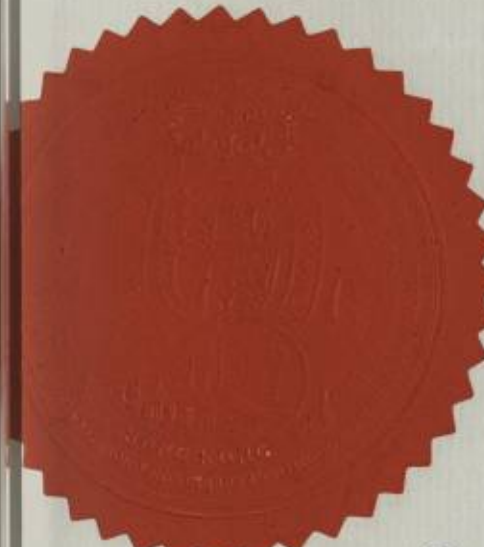
  
Deputy Clerk of Councils.

(Secretariat GR45/2321/51)

**HONG KONG**

No. 20 OF 1960.

I assent.

  
*Claude Burgess*  
Officer Administering the Government.

19th May, 1960.

An Ordinance further to amend the Arms and Ammunition Ordinance, Chapter 238.

[20th May, 1960.]

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 Arms and Ammunition (Amendment) Ordinance, 1960. Short title.

2. Subsection (1) of section 2 of the Arms and Ammunition Ordinance (hereinafter referred to as the principal Ordinance) is amended by— Amendment of section 2 of the principal Ordinance. (Cap. 238).

(a) the insertion in paragraph (c) of the definition "arms" between the words and comma "fighting iron," and the words and semi-colon "or other deadly weapon;" of the following—

"flick knife, gravity knife;"

- (b) the addition, immediately below the definition "exempted person", of the following new definitions—

"flick-knife" means any knife which has a blade which opens automatically by hand pressure applied to a button, spring or other device in or attached to the handle of the knife;

"gravity knife" means any knife which has a blade which is released from the handle or sheath thereof by the force of gravity or the application of centrifugal force and which, when released, is locked in place by means of a button, spring, lever, or other device;"

3. Section 3 of the principal Ordinance is amended by—

- (a) the deletion of subsection (1) and the substitution therefor of the following—

"(1) The Commissioner of Police may—

- (a) grant to any person a licence either—

- (i) to carry arms and ammunition; or  
(ii) to have arms and ammunition in his possession; or  
(iii) to do both,

subject to such conditions as he may deem fit;

- (b) renew any such licence and, in respect thereof, grant days of grace not exceeding fifteen in number if he considers it necessary or expedient so to do; and

- (c) cancel any such licence.";

- (b) the insertion in subsection (2)—

(i) between the word "issued" and the word "for" of the following—

"or renewed";

(ii) between the word "issue" and the word "and" in the first place where it occurs of the following—

", or renewal,";

- (c) the insertion in subsection (3) between the word "grant" and the word "such" in the first place where it occurs of the following—

"or renew".

4. Subsection (4) of section 4 of the principal Ordinance is amended by—

- (a) the insertion between the word "ship" in the first place where it occurs and the word "which" of the following—

"or aircraft";

Amendment  
of section 3  
of the  
principal  
Ordinance.

Amendment  
of section 4  
of the  
principal  
Ordinance.

- (b) the deletion of the word "state" and the substitution therefor of the following—

"nation".

5. Subsection (1) of section 15 of the principal Ordinance is repealed and replaced by the following—

"(1) Whenever it appears to a magistrate, upon the oath of any person, that there is reasonable cause to suspect that any person—

- (a) has furnished a false or incorrect return of arms or ammunition; or

- (b) has failed or refused to make a return; or

- (c) has not kept the books which he is required to keep under sections 12 and 13; or

- (d) has kept such books in a false or incorrect manner,

the magistrate may issue a warrant to arrest such person and to search any—

- (i) building;

- (ii) vessel (not being a ship of war or ship having the status of a ship of war);

- (iii) aircraft (not being a military aircraft in the service of Her Majesty or of any foreign nation); or

- (iv) place,

where the arms or ammunition are alleged to be kept or stored, and any police officer to whom the said warrant is directed may, with or without assistants and using force, if necessary, enter any building, vessel, aircraft, or place mentioned in the said warrant, and may search for and make an inventory of all arms and ammunition found therein, and may arrest the person named in such warrant and also any other person, who appears to have committed an offence against this Ordinance, and may cause such person and such arms and ammunition to be conveyed before a magistrate."

6. Section 17 of the principal Ordinance is amended by—

- (a) the insertion between the figures and fullstop "17." and the word "No" of the following—

"(1)";

- (b) the deletion of the words and comma "port of Victoria," and the substitution therefor of the following—

"port of Victoria and at the Hong Kong Airport,";

Repeal and  
replacement  
of subsection  
(1) of section  
15 of the  
principal  
Ordinance.

Amendment  
of section 17  
of the  
principal  
Ordinance.

- (c) the insertion between the close bracket and the word "having" of the following—  
 "and the captain of every aircraft (not being a military aircraft in the service of Her Majesty or of any foreign nation)";
- (d) the insertion between the words "Director of Marine" and the indefinite article "a" in the last place where it occurs of the following—  
 "or the Airport Commandant, as the case may require,";
- (e) the addition, after subsection (1), of the following new subsection—  
 "(2) For the purposes of this section, "port of Victoria" has the same meaning as in paragraph (j) of the Eighth Appendix to the Merchant Shipping (G.N.A. 111/53). (Control of Ports) Regulations, 1953.";
- (f) the deletion of the full stop at the end of the marginal note and the addition thereto of the following—  
 "and Hong Kong Airport."

Amendment  
of section 22  
of the  
principal  
Ordinance.

7. Section 22 of the principal Ordinance is amended by—

- (a) the insertion between the comma after the close bracket and the word "or" in the third place where it occurs of the following—  
 "aircraft (not being a military aircraft in the service of Her Majesty or of any foreign nation).";
- (b) the insertion in paragraph (a) thereof between the word and comma "vessel," and the word "or" of the following—  
 "aircraft,".

Amendment  
of section 30  
of the  
principal  
Ordinance.

8. Subsection (4) of section 30 of the principal Ordinance is amended by the deletion of the word and figures "section 45" and the substitution therefor of the following—

"paragraph (a) of subsection (1) of section 40 and paragraph (a) of section 45".

Amendment  
of section 32  
of the  
principal  
Ordinance.

9. Section 32 of the principal Ordinance is amended by the insertion between the word and comma "vessel," and the word "or" of the following—

"aircraft,".

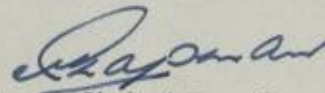
Amendment  
of sections of  
principal  
Ordinance.

10. The principal Ordinance is amended by the substitution of the word "Her" for the word "His" wherever it occurs in—

- (a) the definitions "exempted person" and "importer" in section 2;  
 (b) subsection (3) of section 4;

- (c) section 7;  
 (d) section 17;  
 (e) section 18; and  
 (f) paragraph (a) of section 19.

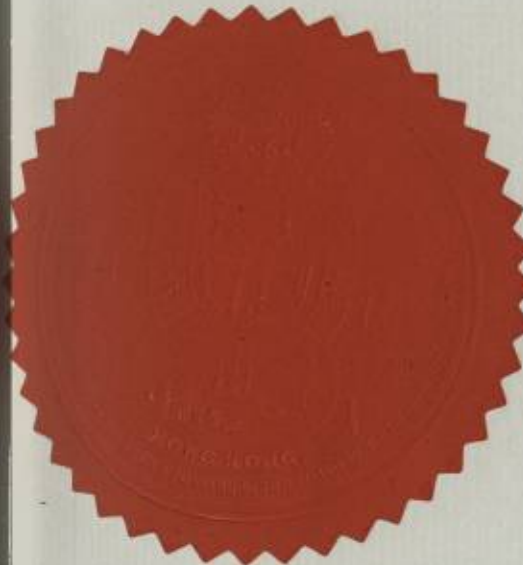
Passed the Legislative Council of Hong Kong, this 18th day of May, 1960.

  
 Deputy Clerk of Councils.

(Secretariat GR14/3231/55)

**HONG KONG**

No. 21 OF 1960.



I assent.

Governor.

2nd June, 1960.

An Ordinance to amend the Adoption Ordinance, 1956.

[3rd June, 1960.]

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 Adoption (Amendment) Ordinance, 1960. Short title

2. Section 2 of the Adoption Ordinance, 1956 (hereinafter referred to as the principal Ordinance) is amended by the addition after the definition "Court" of the following— Amendment of section 2 (22 of 1956).

“Director” means the Director of Social Welfare;”

3. The principal Ordinance is amended by the addition after section 2 of the following new section— Addition of new section 2A

“Delegation. 2A. The Director may delegate any of his powers, duties and functions under this Ordinance to any public officer.”

Amendment  
of section 4.

4. Section 4 of the principal Ordinance is amended—

- (a) by the deletion of subsection (1) and the substitution therefor of the following—

“(1) Subject to the provisions of subsection (1A), an adoption order shall not be made in respect of an infant unless the applicant—

- (a) is the mother or father of the infant;
- (b) is a relative of the infant and has attained the age of twenty-one years; or
- (c) has attained the age of twenty-five years.

(1A) An adoption order may be made in respect of an infant on the joint application of two spouses—

- (a) if either of the applicants is the mother or father of the infant; or
- (b) if the condition set out in paragraph (b) or paragraph (c) of subsection (1) is satisfied in the case of one of the applicants and the other applicant has attained the age of twenty-one years.”;

- (b) by the deletion in subsection (6) of the word “and” at the end of paragraph (a); and

- (c) by the deletion in subsection (6) of paragraph (b) and the substitution therefor of the following—

“(b) the applicant has, at least six months before the date of the order, lodged with the Director in such form as is prescribed by rules made in accordance with the provisions of section 11, notice in writing of his intention to apply for an adoption order in respect of the infant; and

(c) the applicant has, within four months after the date of lodging such notice as is referred to in paragraph (b), applied to the Court for an adoption order in respect of the infant.”.

Amendment  
of section 6.

5. Section 6 of the principal Ordinance is amended by the insertion in subsection (2) after the words “a justice of the peace” of the following—

“or a Commissioner for Oaths”.

Amendment  
of sections  
13, 19 and  
21.

6. Sections 13, 19 and 21 of the principal Ordinance are amended by the deletion of the words “of Social Welfare” after the word “Director”, wherever the same appear.

7. The principal Ordinance is amended by the addition after section 15 of the following new section—

Addition  
of new  
section 15A.

“Effect of  
overseas  
adoption.

**15A.** (1) Where a person has been adopted, whether before or after the coming into operation of this section, in any place outside Hong Kong according to the law of that place, and the adoption is one to which this section applies, then for the purposes of this Ordinance and all other Hong Kong enactments, the adoption shall have the same effect as an adoption order validly made in accordance with the provisions of this Ordinance, and shall have no other effect.

(2) Subsection (1) shall apply to an adoption in any place outside Hong Kong, if—

(a) the adoption is legally valid according to the law of that place; and

(b) in consequence of the adoption, the adoptive parents or any adoptive parent had, or, if the adopted person had been a young child, would have had, immediately following the adoption, according to the law of that place, a right superior to that of any natural parent of the adopted person in respect of the custody of the person; and

(c) either—

(i) the adoption order was made by an order of any Court whatsoever of a Commonwealth country or of the United States of America or of any State or territory of the United States of America; or

(ii) in consequence of the adoption, the adoptive parents or any adoptive parent had immediately following the adoption, according to the law of that place, a right superior to or equal with that of any natural parent in respect of any property of the adopted person which was capable of passing to the parents or any parent of the person in the event of the person dying intestate without other next of kin and domiciled in the place where the adoption was made and a national of the State which had jurisdiction in respect of that place,

but not otherwise.

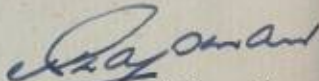
(3) Nothing in this section shall restrict or alter the effect of any other adoption made in any place outside Hong Kong.”.

Amendment  
of section 20.

8. Section 20 of the principal Ordinance is amended by the addition at the end thereof of the following—

“(3) The provisions of this section shall not apply to the payment to the Director of any fee prescribed by rules made in accordance with the provisions of section 11.”.

Passed the Legislative Council of Hong Kong, this 1st day of June, 1960.


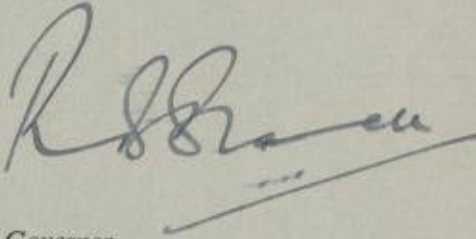
  
Deputy Clerk of Councils

(Secretariat GR5/3221/48II)

**HONG KONG**

No. 22 OF 1960.

I assent.

Governor.

2nd June, 1960.

An Ordinance to amend the Clean Air Ordinance, 1959.

[3rd June, 1960.]

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 Clean Air (Amendment) Ordinance, 1960. Short title.

2. Section 2 of the Clean Air Ordinance, 1959 (hereinafter referred to as the principal Ordinance) is amended by the insertion before the definition “scheduled area” of the following new definition— Amendment  
of section 2.  
(19 of 1959).

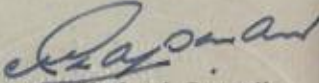
“Ringelmann Chart” means a shade chart of the type known at the date of the enactment of this Ordinance as a Ringelmann Chart or such other device corresponding in purpose thereto as the Governor may from time to time approve by notification in the *Gazette*;

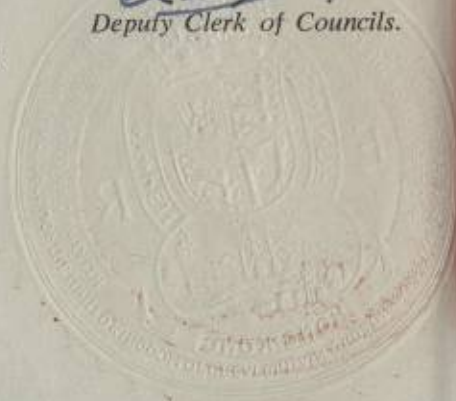
Amendment  
of section 8.

3. Section 8 of the principal Ordinance is amended in paragraph (a) by the deletion of the words "chart known at the date of the commencement of this Ordinance as the".

Passed the Legislative Council of Hong Kong, this 1st day of June, 1960.

(Secretariat GR22/3231/56)

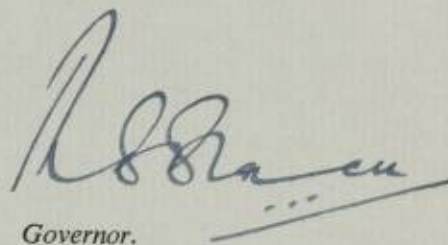
  
Deputy Clerk of Councils.



HONG KONG

No. 23 OF 1960.

I assent.

  
Governor.

2nd June, 1960.

An Ordinance further to amend the Quarantine and Prevention of Disease Ordinance, Chapter 141.

[3rd June, 1960.]

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 Quarantine and Prevention of Disease (Amendment) Ordinance, 1960. Short title.

2. The Quarantine and Prevention of Disease Ordinance is amended by the addition, after section 59A, of the following new section— Amendment of principal Ordinance by addition of new section. (Cap. 141).

"Power of the Governor to declare that the Colony is infected and action consequential upon such declaration.

59B. (1) The Governor, if he is satisfied—

- (a) that an epidemic of smallpox exists in the Colony, or in any part thereof; or
- (b) that the Colony, or any part thereof, is threatened with such an epidemic,

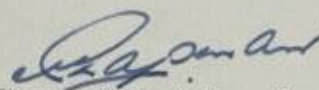
and that in the interest of public health it is necessary or expedient so to do, may by order, notification of which shall be given in the *Gazette*—

- (c) declare that the Colony, or any part thereof, is infected with smallpox or is likely to be so infected; and
- (d) require any person, or class or category of persons, living in the Colony, or in any part thereof, or in such part thereof to which the order relates—
- (i) to subject himself or themselves to vaccination; or
  - (ii) to be placed in isolation or under surveillance, the period of isolation or surveillance being specified according to the circumstances, but in any case not exceeding fourteen days of such requirement.
- (2) During the continuance in force of any order made under subsection (1), it shall be lawful for any health officer—
- (a) if such order requires any person, or class or category of persons, to subject himself or themselves to vaccination and such officer is not satisfied that such person, or any person of the class or category affected by the order is sufficiently protected against smallpox by recent vaccination or by a previous attack of the disease—
    - (i) to direct such person to subject himself to vaccination which shall be performed free of charge; and
    - (ii) to place such person, upon his refusal to comply with such direction, in isolation or under surveillance, the period of isolation or surveillance being specified according to the circumstances, but in any case not exceeding fourteen days of such refusal; or
  - (b) if such order requires any person, or class or category of persons, to be placed in isolation or under surveillance, to use such force, with or without assistance, as may be deemed necessary and to employ such methods as may be deemed sufficient to ensure compliance with such order by any person, or by any person of the class or category, affected by the order.
- (3) Any person placed in isolation or under surveillance under the provisions of subsection (1) or (2) shall continue in isolation or under surveillance for the period

specified in sub-paragraph (ii) of paragraph (d) of subsection (1) or in sub-paragraph (ii) of paragraph (a) of subsection (2) notwithstanding the cancellation of any order made under subsection (1) during such period of isolation or surveillance.

(4) The provisions of this section shall be in addition to and not in derogation of the provisions of sections 58, 59 and 59A and of any regulations made under the provisions of section 8.”

Passed the Legislative Council of Hong Kong, this 1st day of June, 1960.

  
Deputy Clerk of Councils.

(Secretariat GR1/2961/46)



Amendment  
of section 6.

4. Section 6 of the principal Ordinance is amended by the deletion from subsection (1) thereof of the words and comma "and in the case of an application for associate membership, shall be sponsored by two ordinary members".

Amendment  
of section 9.

5. Section 9 of the principal Ordinance is amended by the deletion therefrom of subsections (2) to (6) inclusive and the substitution therefor of the following—

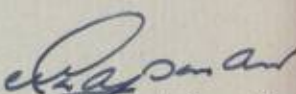
- "(2) (a) The Board shall consist of eleven members, each of whom shall be appointed by the Governor and shall hold office for such period not exceeding three years as the Governor shall provide.
- (b) Six of the members of the Board shall be selected by the Governor and each of the remaining five members thereof (hereinafter referred to as the nominated members of the Board) shall be an ordinary member of the Association, not being a company or a firm, or the accredited representative of an ordinary member which is a company or a firm, recommended for appointment under the provisions of paragraph (a), (b) or (d), as the case may be, of subsection (3).
- (c) In paragraph (b), the expression "accredited representative" means the person designated by an ordinary member which is a company or a firm to be its representative for the purposes of the said paragraph, being a person who is engaged in the day to day business of such company or firm and who has been accepted by the Board (which expression includes the Board appointed under this section prior to its amendment by the Hong Kong Tourist Association (Amendment) Ordinance, 1960) as such representative.
- (3) (a) Each of the following classes of ordinary members, that is to say—
- (i) international passenger carriers who carry passengers by sea;
  - (ii) international passenger carriers who carry passengers by air;
  - (iii) hotel proprietors;
  - (iv) recognized travel agents;
  - (v) tourist agents,
- may, within one month of the commencement of the Hong Kong Tourist Association (Amendment) Ordinance, 1960, recommend a person for appointment as a nominated member of the Board.

- (b) When for any reason a vacancy occurs in the office of a nominated member of the Board, the class of ordinary members by, or as representing, whom such member was recommended for appointment may, within one month of the occurrence of such vacancy, recommend another person for appointment as a nominated member of the Board.
- (c) Where he thinks fit, the Governor may, after consultation with those persons who are members of the Board, decline to appoint as a nominated member of the Board any person who has been recommended for such appointment under the provisions of paragraph (a) or (b).
- (d) Where—
- (i) within one month of the commencement of the Hong Kong Tourist Association (Amendment) Ordinance, 1960, any such class of ordinary members has not recommended a person for appointment as a nominated member of the Board; or
  - (ii) within one month of the occurrence of any vacancy in the office of a nominated member of the Board, the class of ordinary members by, or as representing, whom such member was recommended for appointment has not recommended another person for appointment as a nominated member of the Board; or
  - (iii) the Governor declines to appoint as a nominated member of the Board any person who has been recommended for such appointment under the provisions of paragraph (a) or (b) by any such class of ordinary members,
- those persons who are members of the Board at the expiry of such month or at the time the Governor so declines to appoint a person as a nominated member of the Board, as the case may be, may recommend a person for appointment as a nominated member of the Board as representing that class of ordinary members.
- (e) Every recommendation under the provisions of paragraph (a) or (b) shall be made in accordance with such procedure as the Board may prescribe.
- (4) When for any reason a vacancy occurs in the office of a member of the Board selected for appointment by the Governor, such vacancy shall be filled by appointment by the Governor.
- (5) The Governor shall appoint a member of the Board as chairman thereof, and may appoint another member of the Board to act as chairman thereof during the temporary incapacity by ill-

ness or during the temporary absence from the Colony of the chairman.

(6) The Governor may appoint any person to be temporarily a member of the Board during the temporary incapacity by illness or during the temporary absence from the Colony of any member of the Board, and, where the member so incapacitated or absent is a nominated member of the Board, the person appointed under the provisions of this subsection shall be appointed as representing the class of ordinary members by, or as representing, whom such member was recommended for appointment."

Passed the Legislative Council of Hong Kong, this 29th day of June, 1960.

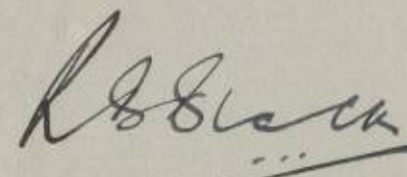
  
Deputy Clerk of Councils.

(Secretariat GR5/2091/57)

**HONG KONG**

No. 25 OF 1960.

I assent.

  
Governor.

29th June, 1960.

An Ordinance further to amend the Public Health (Animals and Birds) Ordinance, Chapter 139.

[ ]

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 Public Health (Animals and Birds) (Amendment) Ordinance, 1960, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*. Short title and commencement.
2. Subsection (1) of section 2 of the Public Health (Animals and Birds) Ordinance (hereinafter referred to as the principal Ordinance) is amended by— Amendment of section 2. (Cap. 139).
  - (a) the insertion, in the definition of the word "animals" after the word "birds", of the following—  
", and reptiles";
  - (b) the deletion, from the definition of the word "birds", of the words "which are ordinarily kept in a state of captivity"; and

- (c) the addition thereto, in the appropriate place having regard to the initial letter of each of them, of the following definitions—

“health officer” means the Director of Medical and Health Services, the Deputy Director of Medical and Health Services, any Assistant Director of Medical and Health Services, any person appointed by the Governor to be a health officer and any person for the time being performing the duties of a health officer;

“inspector” means any person appointed as an inspector under section 18;”.

Addition of  
new sections  
16, 17  
and 18.

3. The principal Ordinance is amended by the addition, at the end thereof, of the following new part—

*“Miscellaneous.*

Powers of  
entry.

16. For any of the purposes of this Ordinance or any regulations made thereunder or for the purpose of ascertaining whether or not the provisions of this Ordinance or of any such regulations or the terms or conditions of any licence or registration granted or made thereunder are being or have been complied with, the Director, the Senior Veterinary Officer and any veterinary officer, assistant veterinary officer, health officer or inspector may, at any time during the hours of daylight, enter and, where necessary, in the presence of a police officer, break into any premises other than premises, or any part of any premises, used exclusively as a dwelling-house.

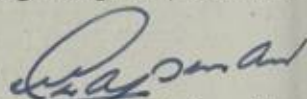
Obstruction,  
etc.

17. Any person who obstructs or resists the Director, the Senior Veterinary Officer, any veterinary officer, assistant veterinary officer, health officer or inspector in the exercise of any power conferred upon him by this Ordinance or any regulations made thereunder shall be guilty of an offence and shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for three months.

Appoint-  
ment of  
inspectors.

18. The Governor may appoint any public officers to be inspectors for the purposes of this Ordinance and the regulations made thereunder.”.

Passed the Legislative Council of Hong Kong, this 29th day of June, 1960.

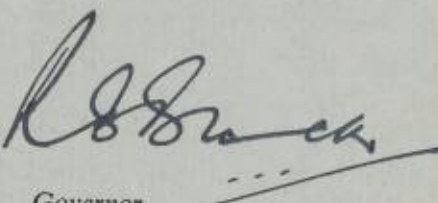
  
Deputy Clerk of Councils.

(Secretariat GR L/M 9507/59)

**HONG KONG**

No. 26 OF 1960.

I assent.



Governor.

29th June, 1960.

An Ordinance to provide for the establishment, regulation and management of a federation to be known as the Federation of Hong Kong Industries, and for matters connected with the purposes aforesaid.

[30th June, 1960.]

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 Federation of Hong Kong Industries Ordinance, 1960. Short title.

2. In this Ordinance, save where the context otherwise requires— Interpretation.  
“corporation” means any company within the meaning of the Companies Ordinance and any body incorporated under any enactment; (Cap. 32).

"Federation" means the Federation of Hong Kong Industries established by section 3;

"general committee" means the general committee established by section 34;

(34 of 1955). "industrial undertaking" has the meaning assigned to it by section 2 of the Factories and Industrial Undertakings Ordinance, 1955;

"member" means any member of the Federation;

"register" means the register of members kept pursuant to the provisions of section 13;

"representative" means the representative of any member appointed in accordance with the provisions of section 49;

First Schedule. "scheduled group" means any group specified in the First Schedule;

"secretary" means the secretary of the Federation.

## PART II.

### *Establishment and incorporation of Federation.*

Establishment of Federation.

3. (1) There is hereby established a federation which shall be known as the Federation of Hong Kong Industries.

(2) The Federation shall consist of such persons as are admitted to membership thereof in accordance with the provisions of this Ordinance.

Incorporation of Federation.

4. The Federation shall be a body corporate and, in the name of the Federation of Hong Kong Industries, shall have perpetual succession and may sue and be sued.

Objects of Federation.

5. The objects of the Federation shall be—

- (a) to promote and foster the interests of the manufacturing industries of the Colony and to provide a united voice for those industries both in the Colony and elsewhere;
- (b) to provide technical and other services to or for the benefit of its members;
- (c) to promote, in other territories, knowledge of and respect for the Colony's industries and to sponsor and assist in the organization of trade fairs and trade missions;

(d) to promote such activities as are designed to improve and develop the Colony's industries and to encourage the efficient use of their resources;

(e) to advise the Government on any matter which affects the Colony's industries; and

(f) to advance and encourage education, including such liaison with universities, technical colleges and schools, and professional institutions or organizations, as may lead to a higher calibre of managerial and supervisory staff.

6. The Federation may—

Powers of Federation.

(a) acquire, take on lease, purchase, hold and enjoy any property, and sell, let or otherwise dispose of the same;

(b) enter into any contract;

(c) invest any surplus funds in such securities, or otherwise in such manner, as it may think fit, and realize the same at such times as it may consider necessary;

(d) borrow or otherwise raise money on such security as may be necessary, and, for that purpose, charge all or any part of the property of the Federation;

(e) issue certificates in respect of goods which are produced, processed or manufactured in the Colony;

(f) promote, control, become a member of, act as agent for, manage, superintend or otherwise assist any association or institution which has, either wholly or in part, objects which are the same as or similar to those of the Federation;

(g) found scholarships and exhibitions and support such establishments and institutions as may further the objects of the Federation;

(h) act as trustees of such trusts as may further such objects or as may be otherwise considered desirable, either gratuitously or otherwise; and

(i) do all such things as are calculated to facilitate, or as are incidental or conducive to, the better carrying out of the objects of the Federation.

Seal of the Federation and authentication thereof, and instruments executed thereunder.

7. (1) The Federation shall have and may use a common seal, and the affixing of the seal shall be authenticated by the signatures of—

- (a) the chairman or the deputy chairman of the Federation, and
- (b) a member of the general committee authorized for that purpose by it, either generally or specially.

(2) Any instrument purporting to be an instrument duly executed under the seal of the Federation shall be received in evidence and shall, unless the contrary is proved, be deemed to be an instrument so executed.

Certain contracts and instruments not required to be under seal.

8. Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal may be entered into or executed on behalf of the Federation by any person generally or specially authorized by the general committee for that purpose.

Management of business of Federation vested in general committee.

9. Subject to any provisions of this Ordinance which require any matter to be decided by the Federation in general meeting, the business of the Federation shall be managed entirely by the general committee, which may for that purpose exercise all the powers of the Federation.

### PART III.

#### *Provisions as to membership of Federation.*

Qualification for ordinary and associate membership.

10. (1) Any person carrying on a business in the Colony which consists of the manufacture, alteration, ornamentation, finishing, processing or transformation of articles, or parts of articles, for sale and—

- (a) whose business is registered under section 6 of the Business Registration Ordinance, 1959;
- (b) whose industrial undertaking is registered under section 7 of the Factories and Industrial Undertakings Ordinance, 1955; and
- (c) who—

(i) normally employs full time not less than one hundred manual workers; or

(ii) normally consumes not less than twenty five thousand Kilowatt hours of electricity per month; or

(6 of 1959).

(34 of 1955).

(iii) has fixed assets not less than two hundred thousand dollars in value,

shall be eligible for admission to the Federation as an ordinary member thereof.

(2) Any person carrying on a business in the Colony which consists of the manufacture, alteration, ornamentation, finishing, processing or transformation of articles, or parts of articles, for sale and—

- (a) whose business is registered under section 6 of the Business Registration Ordinance, 1959; and
- (b) whose industrial undertaking is registered under section 7 of the Factories and Industrial Undertakings Ordinance, 1955; and
- (c) who is not eligible for ordinary membership by virtue of the provisions of paragraph (c) of subsection (1),

shall be eligible for admission to the Federation as an associate member thereof.

11. (1) Every application for admission as an ordinary member or an associate member of the Federation shall be made to the general committee.

(2) The general committee shall consider all such applications and shall admit to ordinary membership or associate membership, as the case may be, such of those persons who are eligible for such membership as it thinks fit.

(3) The general committee may admit as an affiliated member of the Federation any association or organization having interests or objects which are the same as, or similar to, the objects of the Federation or which has interests or objects which are related to the objects of the Federation.

(4) The general committee may admit such persons as it thinks fit to be honorary members of the Federation.

(5) A member which is a firm shall not cease to be a member solely by reason of its incorporation.

12. (1) The fees specified in the Second Schedule shall be payable to the Federation in the cases specified therein.

(2) The annual fees specified in the Second Schedule shall be payable in advance on or before the first day of January in each year or, in the case of a new member, within fourteen days of his admission to membership or, in the case of the initial allocation of a member to an additional scheduled group, within fourteen days of such allocation:

Provided that, if any person is admitted to membership of the Federation, or any member is allocated to any additional scheduled group, after the thirtieth day of June in any year, one half of such annual fee shall be payable by him in respect of that year.

Application for ordinary or associate membership and admission of affiliated and honorary members.

Fees for membership, etc.  
Second Schedule.

Register of members.

13. (1) The general committee shall cause to be kept a register of members, which shall contain the following particulars—

- (a) the name and address of each member;
- (b) the date on which he was admitted to membership;
- (c) the scheduled group or groups to which he has been allotted;
- (d) where such member is a corporation, firm, association or other organization, the name of the person appointed in accordance with the provisions of section 49 to be its representative.

(2) The name of any person who ceases for any reason to be a member shall be removed from the register.

Notification of admission to members and issue of certificate and badge of membership. Second Schedule.

14. (1) Every member shall be notified forthwith of his admission to membership of the Federation and supplied with a copy of this Ordinance and of any rules which may have been made by the general committee under the provisions of section 51.

(2) Upon payment of the fee prescribed in the Second Schedule as the fee payable on admission to membership and of the appropriate annual fee, every such member shall be issued with a certificate of membership and a badge of membership.

(3) If any person ceases for any reason to be a member, he shall forthwith return to the Federation the certificate of membership and the badge of membership issued to him in accordance with the provisions of subsection (2).

Rights of associate and affiliated members.

15. (1) Associate members and honorary members shall be entitled to attend all general meetings of the Federation, but shall not be entitled to vote at any such meeting.

(2) Affiliated members shall be entitled to attend, and to vote at, all general meetings of the Federation.

Resignation of members.

16. Any member may at any time resign from the Federation by giving to the secretary not less than one month's notice in writing.

Cesser of membership.

17. Any member who—

- (a) is adjudicated bankrupt or makes a composition or scheme of arrangement with his creditors; or
- (b) becomes of unsound mind,

shall thereupon cease to be a member.

Expulsion or suspension of members.

18. (1) If it is satisfied that any member—

- (a) has failed, without reasonable cause or excuse, to pay any annual fee in accordance with the provisions of subsection (2) of section 12;

- (b) has failed, without reasonable cause or excuse, to pay the fee prescribed in the Second Schedule as the fee payable on admission to membership within fourteen days of his admission to membership;
- (c) has persistently neglected or refused to pay any other moneys which he or it is liable to pay to the Federation; or
- (d) is unfit to be a member,

Second Schedule.

the general committee may at a meeting specially called for the purpose expel such member from the Federation or suspend him from membership thereof for such period, not exceeding six months, as it thinks fit.

(2) Not less than ten days before the meeting of the general committee at which such resolution is to be considered, the secretary shall give to the member in question notice in writing of any resolution to expel him from the Federation or to suspend him from membership thereof.

(3) No member shall be expelled or suspended unless he, or, where the member is a corporation, firm, association or organization, some person on its behalf, has had an opportunity of making such representations, either in writing or verbally, to the general committee as the member may wish.

(4) The expulsion or suspension of any member shall take effect from the passing of the resolution of the general committee to that effect.

(5) A member whose membership is suspended shall not, so long as such suspension is in force, be entitled to any of the rights or privileges of a member, but shall remain liable to pay the annual fee or fees as if his or its membership were not suspended.

(6) No member of the general committee shall be present in any meeting thereof at any time when it is considering whether or not he, or any corporation of which he is a director or manager or any firm of which he is a partner or any association or organization of which he is a member, shall be expelled or suspended, otherwise than for the purpose of making representations on his or its behalf pursuant to the provisions of subsection (3).

19. Any person who has been expelled from membership of the Federation under the provisions of paragraph (a), (b) or (c) of subsection (1) of section 18 may be re-admitted to membership of the Federation by the general committee at any time upon payment of the fee or other moneys in respect of the failure to pay which he or it was so expelled from membership thereof.

Reinstatement of members in certain cases.

Effect of  
cesser of  
membership  
in relation  
to fees, etc.,  
paid to  
Federation,  
etc.

20. A person who ceases for any reason to be a member shall not, solely by reason of his ceasing to be a member, be entitled to the return of any fees or other moneys paid by him to the Federation or relieved of any liability to the Federation which exists at the time he ceases to be a member.

#### PART IV.

##### *General meetings of Federation.*

Annual  
general  
meetings.

21. (1) There shall be a general meeting of the Federation not less than once in every year, other than the year 1960.

(2) The first such general meeting shall be held not more than twelve months after the commencement of this Ordinance, and the succeeding such meetings shall be held not more than fifteen months after the preceding such meeting.

(3) It shall be the duty of the general committee to convene the said general meetings of the Federation, which shall, subject to the provisions of subsections (1) and (2), be held at such time as the committee may think fit.

(4) Any meeting held in accordance with the provisions of this section shall be styled the annual general meeting.

Extra-  
ordinary  
general  
meetings.

22. (1) The general committee may convene a general meeting of the Federation whenever it considers it to be necessary.

(2) The general committee shall convene a general meeting of the Federation on a requisition in writing addressed to the secretary and signed by not less than one-tenth of the members.

(3) Any meeting held in accordance with the provisions of this section shall be styled an extraordinary general meeting.

Notice of  
general  
meetings.

23. (1) The general committee shall cause to be sent to every member not less than ten days' notice of any general meeting of the Federation.

(2) Every such notice shall specify—

(a) the day on, and the time and place at, which the meeting will be held;

(b) in the case of an annual general meeting, other than such a meeting at which the only business to be considered is the income and expenditure account, balance sheet, auditors' report, the report of the general committee or the appointment of auditors, and in the case of any extraordinary general meeting, in general terms the nature of the business which is to be considered.

(3) Neither the accidental omission to give such notice to any member nor the fact that any member has not received any notice so sent to him or it shall invalidate the proceedings at the meeting.

24. (1) No business shall be transacted at any general meeting of the Federation unless a quorum of members who are entitled to vote thereat is present.

Quorum at  
general  
meetings, etc.

(2) The quorum for any such meeting shall be not less than fifty such members or one-tenth of the aggregate number of such members, whichever is the less.

(3) If, within half an hour of the time appointed for any such meeting, a quorum is not present, the meeting shall—

(a) where it was convened pursuant to the provisions of subsection (2) of section 22, be dissolved; or

(b) in any other case, stand adjourned to the same day in the ensuing week at the same time and place.

(4) If, within half an hour of the time appointed under the provisions of paragraph (b) of subsection (3) for any meeting which has stood adjourned under the provisions of that paragraph, a quorum is not present, the members present who are entitled to vote thereat shall be a quorum.

25. (1) The chairman of the Federation shall, if he is present, preside at every general meeting of the Federation.

Chairmen of  
general  
meetings.

(2) If the chairman is not present at any such meeting, the deputy chairman of the Federation shall, if he is present, preside at the meeting.

(3) If—

(a) within fifteen minutes of the time appointed for any such meeting, neither the chairman of the Federation nor the deputy chairman thereof is present; or

(b) they have both notified the secretary that they will not be present at any such meeting,

then—

(i) one of the members of the general committee elected by those members thereof present at such meeting; or

(ii) if there is only one member of the general committee present at such meeting, such member; or

(iii) if no member of the general committee is present at such meeting or if no member thereof who is present is willing to preside at such meeting, a member of the Federation elected by those members who are present at the meeting and entitled to vote thereat,

shall preside at the meeting.

Adjournment of general meetings.

26. (1) With the consent of the meeting, the chairman of any general meeting of the Federation may, and, if so directed by the meeting, shall, adjourn the meeting from time to time and from place to place.

(2) No business shall be transacted at any meeting which is so adjourned other than the business which was unfinished at the meeting from which the adjournment took place.

(3) When any meeting is adjourned for more than ten days, but not otherwise, the general committee shall cause to be given notice of the adjourned meeting in the manner provided by section 23, as if it were a new meeting.

Votes and proxies.

27. (1) Each ordinary member and each affiliated member shall have one vote.

(2) The vote of any such member may be given by proxy.

(3) No person shall be appointed as a proxy unless he is a member.

(4) The appointment of any person as a proxy shall be in the form prescribed by the general committee.

Voting at general meetings.

28. (1) Save as provided in subsection (2), a resolution before any general meeting of the Federation shall be decided on a show of hands, and an entry in the book of minutes of meetings of the Federation of a declaration by the chairman of the meeting that the resolution has been carried, carried unanimously or by a specified majority, or lost, as the case may be, shall be conclusive evidence of the fact, without proof of the number or proportion of votes cast in favour of or against the resolution.

(2) On or before the declaration of a vote taken in accordance with the provisions of subsection (1), one-fourth of the members present and entitled to vote may demand that the resolution be decided by a poll.

(3) If a poll is duly demanded, the same shall be taken in such manner as the chairman of the meeting may direct.

(4) Where a poll is demanded on the question of the election of the chairman of any meeting or on the question of the adjournment of any meeting, the same shall be taken forthwith, but a poll demanded on any other question shall be taken at such time as the chairman of the meeting may direct.

(5) Where the votes on any question are equally divided, whether the votes are taken on a show of hands or on a poll, the chairman of the meeting shall have a second or casting vote.

## PART V.

### *Accounts and auditors.*

Keeping of accounts.

29. The general committee shall cause to be kept proper accounts of the Federation and proper records in relation thereto.

30. (1) The general committee shall cause to be prepared and laid before the Federation at the annual general meeting an income and expenditure account for the period—

Income and expenditure account and balance sheet.

(a) in the case of the first such account, since the commencement of this Ordinance; and

(b) in any other case, since the preceding account.

made up to a date not earlier than the date of the meeting by more than nine months.

(2) The general committee shall cause to be made out in every year, and laid before the Federation at the annual general meeting, a balance sheet as at the date to which the income and expenditure account is made up.

31. (1) The Federation shall at each annual general meeting appoint an auditor or auditors to hold office until the next annual general meeting.

Appointment of auditors.

(2) The first auditors of the Federation may be appointed by the general committee at any time before the first annual general meeting, and any auditors so appointed shall hold office until that meeting.

(3) The general committee may fill any casual vacancy in the office of auditor, but while any such vacancy continues the surviving or continuing auditor or auditors, if any, may act.

(4) The remuneration of the auditors shall be fixed by the Federation in general meeting, save that the remuneration of an auditor appointed before the first annual general meeting, or of an auditor appointed to fill a casual vacancy, may be fixed by the general committee.

32. The auditors shall make a report to the members on the accounts examined by them and on every balance sheet laid before the Federation at the annual general meeting during their term of office, and the report shall state—

Auditors' report.

(a) whether or not they have obtained all the information and explanations they have required; and

(b) whether, in their opinion, the balance sheet referred to in the report is properly drawn up so as to exhibit a true and correct view of the Federation's affairs according to the best of their information and the explanations given to them, and as shown by the books of the Federation.

33. A copy of the balance sheet made out in accordance with the provisions of subsection (2) of section 30, together with a copy of the auditors' report thereon, shall be sent to every member not less than ten days before the annual general meeting.

Balance sheet and report to be sent to members.

## PART VI.

*The general committee.*

Establishment and constitution of general committee.

34. (1) There shall be a general committee of the Federation which shall, save as provided in section 57, consist of the following members—

- (a) the chairman of each of the scheduled groups;
- (b) the members elected in accordance with the provisions of subsection (1) of section 36; and
- (c) three members appointed by the Governor.

(2) The vice-chairman of any scheduled group shall be entitled to attend, and to vote at, any meeting of the general committee which the chairman of that group is unable to attend.

(3) (a) The general committee may co-opt as members thereof not more than three persons who are ordinary members, associate members or affiliated members or the representatives of any such members.

(b) Any person who is so co-opted as a member of the general committee shall, so long as he continues to be co-opted, be a member thereof for all purposes.

(c) The general committee may terminate the co-option of any person as a member thereof at any time.

(4) Any person who is appointed by the Governor under the provisions of paragraph (c) of subsection (1) to be a member of the general committee and any person who is co-opted as a member thereof under the provisions of paragraph (a) of subsection (3) shall, save as provided—

- (a) in the case of any person so appointed by the Governor, by the provisions of subsection (3) of section 35;
- (b) in the case of any person who is so co-opted, by the provisions of paragraph (c) of subsection (3),

hold office until immediately after the annual general meeting of the Federation next after his appointment or co-option, as the case may be, but shall be eligible for re-appointment or to be again so co-opted.

(5) If any person who is so appointed by the Governor to be a member of the general committee dies or ceases for any other reason to be a member thereof, the Governor shall appoint another person to be a member thereof, and the person so appointed shall hold office until immediately after the ensuing annual general meeting of the Federation.

(6) Any person who is so appointed by the Governor to be a member of the general committee shall, so long as he continues to be a member thereof, be a member of the Federation and shall be entitled to attend, and to be heard and to vote at, any general meeting of the Federation.

35. (1) Any person who is a member of the general committee by virtue of the provisions of paragraph (a) of subsection (1) of section 34 shall cease to be a member thereof if under the provisions of subsection (3) of section 46 he ceases to be the chairman of the scheduled group.

Cesser of membership of general committee.

(2) Any person who is a member of the general committee by virtue of the provisions of paragraph (b) of subsection (1) of section 34 shall cease to be a member thereof if—

- (a) he is adjudicated bankrupt or makes a composition or scheme of arrangement with his creditors;
- (b) he becomes of unsound mind;
- (c) being a member at the time of his election as such member of the general committee, he ceases for any reason to be a member;
- (d) being a representative at the time of his election as such member of the general committee, he ceases to be such representative;
- (e) he resigns his office by notice in writing addressed to the secretary; or
- (f) the member whose representative he was at the time of his election as such member of the general committee ceases for any reason to be a member.

(3) Any person who is appointed by the Governor under the provisions of paragraph (c) of subsection (1) of section 34 to be a member of the general committee shall cease to be a member thereof if he—

- (a) is adjudicated bankrupt or makes a composition or scheme of arrangement with his creditors;
- (b) becomes of unsound mind; or
- (c) resigns his office by notice in writing addressed to the Governor.

36. (1) Upon receipt of the notification given by the secretary under the provisions of section 52 of the date of an annual general meeting of the Federation and before the day specified therein as the day on which such meeting will be held, the associate members allotted to the scheduled groups comprised in each of the classes of scheduled groups specified in the Third Schedule shall elect one of their number or the representative of one of their number to be a member of the general committee.

Election by associate members of general committee.

Third Schedule.

(2) The persons so elected to be members of the general committee shall take office immediately after the said annual general meeting and, save as provided in subsection (2) of section 35, shall hold office until immediately after the ensuing annual general meeting of the Federation.

(3) If any person who was so elected to be a member of the general committee dies or ceases for any other reason to be a member thereof, the associate members of the class of scheduled groups by which such member was elected shall, as soon as practicable, elect another of their number or the representative of one of their number to be a member of the general committee, and the person so elected shall, save as provided in subsection (2) of section 35, hold office until immediately after the ensuing annual general meeting of the Federation.

Chairman and deputy chairman of general committee.

37. (1) At its first meeting after any annual general meeting of the Federation, the general committee shall elect one of its members to be the chairman thereof and one of its members to be the deputy chairman thereof.

(2) The persons so elected shall, save as provided in subsection (3), hold office until immediately after the ensuing annual general meeting of the Federation.

(3) The person so elected shall cease to be chairman or deputy chairman, as the case may be, of the general committee if he ceases for any reason to be a member thereof.

(4) If the person so elected dies or ceases for any other reason to be chairman or deputy chairman of the general committee, the committee shall, as soon as practicable, elect another of its members to be the chairman or deputy chairman thereof, as the case may be, and the person so elected shall, save as provided in subsection (3), hold office until immediately after the ensuing annual general meeting of the Federation.

(5) The chairman and deputy chairman of the general committee shall be the chairman and deputy chairman, respectively, of the Federation.

Convening of meetings of general committee.

38. (1) Save as provided in subsection (2), the chairman of the general committee shall convene such meetings thereof as he may consider necessary for the efficient discharge of its functions.

(2) The chairman of the general committee shall convene a meeting thereof upon the requisition in writing, addressed to the secretary and specifying the reason for convening the meeting, of not less than two of its members.

Procedure at meetings of general committee.

39. (1) The chairman thereof, or, if he is absent, the deputy chairman thereof, shall preside at any meeting of the general committee.

(2) (a) No business shall be transacted at any meeting of the general committee unless a quorum of members is present.

(b) The quorum for any such meeting shall be not less than twelve members of the committee.

(3) All questions coming before any meeting of the general committee shall be decided by a majority on a show of hands.

(4) Where the votes on any such question are equally divided, the chairman of the meeting shall have a second or casting vote.

(5) Subject to the provisions of this Ordinance, the general committee may regulate the conduct of its meetings in such manner as it may think fit.

40. (1) No member of the general committee shall be present in any meeting of the committee when it is considering any matter in which he, or any corporation of which he is a director or manager or any firm of which he is a partner or any association or organization of which he is a member, is the complainant, otherwise than for the purpose of giving evidence of the matter in respect of which the complaint is made.

Restrictions on right of members of general committee to be present or to vote.

(2) No member of the general committee shall vote on any resolution concerning any contract with the Federation in which he, or the member whose representative he is, is interested.

41. The general committee may, if it thinks fit, transact any of its business by the circulation of papers, and a resolution in writing approved by a majority of the members thereof shall be as valid and effectual as if it had been passed at a meeting of the committee.

Transaction of business by circulation of papers.

42. (1) The general committee may, from time to time, appoint such committees as it considers necessary for securing the efficient discharge of its functions, and may delegate to any such committee any of its powers and duties:

Power of general committee to appoint committees.

Provided that no delegation made hereunder shall preclude the general committee from exercising or performing at any time any of the powers and duties so delegated.

(2) Any person may be appointed a member of any such committee notwithstanding that he is not a member of the general committee.

43. Save as otherwise determined by the Federation in general meeting, no member of the general committee shall be entitled to be paid any salary or other remuneration out of the funds of the Federation, but any such member shall be entitled to be reimbursed by the Federation in respect of any expense incurred by him in the performance of his functions as such member.

Members of general committee entitled to reimbursement of expenses, but not to other remuneration unless authorized.

Attendance at meetings of general committee of members invited by chairman of scheduled group.

44. (1) The chairman of any scheduled group may invite any member who has been allotted to such group to attend any meeting of the general committee at which any matter affecting a trade or industry in which such member is engaged or with which he or it is concerned is to be considered.

(2) Any such member who attends any such meeting of the general committee shall be entitled to be present in the meeting whilst the committee is considering such matter and to address the committee.

## PART VII.

### *Scheduled groups.*

Allocation of ordinary and associate members to scheduled groups, etc.

45. (1) At the time any person is admitted as an ordinary member or an associate member of the Federation, the general committee shall allot such member to one of the scheduled groups.

(2) Any ordinary member or associate member may apply to the general committee to be allotted to any scheduled group in addition to the group to which he has been allotted by it under the provisions of subsection (1), and shall be allotted to such additional group or groups if the general committee thinks fit.

(3) The general committee may—

(a) vary the composition of any scheduled group; or

(b) add any group to, or delete any group from, the First Schedule and add any group to, or delete any group from, the Third Schedule so far as may be necessary in consequence of the addition of any group to, or the deletion of any group from, the First Schedule.

(4) Notification of any variation of the composition of any scheduled group or of the addition of any group to, or the deletion of any group from, the First Schedule or the Third Schedule shall be published in the *Gazette*.

Election of chairmen of scheduled groups, etc.

46. (1) Upon receipt of the notification given by the secretary under the provisions of section 52 of the date of an annual general meeting of the Federation and before the day specified therein as the day on which such meeting will be held, the ordinary members allotted to each of the scheduled groups shall elect a chairman and vice-chairman of the group, who shall be an ordinary member of that group or a representative of any such ordinary member.

(2) The persons so elected as chairman and vice-chairman of each of the scheduled groups shall take office immediately after the said annual general meeting and, save as provided in subsection (3), shall hold office until immediately after the ensuing annual general meeting of the Federation.

(3) Any person who is the chairman or vice-chairman of any scheduled group shall cease to be the chairman or vice-chairman thereof, as the case may be, if—

(a) he is adjudicated bankrupt or makes a composition or scheme of arrangement with his creditors;

(b) he becomes of unsound mind;

(c) being a member at the time of his election as such chairman or vice-chairman, he ceases for any reason to be a member;

(d) being a representative at the time of his election as such chairman or vice-chairman, he ceases to be such representative;

(e) he resigns his office by notice in writing addressed to the secretary; or

(f) the member whose representative he was at the time of his election as such chairman or vice-chairman ceases for any reason to be a member.

(4) If the chairman or vice-chairman of any scheduled group dies or ceases for any other reason to be such chairman or vice-chairman, the ordinary members of that group shall, as soon as practicable, elect another ordinary member of that group or the representative of any such ordinary member to be the chairman or vice-chairman thereof, as the case may be, and, save as provided in subsection (3), the person so elected shall hold office until immediately after the ensuing annual general meeting of the Federation.

47. (1) The chairman of any scheduled group may convene a meeting of the group whenever he considers it necessary.

(2) Upon the requisition in writing of not less than one-tenth of the members of any scheduled group, the secretary shall convene a meeting of the group.

48. The provisions of section 39 shall apply, *mutatis mutandis*, to meetings of any scheduled group as they apply to meetings of the general committee.

## PART VIII.

### *Supplementary and miscellaneous.*

49. (1) Every member which is a corporation, firm, association or organization shall appoint one of its members or officers to be its representative for the purposes of the Federation.

(2) Any person who is so appointed as the representative of any member shall be entitled to attend any meeting of the Federation, and to be heard and to vote thereat to the same extent as the member which he represents.

(3) Every such member shall notify the secretary of the name of the person whom it has, for the time being, so appointed to be its representative.

Convening of meetings of scheduled group.

Procedure at meetings of scheduled group.

Appointment of representatives by members which are corporations, firms, etc.

(4) No person shall be the representative of more than one such member at any one time.

Inspection of  
accounts, etc.

50. (1) Any member of the general committee may inspect the accounts of the Federation and any records in relation thereto and any book or document of the Federation at any time.

(2) The general committee shall, from time to time, determine the extent, if any, to, and the time and place at and the conditions on, which any member, other than a member who is a member of the general committee, may inspect such accounts, records, books or documents.

(3) Save to the extent determined by the general committee under the provisions of subsection (2) or as authorized by the Federation in general meeting, no member, other than a member who is a member of the general committee, shall be entitled to inspect such accounts, records, books or documents.

Power of  
general com-  
mittee to  
make rules.

51. (1) The general committee may by rules prescribe or provide for—

- (a) the manner in which the chairmen of scheduled groups and members of the general committee shall be elected;
- (b) such matters as it may consider necessary for the better conduct of the affairs of the Federation or the furtherance of any of its objects.

(2) No rules made under the provisions of subsection (1) shall be inconsistent with any of the provisions of this Ordinance.

(3) Rules made under this section may provide that the general committee may impose on any member who contravenes specified provisions thereof such penalty as may be prescribed by such rules:

Provided that no penalty so prescribed shall exceed five thousand dollars.

Notice to  
scheduled  
groups of  
annual  
general  
meeting.

52. The secretary shall give to the chairman of each of the scheduled groups not less than one month's notice in writing of the date of the annual general meeting of the Federation.

Service of  
notices, etc.

53. Wherever in this Ordinance provision is made for the service or sending of any notice, balance sheet or other document, it shall be sufficient service if a copy of such notice, balance sheet or document is—

- (a) delivered to the person upon whom it is to be served or to whom it is to be sent;
- (b) sent by registered post to the address of such person for the time being entered in the register; or

(c) published in two issues of two daily newspapers, one of which is published in the English language and one in the Chinese language.

54. (1) The validity of any proceeding of the Federation shall not be affected by any defect in the admission of any person to membership thereof or by any defect in the appointment, election or co-option of any person as a member of the general committee or by any vacancy amongst the members of the committee.

Validity of  
proceedings.

(2) The validity of any proceeding of the general committee shall not be affected by any defect in the appointment, election or co-option of any person as a member thereof or by any vacancy amongst the members thereof.

55. (1) No person shall, save with the authority of the Federation—

Protection of  
badge of  
Federation.

(a) have in his possession any badge of the Federation, which badge is portrayed in the Fourth Schedule; or

Fourth  
Schedule.

(b) use for any purpose—

(i) any badge or other device containing the words "Federation of Hong Kong Industries"; or

(ii) any device which so closely resembles the badge of the Federation as to be capable of being understood as referring to such badge.

(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 one thousand dollars.

56. 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.

## PART IX.

### *Interim provisions with respect to general committee.*

57. (1) Until immediately after the first annual general meeting of the Federation, the general committee shall consist of such members as the Governor shall appoint.

Interim  
general com-  
mittee, etc.

(2) The Governor shall appoint two of such members of the general committee to be the chairman and deputy chairman thereof, respectively.

(3) The Governor may appoint another such member of the general committee to act as chairman or deputy chairman thereof, for such period as he may specify, during the temporary incapacity by illness or during the temporary absence from the Colony of the chairman or deputy chairman thereof, as the case may be.

## FIRST SCHEDULE.

[s. 2.]

## Scheduled groups.

Item.	No. of Group.	Description of Group.	Types of industries within the Group.
1.	A	Independent textile spinning.	Cotton spinning. Wool spinning. Staple fibre spinning.
2.	B	Independent textile weaving.	Manufacture of cotton piece-goods, including canvas and towelling. Manufacture of piece-goods of rayon, silk, wool or other material. Manufacture of simple made-up textile articles such as table cloths, etc. Manufacture of webbing. Tape weaving.
3.	C	Textile spinning-cum-weaving.	Industrial undertakings engaged in both spinning and weaving.
4.	D	Textile dyeing and finishing.	Industrial undertakings engaged in dyeing, bleaching, printing, finishing, calendering, etc. of yarns, piece-goods or garments.
5.	E	Garments (knitted fabrics).	Manufacture of knitted garments including singlets and hosiery. Manufacture of underwear or night-wear, which is knitted or made of knitted fabrics. Manufacture of outerwear, which is knitted or made of knitted fabrics. Manufacture of foundation garments which are knitted or made of knitted fabrics.
6.	F	Garments (woven fabrics).	Manufacture of garments of woven materials. Tailoring. Manufacture of garments, made from woven piece-goods, including rain-proof garments. Manufacture of foundation garments made of woven materials.
7.	G	Miscellaneous textiles.	Manufacture of gloves, whether sewn or knitted, or of cotton, rayon or wool. Manufacture of embroidered piece-goods or embroidered garments. Manufacture of cloth and embroidered footwear. Manufacture of hats, caps, neckties and cravats. Manufacture of laces and ribbons, labels, lampwicks, mosquito nets, diapers, sanitary towels and bandages.

Item.	No. of Group.	Description of Group.	Types of industries within the Group.
			Manufacture of carpets and rugs or tapestry. Manufacture of cotton and silk waste, cottonwool, quilts, blankets, shoe laces, umbrellas or nylon wrist watch bands. Manufacture of threads, miscellaneous small yarns or elastic nylon yarns. Yarn doubling. Yarn winding.
8.	H	Metal products.	Manufacture of needles, nails and screws or cutlery. Manufacture of safes and metal furniture or weighing scales. Manufacture of aluminiumware, enamelware, vacuum flasks or hollowware. Manufacture of watch straps and cases, zip fasteners, cigarette lighters, locks and bolts, spectacle frames, tin cans, metal toys, clocks, jewellery or other small metalwares. Electro-plating. Manufacture of buckles and badges, eyelets, hinges or insecticide sprayers. Metal cutting, metal stamping, welding, casting or forging. Manufacture of spray guns, taps, tools and dies, tooth paste tubes or umbrella ribs. Aluminium or brass rolling or aluminium or brass casting. Manufacture of wire rope or machinery or machinery parts.
9.	I	Electrical appliances, other lighting and heating appliances and optical apparatus.	Manufacture of flashlight cases, electric bulbs, lamp ballasts or condensers. Manufacture of electric fans or air-conditioners, etc. Manufacture of electric wiring or bulb holders. Manufacture of metal lanterns, pressure lamps, cookers and heaters or air-conditioning equipment. Manufacture of optical equipment or cameras.
10.	J	Building materials.	Manufacture of bricks, cement or cement products. Sawmilling and flooring. Manufacture of iron or steel bars and rounds.

Item.	No. of Group.	Description of Group.	Types of industries within the Group.
			Iron foundries. Manufacture of metal windows. Manufacture of pipes (building) or marble works. Stone crushing.
11.	K	Rubber and leather products.	Manufacture of rubber footwear or rubber/canvas footwear. Manufacture of leather footwear. Manufacture of other rubber products including tyres, elastic bands, latex products or foam rubber products. Manufacture of leather suitcases, handbags, belts or other leather products. Tanning and leather finishing, rubber rolling or rubber sundries.
12.	L	Plastic and bakelite manufactures.	Manufacture of plastic dolls, buttons, toys, artificial flowers or pearls. Manufacture of articles made of plastic or bakelite. Manufacture of tooth brushes.
13.	M	Wood, paper, cork, straw or rattan manufactures and printing.	Manufacture of soft and hardwood furniture. Manufacture of paper and paper products. Paper dyeing. Manufacture of rattan furniture and other rattanware. Manufacture of wooden carved goods, abacuses, bambooware or other wooden and cork articles or straw and grassware. Ropemaking. Manufacture of gunny bags. Printing or book binding. Manufacture of fishing nets.
14.	N	Foodstuffs, beverages and tobacco.	Manufacture of sugar, confectionery, bread, cakes and biscuits or ice cream. Bottling and canning of fruit, vegetables, fish or meat or other foodstuffs. Flour and rice milling. Manufacture of egg products. Tea blending. Manufacture of preparations of meat, fish, vegetables, fruit or cereals, including sauces and noodles.

Item.	No. of Group.	Description of Group.	Types of industries within the Group.
			Manufacture of preserved ginger and gourmet powder. Tobacco manufactures. Manufacture of soft drinks. Distilleries or breweries.
15.	O	Chemicals and non-metallic mineral products.	Manufacture of paints, lacquers and varnishes. Manufacture of toilet preparations, patent medicines or cosmetics. Manufacture of organic or inorganic chemicals. Manufacture of oils, soap and tallow, wax and candles or tar. Bone grinding. Manufacture of glassware, chinaware, earthenware, crucibles or incandescent mantles. Manufacture of matches, joss sticks or firecrackers. Manufacture of batteries.
16.	P	Transport equipment.	Ship and boat building and repair. Ship breaking. Aircraft maintenance and repair. Motor car engine or body repair and assembly.

## SECOND SCHEDULE.

[s. 12.]

## Fees.

Item.	Circumstances in which payable.	Amount
1.	Fees on admission to membership.	\$
	(a) Affiliated members .....	250.
	(b) Associate members .....	100.
	(c) Ordinary members .....	250.
2.	Annual fees.	
	(a) Affiliated members .....	500.
	(b) Associate members .....	200.
	(c) Ordinary members .....	500.
	(d) Fee payable by ordinary member or associate member in respect of his or its allocation to additional scheduled group under the provisions of section 45(2) .....	for each group 50.

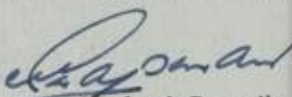
THIRD SCHEDULE. [s. 36.]  
Classes of scheduled groups.

Item.	Class of scheduled groups.	Scheduled groups of which class comprised.
1.	Class A	Groups A, B, C and D.
2.	Class B	Groups E, F and G.
3.	Class C	Groups H, I and J.
4.	Class D	Groups K, L and M.
5.	Class E	Groups N, O and P.

FOURTH SCHEDULE. [s. 55.]  
Badge of Federation.



Passed the Legislative Council of Hong Kong, this 29th day of June, 1960.

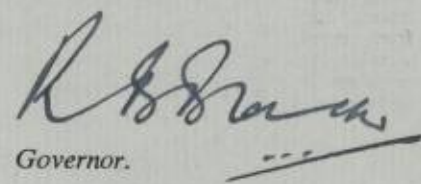
  
Deputy Clerk of Councils.

(Secretariat GR5416/57)

HONG KONG

No. 27 OF 1960.

I assent.

  
Governor.

29th June, 1960.

An Ordinance to extend the operation of the Buildings Ordinance, 1955, to the New Territories, subject to certain modifications.

[ ]

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 Buildings Ordinance, 1955, (Application to the New Territories) Ordinance, 1960, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*. Short title and commencement.

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

(a) "District Commissioner" means the District Commissioner, New Territories, the Deputy District Commissioner, New Territories, and any District Officer;

"lease" includes any agreement for the grant of a lease;

"New Territories" does not include New Kowloon;

(Cap. 228). "permitted building" means any building erected under a permit granted under the Summary Offences Ordinance, and also means any building erected, with the consent of the Crown, on land leased for agricultural or similar use only;

(68 of 1955). "principal Ordinance" means the Buildings Ordinance, 1955; and

- (b) any word or phrase which has a meaning assigned to it by section 2 of the principal Ordinance shall have the meaning so assigned to it.

Application of principal Ordinance to New Territories.

3. On the commencement of this Ordinance, the principal Ordinance shall apply, subject to the provisions of this Ordinance, to the New Territories.

Power of Building Authority to exempt village-type houses, etc. from certain sections of principal Ordinance.

4. (1) Without prejudice to the provisions of section 29 of the principal Ordinance, the Building Authority may, where he thinks fit, exempt from the provisions of sections 4, 7, 9, 9A, 9B, 9C, 12, 14, 15, 19 and 20A of the principal Ordinance, and from the provisions of the regulations made under that Ordinance, building works for the erection, alteration or demolition of, or otherwise in connexion with, a village-type house or a permitted building situated or to be situated in the New Territories.

- (2) (a) Where an application for exemption is made under the provisions of subsection (1) in respect of a village-type house, the application shall be made to the Building Authority through the District Commissioner, who shall determine whether the building is, or, when erected or altered, will be, a village-type house.
- (b) Where the District Commissioner determines that the building is, or, when erected or altered, will be, a village-type house, he shall forward the application for exemption to the Building Authority certifying accordingly.
- (c) The determination of the District Commissioner as to whether or not any building is, or, when erected or altered, will be, a village-type house shall be final.

(3) For the purpose of enabling him to consider any application for exemption under the provisions of subsection (1), the Building Authority or the District Commissioner may require the production of such plans or particulars of the building or building works as he may consider necessary.

(4) Every application for exemption under the provisions of subsection (1) shall be made in the form prescribed in the Schedule.

Schedule.

(5) If any building works in respect of which exemption has been granted under the provisions of subsection (1) are carried out otherwise than in accordance with any plan or particulars thereof produced to the Building Authority or the District Commissioner, the Building Authority may withdraw such exemption, and thereupon the principal Ordinance shall apply to such building works as if such exemption had never been granted.

5. No alteration to any building in existence at the commencement of this Ordinance shall be required by reason of the application of the principal Ordinance to the New Territories.

Effect in relation to existing buildings of application of principal Ordinance to New Territories.

6. (1) (a) The provisions of sections 4, 7, 9, 9A, 9B, 9C, 11, 12, 19 and 20A and of subsection (1) of section 21 of the principal Ordinance and the provisions of the regulations made under the principal Ordinance, other than the provisions of regulation 3 of the Building (Construction) Regulations, 1956, shall not apply to—

Transitional provisions.

(i) any building works which are in the course of being carried out in the New Territories at the commencement of this Ordinance;

(G.N.A. 38/56).

(ii) any building works carried out in the New Territories the plans of which were approved after the 1st day of January, 1960, and before the commencement of this Ordinance, and which are completed within two years from the commencement of this Ordinance or within such further period as the Building Authority may allow.

- (b) In relation to any such building works, the provisions of sections 14 and 15 of the principal Ordinance shall apply as if there were substituted for the reference to the provisions of the principal Ordinance a reference to the provisions of regulation 3 of the Building (Construction) Regulations, 1956, but not otherwise.

(2) The provisions of sections 4, 7, 9, 9A, 9B, 9C, 11, 14, 15 and 20A of the principal Ordinance and the provisions of the regulations made under the principal Ordinance shall not apply to any street works which are in the course of being carried out in the New Territories at the commencement of this Ordinance.

(3) The provisions of sections 7A, 14 and 15 of the principal Ordinance and the provisions of the regulations made under the principal Ordinance shall not apply to any lift works or escalator works which are in the course of being carried out in the New Territories at the commencement of this Ordinance.

Amendment of section 1 of principal Ordinance.

7. Section 1 of the principal Ordinance is amended by the deletion therefrom of subsection (2) and the substitution therefor of the following—

“(2) This Ordinance shall apply to the New Territories (other than New Kowloon) in the manner provided by the Buildings Ordinance, 1955, (Application to New Territories) Ordinance, 1960.”.

SCHEDULE.

[s. 4(4).]

Form of application for exemption.

BUILDINGS ORDINANCE, 1955, (APPLICATION TO NEW TERRITORIES) ORDINANCE, 1960.

(section 4).

To the Building Authority (through the District Commissioner, New Territories).

With reference to the provisions of section 4 of the Buildings Ordinance, 1955, (Application to New Territories) Ordinance, 1960, I,

(here insert name and address), hereby apply for exemption of the building works which I propose to carry out for the erection/alteration/demolition of the village-type house/permited building situated/to be situated in

Lot No. in D. D.

Signature of applicant.

Passed the Legislative Council of Hong Kong, this 29th day of June, 1960.

Deputy Clerk of Councils.

(Secretariat BL6/736/48)

HONG KONG

No. 28 OF 1960.



I assent.

Handwritten signature of the Governor.

Governor.

14th July, 1960.

An Ordinance to provide for the management and control of the Chinese Recreation Ground, Hong Kong, and the Public Square, Yau Ma Tei.

[ ]

WHEREAS those pieces or parcels of land situated in the Colony and known as the Chinese Recreation Ground, Hong Kong and the Public Square, Yau Ma Tei (hereinafter referred to as the said lands), and the structures erected thereon have, for many years, been occupied, under leases granted by the Secretary for Chinese Affairs on behalf of the Crown, largely by traders and hawkers: Preamble.

AND WHEREAS the said lands were specified, in the Schedule to the Pleasure Grounds and Bathing Places Ordinance, Chapter 173, as recreation grounds, and the management thereof and matters connected therewith provided for by regulations under the said Ordinance:

AND WHEREAS the said Ordinance has been repealed by the Public Health and Urban Services Ordinance, 1960:

AND WHEREAS it is intended that, for the time being, the said lands shall continue to be used for the purposes for which they have been used heretofore:

AND WHEREAS, on the commencement of this Ordinance, the said lands will be leased, for the purposes aforesaid, to the committee established by this Ordinance to control and manage the same:

AND WHEREAS it is desirable to provide further for the management and control of the said lands and the structures thereon, for the upkeep thereof, and for the application and investment of the revenue derived therefrom:

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 Chinese Recreation Ground and the Yau Ma Tei Public Square Ordinance, 1960, and shall come into operation on the day appointed for the commencement of the Public Health and Urban Services Ordinance, 1960.

2. In this Ordinance, save where the context otherwise requires—  
“chairman” means the chairman of the Committee;

“Committee” means the committee established by section 6;

“former committee” means the committee appointed by the Governor in exercise of the powers conferred by the regulations under the Pleasure Grounds and Bathing Places Ordinance for the management of the Chinese Recreation Ground, Hong Kong and the Public Square, Yau Ma Tei.

3. The pieces or parcels of land situated in the Colony and known as the Chinese Recreation Ground, Hong Kong and the Public Square, Yau Ma Tei, and which are more particularly delineated and shown edged red on plans signed by the Director of Public Works and deposited in the Land Office and are referred to hereinafter as the Chinese Recreation Ground and the Public Square, Yau Ma Tei, respectively, together with the structures erected thereon by or on behalf of the Committee or by or on behalf of any committee which has heretofore been responsible for the management thereof, shall, subject to the provisions of this Ordinance and of the Crown leases by which the same are demised to the Committee, be controlled and managed by the Committee.

Short title and commencement.

Interpretation.

(Cap. 173).

Chinese Recreation Ground and Public Square, Yau Ma Tei to be controlled and managed by Committee.

4. (1) The Committee shall receive the revenue derived from the Chinese Recreation Ground and the Public Square, Yau Ma Tei, the income from any investments held by it and any other income which may, from time to time, accrue to it, and, out of the same, shall pay for the upkeep of the land and of the aforesaid structures.

Application of revenue, etc.

(2) The Committee may apply any surplus funds for the benefit of such charitable purposes as it thinks fit.

5. (1) The chairman shall cause proper accounts to be kept on behalf of the Committee and shall cause to be prepared for the period from the commencement of this Ordinance to the 31st day of March, 1961, and thereafter for every period of twelve months ending on the 31st day of March in each year, a statement of accounts, which statement shall include an income and expenditure account and balance sheet.

Accounts and audit thereof.

(2) The accounts and the statement of the accounts shall be audited by the Director of Audit, who shall certify the statement subject to such report, if any, as he may think fit.

(3) The audited statement of accounts, together with the auditor's report, if any, shall be laid on the Table of the Legislative Council not later than the 30th day of September next following the end of the period covered by the audited accounts or so soon thereafter as the Governor may, in his absolute discretion, allow.

6. (1) For the purposes of this Ordinance, there is hereby established a committee which shall consist of—

Establishment and incorporation of Committee.

- (a) the Secretary for Chinese Affairs, who shall be the chairman; and
- (b) the Chinese members, for the time being, of the Legislative Council and the Executive Council.

(2) The Committee shall be a body corporate and shall have the name of “The Chinese Recreation Ground and the Public Square Yau Ma Tei Management Committee”, and in that name shall have perpetual succession and may sue and be sued, and shall have and may use a common seal.

7. (1) The affixing of the common seal shall be authenticated by the signature of—

Execution of instruments under seal.

- (a) the chairman, or some other member of the Committee authorized for that purpose by the Committee either generally or specially; and
- (b) some other person authorized for that purpose by the Committee, either generally or specially.

(2) Any instrument purporting to be an instrument duly executed under the common seal shall be received in evidence and shall, unless the contrary is proved, be deemed to be an instrument so executed.

Certain contracts and instruments not required to be under seal.

8. Any contract or instrument which, if entered into or executed by a person not being a body corporate would not be required to be under seal, may be entered into or executed by any person generally or specially authorized by the Committee for that purpose.

General powers of Committee.

9. The Committee may, for the purpose of carrying out its functions—

- (a) acquire, take on lease, purchase, hold and enjoy any property, and sell, let or otherwise dispose of the same;
- (b) enter into any contract;
- (c) delegate to the chairman such of its powers and duties as it may deem expedient for the efficient conduct and discharge of its functions:

Provided that no delegation made hereunder shall preclude the Committee from exercising or performing at any time any of the powers or duties so delegated;

- (d) invest any surplus funds in such securities as may be approved by the Financial Secretary, and realize the same at such times as it considers necessary; and
- (e) do all such things as are calculated to facilitate, or as are incidental or conducive to, the discharge of its functions.

Proceedings and voting of Committee.

10. The Committee may regulate its proceedings in such manner as it may think fit, but, in the event of any dispute in relation to any matter, the same shall be decided by the vote of the majority of the members of the Committee, and, where on any matter the votes of the members of the Committee are equally divided, the chairman shall have a second or casting vote.

Power of Committee to prescribe hours during which Chinese Recreation Ground open to public and to close same temporarily.

11. (1) The Committee may prescribe the hours during which on each day the Chinese Recreation Ground shall be open to the Public, and may, at any time and from time to time, temporarily close to the public the whole or any part thereof.

(2) The Committee shall cause a notice specifying the hours during which on each day the Chinese Recreation Ground is open to the public to be posted in a conspicuous position at the entrance thereto and where, under the provisions of subsection (1), the Chinese Recreation Ground or any part thereof has been temporarily closed to the public, shall cause a notice specifying the area which has been closed and the period of closure to be so posted.

(3) Save with the permission of the chairman, no person shall enter or be in the Chinese Recreation Ground or any part thereof save at a time when the same is open to the public.

12. Save with the permission of the Committee, no person shall hawk any goods or otherwise carry on any trade or business within the Chinese Recreation Ground.

Restriction on hawking, etc. in Chinese Recreation Ground.

13. (1) Save with the permission of the Committee, no person shall erect any structure of any kind whatsoever in the Chinese Recreation Ground or the Public Square, Yau Ma Tei.

Prohibition of erection of structures without permission of Committee.

(2) Where the Committee permits the erection of any structure, the Committee may impose such conditions with respect thereto, including conditions as to the payment of fees, as it thinks fit.

14. Any person who—

- (a) contravenes the provisions of subsection (3) of section 11, section 12 or subsection (1) of section 13; or
- (b) contravenes any condition imposed under the provisions of subsection (2) of section 13,

Offences and penalties.

shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars and to imprisonment for three months.

15. Any moneys, investments or other funds which are, at the commencement of this Ordinance, held by or by any person for or on behalf of the former committee shall be deemed, for all purposes, to have been transferred to and to be vested in the Committee and may be applied or invested or otherwise dealt with in accordance with the provisions of this Ordinance as if the same had been received or invested, as the case may be, by the Committee.

Provisions as to transfer of funds held by or on behalf of former committee.

16. All deeds, agreements and instruments entered into by any person for or on behalf of the former committee which are subsisting at the commencement of this Ordinance shall be of as full force and effect against or in favour of the Committee as if, instead of such person, the Committee had been named therein or had been a party thereto.

Provisions as to transfer of rights and liabilities under deeds, etc. entered into for or on behalf of former committee.

17. All leases of premises situated within the Chinese Recreation Ground or the Public Square, Yau Ma Tei heretofore granted by the Secretary for Chinese Affairs on behalf of the Crown and which are subsisting at the commencement of this Ordinance and in respect of which notice of termination has not been given at the commencement thereof shall continue in force, take effect and be determinable as if

Transitional provisions as to subsisting leases of premises within Chinese Recreation

Ground and Public Square, Yau Ma Tei.

the same had been sub-leases granted by the Committee as Crown lessees of the said Chinese Recreation Ground or the said Public Square, Yau Ma Tei, as the case may be, on the same terms and conditions as are contained in the said leases.

Landlord and Tenant Ordinance not to apply to premises in Chinese Recreation Ground or Public Square, Yau Ma Tei. (Cap. 255).

18. The provisions of the Landlord and Tenant Ordinance shall not apply to any premises situated in the Chinese Recreation Ground or the Public Square, Yau Ma Tei.

Passed the Legislative Council of Hong Kong, this 13th day of July, 1960.

*[Signature]*  
Deputy Clerk of Councils.

(Secretariat GR10/581/47)

HONG KONG

No. 29 OF 1960.



I assent.

*[Signature]*

Governor.

14th July, 1960.

An Ordinance to make provision for the better protection of certificates of origin issued by chambers of commerce and other bodies.

[15th July, 1960.]

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 Protection of Non-Government Certificates of Origin Ordinance, 1960. Short title

2. In this Ordinance, save where the context otherwise requires— Interpretation.  
"certificate of origin" means a certificate of origin issued by or on behalf of any chamber of commerce or other body for the time being specified in the Schedule. Schedule.

3. Any person who— Offences in relation to certificates of origin and penalties therefor.  
(a) forges, or causes to be forged, any certificate of origin;  
(b) not being an officer of the chamber of commerce or other body who is authorized by such chamber of commerce or body in that behalf, makes, or causes to be made, any alteration of, or addition to or deletion from, any certificate of origin;

- (c) knowingly utters or makes use of, or causes to be uttered or made use of, any forged certificate of origin or any certificate of origin which has been altered or added to, or from which any deletion has been made, by any person other than an officer of the chamber of commerce or other body who is authorized by such chamber of commerce or body in that behalf.
- (d) knowingly utters or makes use of, or causes to be uttered or made use of, as applying to any article any certificate of origin which does not so apply; or
- (e) substitutes, or suffers or permits any other person to substitute, any other article for any article in respect of which a certificate of origin has been issued,

shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

Liability of directors, etc. where company convicted of offence.

4. Where a person convicted of an offence under this Ordinance is a company, every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

Amendment of Schedule.

5. The Governor in Council may by order amend the Schedule or may add thereto, or delete therefrom, any chamber of commerce or other body.

Saving.

6. 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.

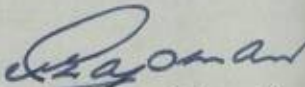
#### SCHEDULE.

[s. 2.]

*Chambers of Commerce and other bodies to whose certificates of origin the Ordinance applies.*

The Hong Kong General Chamber of Commerce.  
The Chinese General Chamber of Commerce.

Passed the Legislative Council of Hong Kong, this 13th day of July, 1960.

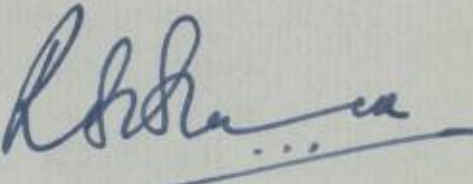
  
Deputy Clerk of Councils.

(Secretariat CR L/M 107/60)

## HONG KONG

No. 30 OF 1960.

I assent.



Governor.

14th July, 1960.

An Ordinance to consolidate and amend certain legislation relating to public health and urban services and 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 Public Health and Urban Services Ordinance, 1960, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*. Short title and commencement.
2. In this Ordinance, save where the context otherwise requires— Interpretation.  
“advertisement” includes any structure or apparatus erected, used, or intended to be used, solely for the display of advertisements;

"analysis" includes micro-biological assay but no other form of biological assay, and "analyse" shall be construed accordingly;

"animal" includes reptiles, but does not include birds or fish;

"Authority" means the public officer or public body designated to be the Authority by the provisions of section 3;

"bath" includes shower bath and turkish bath;

"boarding house" includes hotels and common lodging houses;

Fifth  
Schedule.

"cemetery" means any place for the time being specified in the Fifth Schedule;

(Cap. 32).

"corporation" means any person or body of persons incorporated by virtue of any Ordinance of the Colony and also means any company registered under the Companies Ordinance;

"court" means a magistrate's court;

"cream" means that part of milk rich in fat which has been separated by skimming or otherwise;

(Cap. 114).  
(Cap. 172).

"dancing establishment" means any public dance-hall or dancing school which is required to be licensed under the provisions of the Miscellaneous Licences Ordinance or the Places of Public Entertainment Ordinance;

"District Commissioner, New Territories" includes the Deputy District Commissioner, New Territories, and any district officer;

"drain" means a drain used for the drainage of one building or any buildings or yards appurtenant to buildings within the same curtilage, and the expression "public drain" means a drain which is vested in and maintained by the Government and, for the purposes of this Ordinance, includes any part of a drain from the outlet of any disconnecting trap to its junction with a public drain or sewer, and the expression "private drain" means any drain other than a public drain;

"drink" does not include water, but does include aerated water;

"drug" includes medicine for internal or external use by man;

"establishment" includes premises;

"excretal matter" means excretal matter of human beings;

"fish" means all fish commonly used for human consumption and also means any other fish which is sold or offered for sale for human consumption;

"food" includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include—

- (a) water, live animals, birds or fish (excluding shell fish);
- (b) fodder or feeding stuffs for animals, birds or fish; or
- (c) articles or substances used only as drugs;

"grave" means a burial place formed in the ground by excavation and without any internal walls of brickwork or stonework or any other artificial lining;

"hawker" means—

- (a) any person who trades in any public place—
  - (i) by selling or exposing for sale any goods, wares or merchandise; or
  - (ii) by exposing samples or patterns of goods, wares or merchandise to be afterwards delivered; or
  - (iii) by hiring or offering for hire his skill in handicraft or his personal services; and
- (b) any person who itinerates for the purpose—
  - (i) of selling or exposing for sale any goods, wares or merchandise; or
  - (ii) of hiring or offering for hire his skill in handicraft or his personal services;

Provided that nothing in this definition shall be taken to include—

- (i) any person who sells to or seeks orders from any person who is a dealer in any such goods, wares or merchandise and who buys to sell again; or
- (ii) any person who on request visits in any place the person making such request for the purpose of selling or offering for sale or delivering to him or taking from him orders for

any goods, wares or merchandise or of hiring to the person making such request his skill in handicraft or his personal services; or

(iii) any representative of the press or any photographer;

"Hawker Control Force" means the Hawker Control Force established by the Hawker Control Force Ordinance, 1960;

"health inspector" means any person appointed by the Governor to be a health inspector and any person for the time being performing the duties of a health inspector;

"health officer" means the Director of Medical and Health Services, the Deputy Director of Medical and Health Services, the Assistant Directors of Medical and Health Services, and any person appointed by the Governor to be a health officer and any person for the time being performing the duties of a health officer;

"house refuse" means ashes, cinders, dust, rubbish or filth, but does not include trade refuse or excretal matter;

"latrine" includes a water closet, urinal and dry latrine, and all other sanitary equipment or installations designed, intended or used for the reception of excretal matter;

"laundry" means any premises or place upon which the business of laundering or dry cleaning is carried on, and "launder" includes any process of dry cleaning;

"licensee" includes a delegate appointed pursuant to a requirement under the provisions of subsection (7) of section 125;

"lines" means any structure, not specifically designed and constructed for the permanent housing of labourers, which is used or intended to be used for their temporary accommodation;

"market" means any market to which, by virtue of a declaration by the Governor under subsection (1) of section 79, this Ordinance applies;

"milk" means cows milk and includes cream and separated milk, but does not include dried milk, condensed milk or reconstituted milk;

"mortuary" means any premises or place set apart or habitually used for the reception, storage or treatment of human remains;

"New Territories" does not include the urban areas;

"offensive trade" means any trade, business, process or manufacture declared under the provisions of section 48 to be an offensive trade;

"package" or "packing" includes every means by which goods for carriage, sale or deposit are cased, covered, enclosed, contained or wrapped;

"petroleum" means crude petroleum or any oil made from petroleum or from coal, shale, peat or other bituminous substances;

"poultry" means any bird commonly used for human consumption and also any other bird which is sold or offered for sale for human consumption;

"premises" includes land, buildings, structures and easements and, in relation to any building, includes the curtilage thereof, and, in relation to the internal parts of a building, includes any bedspace, cubicle, room, floor, or portion of a floor, the subject of a separate letting;

"private market" means any market other than a public market;

"public analyst" means the Government Chemist, the Government Pathologist and any analyst appointed by the Governor for the purposes of this Ordinance;

"public market" means a market managed by the Government;

"public pleasure ground" means any place for the time being specified in the Fourth Schedule and delineated on any plan thereof which may, for the time being, have been deposited in accordance with the provisions of subsection (5) of section 106, and, in the case of a beach, includes the sea and the sea-bed within the limits of the beach;

Fourth  
Schedule.

"public swimming pool" means a swimming pool managed by the Government;

"sale" or "sell" includes disposal by barter or raffling;

"sanitary convenience" includes latrine, sink, bath, washbasin, slop closet and any similar convenience;

"scheduled offence" means an offence under any of the enactments specified in the First Schedule;

First  
Schedule.

"scheduled premises" means any premises of any of the classes of premises specified in the first column of the Second Schedule;

Second  
Schedule.

"sewer" does not include a drain as defined in this section but otherwise includes all sewers and drains used for the drainage of buildings and yards appurtenant to buildings, and the expression "public sewer" means a sewer which is vested in and maintained by the

Government and includes, for the purposes of this Ordinance, any part of a sewer from the outlet of any disconnecting trap to its junction with a public sewer or drain, and the expression "private sewer" means any other sewer;

"slaughterhouse" means any premises or place habitually used for the slaughter of animals for human consumption, and the expression "public slaughterhouse" means a slaughterhouse managed by the Government, and the expression "private slaughterhouse" means any other slaughterhouse;

"street refuse" means dust, dirt, rubbish, mud, road scrapings or filth, but does not include excretal matter;

"trade refuse" means the refuse of any trade, manufacture or business or of any building materials;

"urban areas" means the Colony excluding the New Territories except New Kowloon;

"vault" includes underground burial places of every description, except graves;

"ventilating system" means a mechanical system for introducing or exhausting air;

"vermin" includes rodents, and also includes cockroaches, mites, ticks, bugs, fleas, lice and itch mites, and the eggs, larvae, nymphs or pupae thereof;

"vessel" means any ship, junk, sampan, boat or other description of craft within the waters of the Colony, but does not include registered ocean going ships nor any ships or vessels belonging to Her Majesty or the Government of any foreign power or the Government of any country of the Commonwealth or the Government of the Republic of Ireland;

"washhouse" includes open drying grounds;

"workplace" means any premises, vessel or place in which articles are manufactured, altered, cleansed, repaired, ornamented, finished, adapted for sale, broken up or demolished or in which materials are transformed (including shipbuilding), but does not include any workplace registered under section 7 of the Factories and Industrial Undertakings Ordinance, 1955.

(34 of 1955).

Designation  
of Au-  
thorities.  
Third  
Schedule.

3. (1) Subject to the provisions of subsection (2), the Authority for the purposes of each of the sections of this Ordinance specified in the first column of the Third Schedule shall—

- (a) in the urban areas and in respect of any matters specified in the second column of that Schedule, be the public officer or public body specified in respect thereof in the said second column of that Schedule; and

- (b) save where otherwise provided in the third column of that Schedule, in the New Territories and in respect of any matters specified in the said third column of that Schedule, be the public officer or public body specified in respect thereof in the said third column of that Schedule.

(2) The Governor in Council may by order designate any public officer or public body to be the Authority for the purposes of any of the sections of this Ordinance in substitution for the public officer or public body specified in the Third Schedule as the Authority for the purposes of that section.

(3) The Governor in Council may by order amend, add to or delete from the Third Schedule.

## PART II.

### SEWERS AND DRAINS.

4. The Authority shall be responsible for causing the construction, repair and maintenance of all public sewers, drains or drainage works, and may alter or disconnect the connexion therewith of any private sewer, drain or drainage works.

Construction and maintenance of public sewers and drains.

5. The Authority shall be responsible for the proper clearing, cleansing and emptying of public sewers, drains and drainage works, and for the abatement of nuisances arising in connexion therewith.

Cleansing of public sewers.

6. (1) Any person who—

- (a) places or throws any solid matter, mud or refuse (except such as is contained in ordinary house sewage) in or into any public sewer or drain or any sewer, drain, inlet or other drainage work communicating with any public sewer or drain, or over any grate communicating with any public sewer or drain;
- (b) causes or knowingly permits any such matter, mud or refuse to be placed or thrown, or to fall, or to be carried, in or into any public sewer or drain or over any such grate;
- (c) causes or knowingly permits any such matter, mud or refuse to be placed in such a position as to be liable to fall or be carried as aforesaid;
- (d) discharges into any public sewer or drain or into any sewer or drain which, not being a public sewer or drain, communicates therewith, any chemicals, oils, petroleum or petroleum-spirit or any manufacturing, trade or other refuse (not included as aforesaid) or any waste steam, or any heated liquid, which, either alone or in combination with other matter in any sewer or drain, causes or may cause nuisance or danger to persons entering or being in, or near to, any public sewer or drain or danger to any public sewer or drain itself; or

Protection of public sewers and drains.

- (e) wilfully, except with the permission in writing of the Authority, or negligently damages, alters, disconnects or otherwise interferes with any public sewer or drain or any connexion therewith,

shall be guilty of an offence.

(2) The Authority only may prosecute for an offence under the provisions of subsection (1), and shall not be obliged to prosecute if, in its opinion, the solid or other matter may be received into the public sewer or drain in question without risk of damage to structure or danger to the health of persons employed at or being near to such sewer or drain:

Provided that nothing in this subsection shall be deemed to derogate from the powers of the Attorney General in relation to the prosecution of criminal offences.

7. (1) The Authority may cause a notice to be served on the owner or occupier of land adjoining any street or place in which is situated a public sewer, drain or drainage works requiring him, within such time as may be specified in such notice, so to fence off, channel or embank the land as to prevent soil or refuse being carried into such public sewer, drain or drainage works.

(2) Any person who fails to comply with any of the requirements of a notice served under the provisions of subsection (1) within the time specified therein shall be guilty of an offence.

8. Nothing in section 6 or 7 shall be taken or construed to the prejudice of any powers conferred by the Factories and Industrial Undertakings Ordinance, 1955 or the Buildings Ordinance, 1955.

9. Any person who, without the permission of the Authority—

- (a) enters or attempts to enter any public sewer; or  
 (b) raises or covers up any grating, trap or manhole cover, or otherwise interferes with any fitting connected with any public sewer or drain, or inserts any wire, net or other contrivance through any opening in any such grating, trap or manhole cover or through any other opening or vent in any public sewer or drain,

shall be guilty of an offence.

10. (1) The owner or, in default of the owner, the occupier of any premises shall, forthwith after it comes to his knowledge that there is any disused sewer or drain in, under or upon the premises, give notice in writing of the existence of such disused sewer or drain to the Authority.

Prevention of obstruction of sewers and drains by soil or refuse.

Saving in relation to certain Ordinances. (34 of 1955). (68 of 1955).

Punishment of persons interfering with public sewers or drains.

Notice of existence of disused drains.

(2) If the owner or occupier, as the case may be, of any premises intends to cease to use any sewer or drain in, under or upon such premises, he shall forthwith give notice in writing of such intention to the Authority.

(3) Any person who fails to comply with any of the provisions of subsection (1) or (2) shall be guilty of an offence:

Provided that in any proceedings against the owner or occupier, as the case may be, in respect of a failure to comply with the provisions of subsection (1), it shall be a defence to prove that—

- (a) in the case of proceedings against the owner, such owner had reasonable cause to believe that the occupier or a previous owner or occupier had given such notice; and  
 (b) in the case of proceedings against the occupier, such occupier had reasonable cause to believe that the owner or a previous owner or occupier had given such notice.

11. The Governor in Council may make regulations prescribing or providing for—

- (a) the general or particular protection of public sewers, drains or drainage works; and  
 (b) the prevention of nuisances arising from public or private sewers, drains or drainage works.

Regulations for the protection of sewers and drains and prevention of nuisance therefrom.

### PART III.

#### GENERAL SANITATION AND CLEANLINESS.

##### General.

12. (1) The following matters shall, subject as hereinafter provided, be nuisances which may be dealt with summarily under section 127—

- (a) any premises (including any cemetery) or vessel in such a state as to be a nuisance or injurious or dangerous to health;  
 (b) any pool, well, ditch, gutter, watercourse, drain, sewer, water tank or container, cesspool, pond, pit, sanitary convenience, soil, waste or rainwater pipe, dust bin or refuse container or other like place or thing so foul, or in such a state, as to be a nuisance or injurious or dangerous to health;  
 (c) any accumulation or deposit (including any dead body) which is a nuisance or injurious or dangerous to health;  
 (d) any animal or bird kept in such a place, or in such a manner, as to be a nuisance or injurious or dangerous to health;  
 (e) the emission of dust, fumes or effluvia from any premises in such a manner as to be a nuisance;

Nuisances which may be dealt with summarily.

(f) the emission of dust from any building under construction or demolition in such a manner as to be a nuisance.

(2) Nothing in paragraph (c) of subsection (1) shall render a person punishable in respect of any accumulation or deposit necessary for the effectual carrying on of a business or manufacture, if the court is satisfied that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture and that the best available means have been taken for preventing injury thereby to the public health.

(34 of 1955). (19 of 1959). Nothing in subsection (1) shall be taken or construed to the prejudice of the provisions of the Factories and Industrial Undertakings Ordinance, 1955 or the Clean Air Ordinance, 1959.

Cleansing and covering of offensive ditches, drains, etc.

### 13. (1) The Authority—

(a) may cleanse, drain, enclose, cover or fill up, or cause to be cleansed, drained, enclosed or covered or filled up, any pond, pool, open ditch, drain, watercourse, cesspool, well, or place containing or used for the collection of any drainage, filth, water, matter or thing of an offensive nature or likely to be prejudicial to health; or

(b) may cause notice to be served on the person causing, or likely to cause, any such nuisance or on the owner or occupier of any premises whereon any such nuisance exists requiring him, within the time specified in the notice, to drain, cleanse, enclose, cover or fill up the pond, pool, ditch, drain watercourse, cesspool, well or place, as the case may be, or to construct a proper drain, ditch or other means for the discharge of such filth, water, matter or thing, or to execute such other work as the case may require.

(2) If the person on whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

(a) such person shall be guilty of an offence; and

(b) the Authority may execute, or cause to be executed, such work as may be necessary for the abatement of the nuisance, and may recover any expenses thereby incurred from the owner of the premises:

Provided that the Authority may, where it thinks it reasonable, defray all or any part of such expenses.

(3) The owner or, in default of the owner, the occupier of any premises upon which there is any disused cesspool or well which has not been covered in a permanent manner or filled in shall, forthwith after the existence of such disused cesspool or well comes to his knowledge, give notice in writing thereof to the Authority.

(4) If the owner or occupier, as the case may be, of any premises intends to cease to use any cesspool or well situated upon such premises, he shall forthwith give notice in writing of such intention to the Authority.

(5) Any person who fails to comply with any of the provisions of subsection (3) or (4) shall be guilty of an offence:

Provided that in any proceedings against the owner or occupier, as the case may be, in respect of a failure to comply with the provisions of subsection (3), it shall be a defence to prove that—

(a) in the case of proceedings against the owner, such owner had reasonable cause to believe that the occupier or a previous owner or occupier had given such notice; and

(b) in the case of proceedings against the occupier, such occupier had reasonable cause to believe that the owner or a previous owner or occupier had given such notice.

(6) Nothing in this section shall be taken or construed to the prejudice of the provisions of the Buildings Ordinance, 1955.

(68 of 1955).

14. (1) Where it appears to the Authority that limewashing, cleansing or disinfecting of any premises or any part of any premises is necessary for the health of the inmates thereof or of persons resorting thereto, the Authority may cause a notice to be served upon the owner or occupier of such premises requiring him to limewash, cleanse or disinfect such premises or such part thereof, as the case may be, within such period as may be specified in the notice.

Power to require limewashing, etc. of premises.

(2) If the person on whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

(a) such person shall be guilty of an offence; and

(b) the Authority may execute, or cause to be executed, such work as may be necessary to satisfy the requirements of such notice, and may recover any expenses thereby incurred from such person:

Provided that the Authority may, where it thinks it reasonable, defray all or any part of such expenses.

15. (1) The Authority may make regulations prescribing or providing for—

Regulations as to cleansing and prevention of nuisances.

(a) the prevention of nuisances or danger to health arising from salt, effluvia, dust, ashes, rubbish, offal, fish or filth or other matter or thing in any public place or on any foreshore;

(b) the prevention or restriction of scavenging and of picking over of refuse;

- (c) the times during which any excretal matter or offensive or noxious thing may be removed or carried by road or water in or through any district or place, and the construction of vehicles, containers or vessels used for such purpose so as to prevent the escape of any such matter or thing and so as to prevent any nuisance arising therefrom;
- (d) the removal or disposal of street refuse, house refuse or excretal matter, and the duties of the owner or occupier of any premises in relation to house refuse or excretal matter so as to prevent nuisances arising therefrom and to facilitate its removal or disposal by any lawful scavenging or conservancy service;
- (e) fees payable in connexion with any licence granted under section 16;
- (f) fees or charges payable in connexion with any scavenging or conservancy services;
- (g) the additional sum to be paid on the recovery under the provisions of subsection (3) of section 22 of any article or thing seized under the provisions of subsection (2) of that section.

(2) Fees or charges prescribed by any regulation made under paragraph (f) of subsection (1) shall be a civil debt due to the Crown and shall be recoverable summarily before a court from the owner and occupier, jointly or severally at the election of the Authority which, under section 16, provides, or has by licence permitted any other person to provide, the service, of the premises in respect of which the service in question is provided; but such fees or charges shall, in the absence of any agreement to the contrary, be deemed as between the owner and occupier to be an occupier's liability, and the amount thereof, if paid by the owner, may be recovered by him from the occupier in an action for money paid to his use, or, if such occupier is still in occupation of such premises, by distress in the same manner as for recovery of rent.

Scavenging and conservancy services.

16. The Authority may, in its discretion, provide services, or may by licence or contract permit any other person to provide services, for the removal and disposal of house refuse and street refuse and for the cleansing and emptying of pail latrines and the removal and disposal of excretal matter therefrom.

Prohibition of unauthorized removal of refuse (including excretal matter).

17. Where in any district or place the Authority has provided services, or has by licence or contract permitted any other person to provide services, in respect of any of the matters referred to in section 16, any person who, save in accordance with any regulations made under section 15, receives, carries away or collects any matter in respect of which such services are provided shall be guilty of an offence:

Provided that, if the Authority, or its contractors or agents, or any person permitted by licence or contract under section 16, or the contractors or agents of any such person, neglect or fail for a period of forty eight hours to remove any house refuse or excretal matter from any premises, the occupier of such premises, after giving to the Authority twenty hour hours' notice in writing requiring the Authority to cause the removal of such refuse or excretal matter, may make such arrangement as he may consider best for the removal and disposal of such refuse or excretal matter, notwithstanding that such arrangement may result in, or be the cause of, a nuisance and notwithstanding that such arrangement may contravene the provisions of any regulations.

18. All house refuse and street refuse, and any substance obtained from the cleansing or emptying of dry latrines, collected by or on behalf of the Authority in the operation of any service provided under section 16 shall be the property of the Crown, and may be sold or disposed of by the Authority in such manner as the Authority may think fit.

Property in refuse and excretal matter.

19. (1) If the Authority is requested by the owner or occupier of any premises to remove or dispose of any trade refuse, the Authority may remove or dispose of it, and may, in its discretion, recover the cost thereof from the person requesting the service.

Removal of trade refuse.

(2) If any dispute or difference of opinion arises between the owner or occupier of premises and the Authority as to whether or not anything is trade refuse, the court shall, on application by either party, determine whether or not the subject matter of the dispute is trade refuse, and the decision of the court shall be final.

20. (1) Where it appears to the Authority that any accumulation of obnoxious matter, whether manure, dung, soil, filth or other matter, ought to be removed from any place, whether public or private, and it is not by any enactment provided that the Authority shall remove it, the Authority may cause a notice to be served on the owner of such obnoxious matter, or on the occupier of the premises on which it exists, requiring him to remove it, and, if the notice is not complied with within the time, not being less than forty eight hours, specified therein, the matter to which the notice refers shall become the property of the Crown and may be removed and disposed of by the Authority.

Removal of obnoxious matter at request of Authority.

(2) The proceeds (if any) of the disposal by the Authority of any obnoxious matter removed by it under the provisions of subsection (1) shall be applied in payment of the expenses incurred by the Authority in removing and disposing of such matter and the surplus (if any) shall be paid, on demand being made within thirty days after the disposal of such matter, to the former owner thereof, and the said expenses, so far as they are not covered by the proceeds of the disposal of such matter, shall be recoverable by the Authority from the former owner of such matter or, where the former owner is absent from the Colony,

or cannot be readily found or ascertained by the Authority, from the occupier, or where there is no occupier, from the owner, of the premises from which such matter was removed.

Removal of refuse from stables, cowhouses, pigsties, kennels, etc.

21. (1) For the purposes of this Part, any manure, bedding, straw or other refuse from any stable, cowhouse, pigsty, kennel, poultry farm or like premises maintained for the purpose of gain (which expression shall include a racing stable) shall be deemed to be trade refuse.

(2) The Authority may, by notification in the *Gazette*, require the periodic removal of manure, bedding, straw, or other refuse referred to in subsection (1), and if, where any such notification has been given, the person to whom any such manure, bedding, straw or other refuse belongs fails to comply with the requirements thereof, he shall be guilty of an offence.

Prevention of obstructions to scavenging or conservancy operations.

22. (1) If any person obstructs, or causes or permits any article or thing to be so placed as to obstruct or to be likely to obstruct, any scavenging or conservancy operation or any street sweeper acting in the performance of his duty—

- (a) such person shall be guilty of an offence; and
- (b) the court may, in addition to any other penalty imposed, order the forfeiture of such article or thing.

(2) Notwithstanding the provisions of paragraph (b) of subsection (1), where any article or thing is so placed as, in the opinion of the Authority, to cause or to be likely to cause obstruction to any scavenging operation or to any street sweeper acting in the performance of his duty, the Authority may—

- (a) cause to be served upon the owner of such article or thing, or, where the owner is absent from the Colony or cannot be readily found or ascertained by the Authority, cause to be attached to such article or thing, a notice requiring the owner or some person on his behalf to remove the same within such time (being not less than twenty four hours) as may be specified in the notice; and
  - (b) if such article or thing is not removed within the time specified in the notice, seize, carry away and detain such article or thing.
- (3) Where any article or thing is seized under the provisions of paragraph (b) of subsection (2), the owner may, within seven days after such seizure, recover the same upon payment to the Authority of the expenses (if any) incurred in the seizure, carrying away and detention thereof and of such additional sum as may be prescribed by regulations made under section 15:

Provided that—

- (a) where any article or thing seized under this section is required, or likely to be required, for production in evidence in any

proceedings under this Ordinance, the Authority may, notwithstanding anything contained in this subsection, retain such article or thing until such proceedings are either abandoned or determined; and

- (b) where any such proceedings are not instituted within fourteen days after such seizure, such proceedings shall be deemed, for the purposes of this subsection, to have been abandoned.

(4) If, within seven days after the seizure of any article or thing under the provisions of paragraph (b) of subsection (2), the same has not been recovered in the manner provided by subsection (3), such article or thing shall become the property of the Crown, free from all liens, claims or incumbrances whatsoever, and may be sold or otherwise disposed of in such manner as the Authority may think fit.

(5) No action, liability, claim or demand whatsoever shall lie against the Authority or the Government, or against any person acting for or on behalf of the Authority or the Government, in respect of any loss or damage arising out of or by reason of the seizure, carrying away or detention of any article or thing, *bona fide*, under the provisions of this section.

23. (1) In the absence of a police officer, it shall be lawful for any public officer authorized in writing in that behalf by the Authority to arrest in any public place any person who contravenes any of the provisions of subsection (1), (2) or (3) of section 3, or of subsection (1) of section 4, of the Summary Offences Ordinance.

Powers of arrest in certain cases.

(Cap. 228).

(2) In the absence of a police officer, it shall be lawful for any watchman employed by the Government on any refuse dump under the control of the Government to arrest any person whom he finds raking, picking over or grubbing in any refuse deposited in or upon such dump or removing or scattering any portion of any such refuse without, in any such case, lawful authority or excuse.

(3) Any public officer or any watchman who arrests any person under the provisions of subsection (1) or (2) shall forthwith take him to the nearest police station or give him into the custody of a police officer, whereupon the provisions of section 47 of the Police Force Ordinance or of sections 46 and 47 of that Ordinance, as the case may be, shall apply.

(Cap. 232).

#### *Wells and well water and waste water.*

24. (1) Where it appears to the Authority that the water in any spring, well, pool, pond, watercourse, swimming pool or other source—

Power to close, etc. polluted wells, etc.

- (a) is used, or is likely to be used, for human consumption or domestic purposes, or for manufacturing food or drink for human consumption; and

- (b) is so polluted, or is likely to be so polluted, as to be injurious or dangerous to health, or is otherwise rendered unfit for human consumption or injurious or dangerous to health,

the Authority may cause a notice to be served upon the owner of the premises upon which such spring, well, pool, pond, watercourse, swimming pool or other source exists or, where the owner is absent from the Colony or cannot be readily found or ascertained by the Authority or is under disability, upon the occupier thereof requiring him, within such time as may be specified in such notice, to close, permanently or temporarily, such spring, well, pool, pond, watercourse, swimming pool or other source, or to take such other steps as may appear to the Authority to be necessary to prevent injury or danger to health of persons drinking or using such water.

(2) If any person on whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

- (a) such person shall be guilty of an offence; and  
 (b) the Authority may execute, or cause to be executed, such work as may be necessary for the purpose of preventing injury or danger to health, and may recover any expenses thereby incurred from the owner of such premises or, where the owner is absent from the Colony or cannot be readily found or ascertained by the Authority or is under disability, from the occupier thereof.

Protection of fountains, wells and pumps.

25. Any person who—

- (a) does any wilful act whereby any fountain, well or pump is damaged; or  
 (b) by reason of any act or neglect, causes or permits the water of any fountain, well or pump which is used, or likely to be used, for human consumption or domestic purposes, or for manufacturing food or drink for human consumption, to become polluted or fouled,

shall be guilty of an offence.

Regulations relating to the use of water from springs, wells, etc.

26. (1) The Authority may make regulations prescribing or providing for—

- (a) the prohibition or control of the use of water from any spring, well, pool, pond, watercourse, swimming pool or other source, the use of which is likely to be injurious or dangerous to health;  
 (b) the disinfecting or purifying, and the maintenance in a wholesome condition, of water from any such spring, well, pool, pond, watercourse, swimming pool or other source.

(2) Nothing in subsection (1) or in section 24 shall be taken to apply to any waterworks within the meaning of the Waterworks Ordinance, or taken or construed to the prejudice of the provisions of the Buildings Ordinance, 1955.

(Cap. 102).  
 (68 of 1955).

27. (1) Where it appears to the Authority that there is, or is likely to be, upon any premises any accumulation of water, whether waste or otherwise, likely to contain larvae or pupae of mosquitoes, the Authority may, whether such accumulation of water is presently found to exist or not, cause a notice to be served upon the occupier, or, where the occupier is absent from the Colony or cannot be readily found or ascertained by the Authority or is under disability, upon the owner, of such premises requiring him, within such time as may be specified in the notice—

Control of water likely to contain larvae or pupae of mosquitoes.

- (a) to remove such accumulation of water, if existing; or  
 (b) to take such other steps as may be specified in the notice to prevent any or any further such accumulation of water upon such premises; or  
 (c) to take such other steps as may be specified in the notice to prevent the existence of larvae or pupae of mosquitoes upon such premises.

(2) If the person upon whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

- (a) such person shall be guilty of an offence; and  
 (b) the Authority may remove, or cause to be removed, any such accumulation of water and may take such other steps as may be necessary to satisfy the requirements of such notice, and may recover any expenses thereby incurred from such person.

(3) Where, in any accumulation of water on any premises, larvae or pupae of mosquitoes are found, the occupier of such premises or, where the occupier is absent from the Colony or cannot be readily found or ascertained by the Authority, the owner thereof shall be guilty of an offence.

(4) The Director of Medical and Health Services and any public officer authorized by him in that behalf may, in addition to the Authority, exercise any of the powers vested in the Authority by the provisions of subsections (1) and (2).

28. (1) The Authority may make regulations to promote the destruction of mosquitoes or the prevention of the breeding thereof.

Regulations for prevention of mosquitoes.

(2) Any regulations made under subsection (1) may be of general application or limited to particular districts, areas, premises or types or classes of premises.

*Sanitary conveniences.*

Regulations  
as to latrine  
accommoda-  
tion.

for—  
**29.** The Authority may make regulations prescribing or providing

- (a) the provision and maintenance of suitable and sufficient latrine accommodation in connexion with any premises, whether the same were constructed before or after the commencement of this Ordinance;
- (b) the supply of water closets and urinals with sufficient water for their effective action;
- (c) the maintenance in proper working order, repair and cleanly condition of latrines, cesspools and septic tanks, and the provision of proper accessories therefor;
- (d) the hygienic construction of rooms or compartments in which latrines may be installed.

Obligation  
to provide  
latrines.  
(68 of 1955).

**30.** (1) Where it appears to the Authority that any premises, or any part of any premises, whether such premises were constructed before or after the commencement of the Buildings Ordinance, 1955 or of this Ordinance, are without or without sufficient, latrine accommodation or that the latrine accommodation provided therein is ineffective or of a type which is unsuitable having regard to the circumstances of the case, the Authority may cause a notice to be served upon the owner of such premises or, where the owner is absent from the Colony or cannot be readily found or ascertained by the Authority or is under disability, upon the occupier thereof, requiring him, within such time as shall be specified in the notice, to provide such number of latrines, or latrines of such type, or to do such other thing to provide effective and sufficient latrine accommodation, as may be specified in the notice:

Provided that, where any such requirement involves the carrying out of building works within the meaning of the Buildings Ordinance, 1955, no such notice shall be issued except with the consent in writing of the Building Authority.

(2) If the person upon whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

- (a) such person shall be guilty of an offence; and
- (b) the Authority may execute, or cause to be executed, such work as may be necessary to satisfy the requirements of such notice, and may recover any expenses thereby incurred from such person.

(3) If any person considers himself aggrieved by any notice served upon him under the provisions of subsection (1) or by any act done by or on behalf of the Authority under this section, he may, within thirty

days after the service of such notice or the doing of such act, as the case may be, appeal to the Governor in Council by way of petition, and no offence shall be deemed to have been committed under subsection (2) until after such petition be abandoned or dismissed.

(4) The provisions of this section shall not apply to any school registered under the Education Ordinance, 1952, or to any workplace registered under the Factories and Industrial Undertakings Ordinance, 1955. (33 of 1952). (34 of 1955).

**31.** Any person who causes, or suffers or permits any person to cause, any septic tank, cesspool, trap, siphon or any sanitary convenience to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging, or by otherwise interfering with, or by improperly using, the same or any water supply, apparatus, pipe or work connected therewith, shall be guilty of an offence. Prevention of nuisances from latrines and sanitary conveniences.

**32.** (1) If any septic tank, cesspool, trap, siphon or any sanitary convenience is, or has been, so constructed, or is so situated, as to be, or to be likely to be, a nuisance or offensive to public decency, the Authority may, whether the same was constructed before or after the commencement of the Buildings Ordinance, 1955 or of this Ordinance, cause a notice to be served upon the owner thereof, or where the owner is absent from the Colony or cannot be readily found or ascertained by the Authority or is under disability, upon the occupier of the premises in question, requiring him, within such time as may be specified in the notice, to remove, reconstruct, screen or otherwise alter such septic tank, cesspool, trap, siphon or sanitary convenience, as the case may be, in such manner as to abate the nuisance or to remove the offence against public decency or the likelihood thereof. Removal or alteration of sanitary conveniences. (68 of 1955).

(2) If the person upon whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

- (a) such person shall be guilty of an offence; and
- (b) the Authority may execute, or cause to be executed, such work as may be necessary to satisfy the requirements of such notice, and may recover any expenses thereby incurred from such person.

(3) If any person considers himself aggrieved by any notice served upon him under the provisions of subsection (1) or by any act done by or on behalf of the Authority under this section, he may, within thirty days after the service upon him of the notice or the doing of the act, as the case may be, appeal to the court, and the court may make such order as may appear to it to be just having regard to all the circumstances.

Examina-  
tion of  
sanitary con-  
veniences by  
Authority.

33. (1) The Authority may examine any of the following works, that is to say, any septic tank, cesspool, trap, siphon or sanitary convenience, or any water supply, apparatus, pipe or work connected therewith, upon any premises, and for that purpose may cause the ground to be opened in any place which may appear to the Authority necessary, doing as little damage as may be.

(2) If any work referred to in subsection (1) is found on examination to be in proper order, the Authority shall cause the work to be reinstated and made good as soon as may be and shall defray the expenses of the examination and the reinstating and making good of the work, but, if on examination any such work is found not to be in proper order, the Authority may—

- (a) recover from the owner of the premises, or where the owner is absent from the Colony or cannot be readily found or ascertained by the Authority or is under disability from the occupier thereof, the expenses of such examination; and
- (b) cause a notice to be served upon the owner of such premises or, in the circumstances specified in paragraph (a), the occupier thereof requiring him to repair or otherwise put in good order such work or to comply, as nearly as may be, with the provisions of the Buildings Ordinance, 1955, within such time as may be specified in the notice:

Provided that no such notice shall be issued by the Authority requiring such owner or occupier to carry out any drainage works within the meaning of the Buildings Ordinance, 1955, except with the consent in writing of the Building Authority.

(3) If the person upon whom a notice is served under the provisions of paragraph (b) of subsection (2) fails to comply with any of the requirements thereof—

- (a) such person shall be guilty of an offence; and
- (b) the Authority may execute, or cause to be executed, any work necessary to satisfy the requirements of such notice, and may recover any expenses thereby incurred from such person.

(4) If any person considers himself aggrieved by any notice served upon him under the provisions of paragraph (b) of subsection (2) or by any act done by or on behalf of the Authority under the provisions of this section, he may, within fourteen days after the service upon him of the notice or the doing of the act, as the case may be, appeal to the court, and the court may make such order as may appear to it to be just having regard to all the circumstances.

(5) Notwithstanding any appeal under the provisions of subsection (4), the Authority may proceed with and carry out any work which, in the opinion of the Authority, ought to be carried out under this

(68 of 1955).

section, but, until such appeal is abandoned or determined, no sum of money in respect of any such work shall be recoverable from any person party to such appeal.

34. The following provisions shall have effect in relation to any sanitary convenience used in common by the occupiers of two or more premises or by other persons—

Sanitary con-  
veniences  
used in  
common.

- (a) any person who injures or improperly fouls any such sanitary convenience or anything used in connexion therewith shall be guilty of an offence;
- (b) where any such sanitary convenience, or the approaches thereto, or the walls, floors, seats or fittings thereof, is or are, in the opinion of the Authority, in such a state as to be a nuisance for want of proper cleansing, such persons having the use of such sanitary convenience in common as may be in default, or, in the absence of proof satisfactory to the court as to which of such persons is in default, each of such persons, shall be guilty of an offence.

*Public latrines, bathhouses, washhouses, laundries and labourers' lines.*

35. The Authority may make regulations prescribing or providing for—

Regulations  
as to public  
latrines,  
bathhouses  
and  
washhouses.

- (a) the maintenance, management and control (including prohibition) of latrines, bathhouses, or washhouses, used or intended for use by the public whether upon payment or otherwise, and the fees to be charged for the use thereof;
- (b) registration or licensing of such latrines, bathhouses or washhouses, and fees and charges in connexion therewith.

36. (1) The Authority, or any person duly authorized by licence of the Authority, may provide and maintain any latrine, bathhouse or washhouse for the use of the public in any situation where the Authority shall consider such latrine, bathhouse or washhouse to be required having regard to the general benefit of the public, and may equip any such latrine, bathhouse or washhouse with all requisite furnishings, fittings and mechanical or other appliances for the use, convenience or assistance of persons resorting thereto:

Provision  
and main-  
tenance of  
public  
latrines,  
bathhouses  
and wash-  
houses.

Provided that nothing in the section shall authorize the Authority, or any person acting under a licence issued by the Authority, to carry on the business of a launderer, dyer or dry cleaner in any such bathhouse or washhouse, or to permit any person to use any such furnishings, fittings or mechanical or other appliances as aforesaid for the purpose of a laundry, dyeing or dry cleaning business.

(2) If any person other than the Authority opens or maintains any latrine, bathhouse or washhouse for the use of the public otherwise than under and in accordance with a licence granted under subsection (1), he shall be guilty of an offence.

Power to remove members of the public from public bathhouses and washhouses.

37. The Authority or any person licensed under subsection (1) of section 36 or any person duly authorized by the Authority or by such person licensed as aforesaid may remove from any latrine, bathhouse or washhouse maintained, respectively, by it or him for the use of the public any person contravening any regulation made under the provisions of section 35.

Power to refuse admittance to certain members of the public to public bathhouses and washhouses.

38. The Authority or any person licensed under subsection (1) of section 36 may refuse admittance to or remove from any latrine, bathhouse or washhouse maintained, respectively, by it or him for the use of the public any person who has been convicted of—

- (a) an offence under any regulation made under the provisions of section 35 relating to latrines, bathhouses or washhouses; or
- (b) an offence against public decency committed in any such latrine, bathhouse or washhouse.

Appeals against action taken under section 37 or 38.

39. Any person who considers himself aggrieved by removal from, or refusal of admittance to, any latrine, bathhouse or washhouse under section 37 or 38 may appeal to the court, and the court may make such direction regarding the use by the appellant of such latrine, bathhouse or washhouse as may in the circumstances appear to it to be just.

Regulations relating to laundries and dry cleaning establishments.

(34 of 1955).

40. (1) Without prejudice to anything contained in the Factories and Industrial Undertakings Ordinance, 1955 the Authority may make regulations in relation to any laundry or any premises, place or vehicle used for storing, collecting or delivering articles in connexion with the business of any laundry prescribing or providing for—

- (a) the proper management and control thereof, including prohibition or restriction;
- (b) registration or licensing thereof, and fees and charges in connexion therewith;
- (c) the regulation and control (including prohibition), and the medical examination and immunization against disease, of persons engaged or employed upon or in connexion with any laundering or dry cleaning operation or the handling or packing of any clothing;
- (d) the promotion of hygienic and wholesome methods of laundering or dry cleaning and the prevention of the dissemination of communicable diseases.

(2) Regulations made under this section may prohibit, restrict or otherwise control the laundering or dry cleaning for gain of clothing, bedding or household linen otherwise than in a laundry.

41. The Authority may make regulations in relation to labourers' lines prescribing or providing for—

Regulations relating to labourers' lines.

- (a) the prevention and abatement of nuisances therein and the maintenance of the same in a clean and sanitary condition;
- (b) the construction thereof and the facilities to be provided therein.

#### Swimming Pools.

42. (1) The Authority may make regulations in relation to swimming pools (including the precincts thereof) prescribing or providing for—

Regulations relating to swimming pools.

- (a) the purity of water contained in any swimming pool, and the adequacy and cleanliness of accommodation provided thereat;
- (b) the prevention of accidents;
- (c) the conduct and standards of decency of persons resorting to swimming pools, including the exclusion or removal therefrom of persons suffering from communicable diseases and, in the case of public swimming pools, of undesirable persons;
- (d) proper design and standard of finishing;
- (e) the proper management and control of swimming pools, including licensing or registration, and fees and charges in connexion therewith;
- (f) in the case of any public swimming pool, charges for admission or for the use or enjoyment of any facilities provided thereat.

(2) Regulations made under this section may be of general application or restricted to any particular swimming pool or to any class or type of swimming pool.

43. (1) The Director of Urban Services may in relation to any public swimming pool make, from time to time, rules of a subsidiary nature for the better control, direction and information of persons using or resorting to such swimming pool:

Rules relating to public swimming pools.

Provided that such rules shall not be inconsistent with any of the provisions of this Ordinance or any regulation made under section 42.

(2) Any person who fails to comply with any rule made under the provisions of subsection (1) shall be guilty of an offence.

44. (1) The Authority may close temporarily to the public any public swimming pool, or any part of any public swimming pool, and may—

Use of public swimming pools for swimming contests, etc., or by schools or clubs.

- (a) grant, either gratuitously or for payment, the exclusive use thereof to schools or clubs, or to persons organizing swimming practices or contests, aquatic sports or similar entertainment; or

(b) itself use it for such practices, contests, sports or entertainments.

(2) The Authority may make, or authorize the making of, charges for admission to, or for the use of, any such swimming pool while it is closed to the public under the provisions of subsection (1).

45. Any public swimming pool shall be deemed to be a public place for the purposes of any enactment relating to offences against decency.

*Verminous articles and premises.*

46. (1) Where it appears to the Authority that—

(a) any article or thing is in such a filthy, dangerous or unwholesome condition that health is, or is likely to be, injuriously affected thereby; or

(b) the cleansing, disinfecting or destruction of any such article or thing is necessary in order to prevent risk of injury to health; or

(c) any such article or thing is infested with vermin or, by reason of having been used by any person infested with vermin, is likely to be so infested,

the Authority may cause the article to be cleansed, disinfected, disinfested or destroyed, as the case may be, and, if the Authority thinks fit, removed for that purpose.

(2) For the purposes of this section, the wrapper or cover of any article or thing shall be deemed to form a part of such article or thing.

(3) Nothing in this section shall be taken or construed to the prejudice of the provisions of the Quarantine and Prevention of Disease Ordinance.

47. (1) Where it appears to the Authority that any premises or vessel, or any part of any premises or vessel, are or is infested with vermin, the Authority may cause a notice to be served upon the owner or occupier of such premises or vessel, or such part of any premises or vessel, requiring him, within such time as may be specified in the notice, to cleanse such premises or vessel, or such part of any premises or vessel as may be specified in such notice, and to take such other steps for the purpose of destroying and removing any vermin as the Authority may in such notice direct.

(2) If the person on whom a notice is served under the provisions of subsection (1) fails to comply with any of the requirements thereof—

(a) such person shall be guilty of an offence; and

Public swimming pools to be public places for certain purposes.

Cleansing and destruction of filthy or verminous articles.

(Cap. 141).

Cleansing of verminous premises.

(b) the Authority may execute, or cause to be executed, such work as may be necessary to satisfy the requirements of such notice, and, subject to the provisions of subsection (3), may recover any expenses thereby incurred from such person.

(3) In any proceedings under the provisions of subsection (2), the court may enquire whether any requirement contained in any notice served, or any work done, by the Authority under the provisions of this section was reasonable and whether the expenses incurred by the Authority in doing that work, or any part thereof, ought to be borne wholly or in part by the person upon whom the notice was served, and may make such order concerning those expenses or their apportionment as appears to it to be just having regard to all the circumstances.

(4) Notwithstanding anything contained in this section, where it appears to the Authority that any premises or vessel, or any part of any premises or vessel, are or is infested with vermin, the Authority may, without serving a notice under the provisions of subsection (1), forthwith take such reasonable steps as may be required to destroy or remove therefrom any vermin:

Provided that, in carrying out any operation in pursuance of the provisions of this subsection, the Authority shall not make any structural alteration to such premises or vessel or such part of any premises or vessel, nor move any fixture or any fittings, furniture or equipment of a substantial nature, or otherwise cause any unreasonable inconvenience to the occupants of such premises or vessel or such part of any premises or vessel.

(5) Where, in pursuance of the provisions of subsection (4), the Authority has placed in any premises or vessel any trap or bait container or any bait or other substance, any person who, without lawful authority or excuse, knowingly removes or destroys such trap, bait container, bait or substance or otherwise interferes therewith, or knowingly causes, suffers or permits any other person or any domestic animal or bird to remove, destroy or interfere with such trap, bait container, bait or substance, shall be guilty of an offence.

PART IV

OFFENSIVE TRADES.

48. The Authority may by notification in the *Gazette* declare to be an offensive trade any trade, business, process or manufacture which, in the opinion of the Authority, causes offensive or noxious effluvia or dust or is otherwise of an offensive or harmful nature or which involves the slaughtering of animals or birds.

Declaration of offensive trades.

Regulations relating to offensive trades. (34 of 1955).

49. Notwithstanding anything contained in the Factories and Industrial Undertakings Ordinance, 1955, the Authority may make regulations in relation to offensive trades prescribing or providing for—

- (a) registration or licensing, and fees and charges in connexion therewith;
- (b) the prevention of nuisances;
- (c) the restriction of the carrying on of offensive trades, or groups or classes of such trades, to certain areas or districts or otherwise than in certain areas or districts;
- (d) the construction, size, ventilation, drainage, cleansing, repair or maintenance of any building, yard, pen or other place in which any offensive trade is carried on;
- (e) in the case of any offensive trade involving the slaughtering of animals or birds—
  - (i) the manner in which such slaughtering is to be performed and the control, including prohibition, of the use of any specified instruments or appliances; and
  - (ii) the manner in which the carcass of any animal or bird may be transported or moved from one place to any other place in connexion with such offensive trade.

## PART V.

### FOOD AND DRUGS.

Offences in connexion with preparation and sale of adulterated foods or drugs.

50. (1) No person shall add any substance to food, use any substance as an ingredient in the preparation of food, abstract any constituent from food, or subject food to any other process or treatment, so as (in any such case) to render the food injurious to health, with intent that the food shall be sold for human consumption in that state.

(2) No person shall add any substance to, or abstract any constituent from, a drug so as to affect injuriously the quality, constitution or potency of the drug, with intent that the drug shall be sold in that state.

- (3) Subject to the provisions of this section, no person shall—
- (a) sell for human consumption, offer, expose or advertise for sale for human consumption, or have in his possession for the purpose of such sale, any food rendered injurious to health by any operation described in subsection (1); or
  - (b) sell, offer, expose or advertise for sale, or have in his possession for the purpose of sale, any drug injuriously affected in its quality, constitution or potency by means of any operation described in subsection (2).

(4) Any person who contravenes any of the provisions of subsection (1), (2) or (3) shall be guilty of an offence.

(5) In determining for the purposes of this Part whether an article of food is injurious to health, regard shall be had not only to the probable effect of that article on the health of a person consuming it, but also to the probable cumulative effect of articles of substantially the same composition on the health of a person consuming such articles in ordinary quantities.

(6) In any proceedings for an offence under the provisions of subsection (4) consisting of the advertisement for sale of any food or drug, it shall be a defence for the person charged to prove that, being a person whose business it is to publish, or arrange for the publication of, advertisements, he received the advertisement for publication in the ordinary course of business.

51. (1) No person shall add any water or colouring matter, or any dried or condensed milk or liquid reconstituted therefrom, to milk intended for sale for human consumption.

Adulteration, etc. of milk.

(2) No person shall add any separated milk, or mixture of cream and separated milk, to unseparated milk intended for sale for human consumption.

(3) No person shall sell or offer or expose for sale, or have in his possession for the purpose of sale, for human consumption any milk to which any addition has been made in contravention of the provisions of subsection (1) or (2).

(4) No person shall sell, offer or expose for sale, or advertise, under the designation of milk any liquid in the making of which any separated milk, or any dried or condensed milk, has been used.

(5) Any person who contravenes any of the provisions of subsection (1), (2), (3) or (4) shall be guilty of an offence.

(6) For the purposes of subsection (3), a person shall be deemed to retain the possession of milk which is deposited in any place for collection until it is actually collected.

52. (1) If any person sells to the prejudice of a purchaser any food or drug which is not of the nature, or not of the substance, or not of the quality, of the food or drug demanded by the purchaser, he shall, subject to the provisions of section 53, be guilty of an offence.

General protection for purchasers of food and drugs.

(2) Without prejudice to the provisions of subsection (1), any person who for the purpose of sale keeps in any container any liquid which is not of the nature, or not of the substance, or not of the quality, of the alcoholic liquor which, by reason of the labelling or other marking of such container, it appears to be, shall be guilty of an offence.