

ESSENTIAL SERVICES CORPS ORDINANCE.

(Chapter 197).

**ESSENTIAL SERVICES (AUXILIARY MEDICAL SERVICES)
CORPS (AMENDMENT) REGULATIONS 1967.**

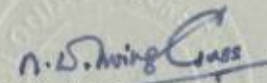
In exercise of the powers conferred by section 7 of the Essential Services Corps Ordinance, the Governor has made the following regulations—

1. These regulations may be cited as the Essential Services (Auxiliary Medical Services) Corps (Amendment) Regulations 1967, and shall come into operation on the 1st day of April 1967.
2. Regulation 3 of the principal regulations is amended by deleting paragraphs (b) and (c).

Citation and commencement.

Amendment of regulation 3.
(Cap. 197, sub. leg.)

By Command,


Colonial Secretary.

21st March 1967.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations make minor amendments to the principal regulations consequential upon the enactment of the Auxiliary Forces Pay and Allowances Ordinance 1967.

(Secretariat CR 168/65)

COMMONWEALTH PREFERENCE (MOTOR VEHICLES)
ORDINANCE 1967.

(No. 12 of 1967).

COMMONWEALTH PREFERENCE (MOTOR VEHICLES)
(DEPRECIATION) REGULATIONS 1967.

In exercise of the powers conferred by section 12 of the Commonwealth Preference (Motor Vehicles) Ordinance 1967, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Commonwealth Preference (Motor Vehicles) (Depreciation) Regulations 1967 and shall come into operation on the day appointed for the commencement of the Commonwealth Preference (Motor Vehicles) Ordinance 1967.

Citation and commencement.

2. For the purposes of paragraphs (c) and (d) of subsection (1) of section 7 of the Ordinance, the rate of depreciation, where applicable, shall be—

Rates of depreciation.

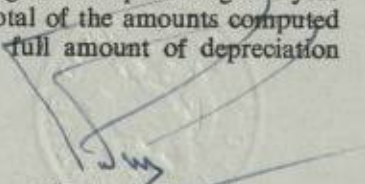
(a) in respect of petrol-driven motor vehicles, twenty-five per cent per annum;

(b) in respect of all other motor vehicles, twenty per cent per annum,

or, for any period of less than one year or for any part of a year, the rate of depreciation shall be one-twelfth of the appropriate annual rate hereinbefore specified.

3. The amount of depreciation for any period shall be computed, at the appropriate rate specified in regulation 2, separately in respect of each year or part of a year on the reducing value of the motor vehicle, which, in respect of any year or part of a year, shall be the full value of the vehicle, calculated in accordance with the relevant provisions of section 7 of the Ordinance, reduced by the amount of depreciation relating to each preceding full year (if any) within that period; and the total of the amounts computed separately as aforesaid shall be the full amount of depreciation for the whole of that period.

Computation of amount of depreciation.


Clerk of Councils.

COUNCIL CHAMBER,
28th March 1967.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

Section 6 of the Commonwealth Preference (Motor Vehicles) Ordinance 1967 imposes in respect of vehicles which, in the opinion of the Commissioner of Police, are not Commonwealth products, a Commonwealth preference tax of fifteen per cent of the value of the vehicle. In calculating the value of a vehicle for this purpose, sections 7(1)(c) and (d) allow depreciation in respect of certain vehicles other than new vehicles, at such rate and in such manner as may be prescribed. These regulations prescribe the rate and manner of such depreciation.

(Secretariat FIN 1/5232/46II)

**MOTOR VEHICLES (FIRST REGISTRATION TAX)
ORDINANCE.**

(Chapter 330).

**MOTOR VEHICLES (FIRST REGISTRATION TAX)
(DEPRECIATION) REGULATIONS 1967.**

In exercise of the powers conferred by section 9 of the Motor Vehicles (First Registration Tax) Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Motor Vehicles (First Registration Tax) (Depreciation) Regulations 1967, and shall come into operation on the day appointed for the commencement of the Motor Vehicles (First Registration Tax) (Amendment) Ordinance 1967.

Citation and commencement.

2. For the purposes of paragraphs (c) and (d) of subsection (1) of section 4 of the Ordinance, the rate of depreciation, where applicable, shall be—

Rates of depreciation.

(a) in respect of petrol-driven motor vehicles, twenty-five per cent per annum;

(b) in respect of all other motor vehicles, twenty per cent per annum,

or, for any period of less than one year or for any part of a year, the rate of depreciation shall be one-twelfth of the appropriate annual rate hereinbefore specified.

3. The amount of depreciation for any period shall be computed, at the appropriate rate specified in regulation 2, separately in respect of each year or part of a year on the reducing value of the motor vehicle, which, in respect of any year or part of a year, shall be the full value of the vehicle, calculated in accordance with the relevant provisions of section 4 of the Ordinance, reduced by the amount of depreciation relating to each preceding full year (if any) within that period; and the total of the amounts computed separately as aforesaid shall be the full amount of depreciation for the whole of that period.

Computation of amount of depreciation.

[Signature]
Clerk of Councils.

COUNCIL CHAMBER,
28th March 1967.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

Section 3 of the Motor Vehicles (First Registration Tax) Ordinance imposes a tax on the first registration of certain motor vehicles in the Colony, the tax being calculated on the value of the vehicle. In calculating the value of a vehicle for this purpose, sections 4(1)(c) and (d) allow depreciation in respect of certain vehicles other than new vehicles, at such rate and in such manner as may be prescribed. These regulations prescribe the rate and manner of such depreciation.

(Secretariat FIN 1/5232/46II)

RESETTLEMENT ORDINANCE.

(Chapter 304).

**RESETTLEMENT (AMENDMENT) (NO. 2)
REGULATIONS 1967.**

In exercise of the powers conferred by section 51 of the Resettlement Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Resettlement (Amendment) (No. 2) Regulations 1967. Citation.

2. Part I of the Second Schedule to the principal regulations is amended by inserting the following at the end of sub-head (b) of item 4, in the second, third, fourth, fifth, sixth and seventh columns and as shown hereunder— Amendment of Part I, Second Schedule.
(Cap. 304, sub. leg.)

| | | | | | |
|----------|-----|-------|------|------|---------|
| "Grade E | 142 | 28.50 | 4.00 | 3.50 | 36.00". |
|----------|-----|-------|------|------|---------|

3. Part II of the Second Schedule to the principal regulations is amended— Amendment of Part II, Second Schedule.
 - (a) by inserting the following after "109.50" in sub-head (a) of item 4, in the second, third, fourth, fifth, sixth and seventh columns and as shown hereunder—

| | | | | | |
|-----------------------------------|-----|--------|-------|------|---------|
| "Intermediate Shop (ground floor) | | | | | |
| Grade A | 142 | 118.90 | 27.10 | 2.00 | 148.00 |
| Grade B | 142 | 89.10 | 20.40 | 2.00 | 111.50 |
| Grade C | 142 | 68.30 | 15.70 | 2.00 | 86.00 |
| Grade D | 142 | 47.40 | 11.10 | 2.00 | 60.50"; |

 - (b) by inserting the following after "102.50" in sub-head (b) of item 4, in the second, third, fourth, fifth, sixth and seventh columns and as shown hereunder—

| | | | | | |
|-----------------------------------|-----|--------|-------|------|-------------|
| "Intermediate Shop (ground floor) | | | | | |
| Grade A | 142 | 118.50 | 18.00 | 2.00 | 138.50 |
| Grade B | 142 | 88.90 | 13.60 | 2.00 | 104.50 |
| Grade C | 142 | 68.00 | 10.50 | 2.00 | 80.50 |
| Grade D | 142 | 47.10 | 7.40 | 2.00 | 56.50"; and |

- (c) by inserting the following new item after item 4, in the first, second, third, fourth, fifth, sixth and seventh columns and as shown hereunder—

"5. Commercial Blocks

| | | | | | | | | | |
|--|--------------------------------------|-----|--------|-------|------|--------|--|--|--|
| (a) Hong Kong Island, Kowloon and New Kowloon. | Small Single Bay Shop (ground floor) | | | | | | | | |
| | Grade A | 129 | 107.90 | 24.60 | 1.50 | 134.00 | | | |
| | Grade B | 129 | 81.00 | 18.50 | 1.50 | 101.00 | | | |
| | Grade C | 129 | 55.50 | 13.00 | 1.50 | 70.00 | | | |
| | Grade D | 129 | 37.50 | 9.00 | 1.50 | 48.00 | | | |
| (b) New Territories other than New Kowloon. | Small Single Bay Shop (ground floor) | | | | | | | | |
| | Grade A | 129 | 107.60 | 16.40 | 1.50 | 125.50 | | | |
| | Grade B | 129 | 80.70 | 12.30 | 1.50 | 94.50 | | | |
| | Grade C | 129 | 55.50 | 8.50 | 1.50 | 65.50 | | | |
| | Grade D | 129 | 37.50 | 6.00 | 1.50 | 45.00 | | | |

Clerk of Councils.

COUNCIL CHAMBER,
28th March 1967.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations amend the Second Schedule to the principal regulations for the purpose of fixing the rents payable for certain premises in resettlement estates.

2. Regulation 2 fixes the rent payable in respect of Grade E special type domestic room accommodation in Mark IV Blocks in the New Territories, other than New Kowloon. Rent for such premises in Hong Kong Island, Kowloon and New Kowloon has been provided for.

3. Paragraphs (a) and (b) of regulation 3 fix the rents payable for Intermediate Shops in Mark IV Blocks.

4. Paragraph (c) of regulation 3 fixes the rents payable in respect of premises in a new class of free-standing building recently introduced into resettlement estates and intended to be let as commercial and shop premises only.

(Secretariat CR 9/65)

LEGAL AID ORDINANCE 1966.
(No. 36 of 1966).

LEGAL AID (AMENDMENT) REGULATIONS 1967.

In exercise of the powers conferred by section 28 of the Legal Aid Ordinance 1966, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Legal Aid (Amendment) Regulations 1967 and shall come into operation on the commencement of the Legal Aid (Amendment) Ordinance 1967.

Citation and commencement.

2. Regulation 12 of the principal regulations is amended by adding the following new paragraph—

Amendment of regulation 12. (L.N. 89/66.)

"(11) The Director may at any time, while a certificate is in force, pay to the aided person's solicitor such sums as the Director may approve for disbursements to be made by the solicitor in respect of the proceedings to which the certificate relates. Where such approval is obtained, no question shall be raised on taxation as between solicitor and client as to the propriety of any disbursements made in accordance with such approval."

3. Regulation 13 of the principal regulations is amended in paragraph (2) by inserting after "and" the following—

Amendment of regulation 13.

"the aided person's solicitor".

4. Regulation 14 of the principal regulations is amended—

Amendment of regulation 14.

(a) by deleting paragraph (1);

(b) in paragraph (5) by deleting "this regulation" and substituting the following—

"any provision of the Ordinance or of these regulations";

(c) in paragraph (5) by adding at the end the following—

"or, if the court so directs, to the court or some other person".

Clerk of Councils.

COUNCIL CHAMBER,
28th March 1967.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

The regulations make minor amendments to the principal regulations, in the light of experience of the working of the legal aid scheme.

2. Regulation 2 empowers the Director to advance money to an aided person's solicitor to cover expenses.

3. Regulation 3 makes it the duty of the aided person's solicitor, instead of the Director, to notify the other parties to an action that his client is an aided person.

4. Regulation 4 makes amendments which follow from the transfer of regulation 14(1) of the principal regulations to the Ordinance and also allows for the payment of money due to be paid by the Director to an aided person to be made by the Director to the court or to some other person, if the court so orders.

(Secretariat GR 9/3221/49III)

**MAGISTRATES ORDINANCE.**

(Chapter 227).

Resolution made and passed by the Legislative Council under section 133 of the Magistrates Ordinance on the 30th day of March 1967.

Resolved, pursuant to section 133 of the Magistrates Ordinance, that the Magistrates (Forms) Rules 1967, made by the Chief Justice on the 3rd day of March 1967 under section 133 of that Ordinance, be approved.

Deputy Clerk of Councils.

COUNCIL CHAMBER,
30th March 1967.

(Secretariat GR 3/3231/67)

MAGISTRATES (FORMS) RULES 1967.

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MAGISTRATES ORDINANCE.
(Chapter 227).

MAGISTRATES (FORMS) RULES 1967.

In exercise of the powers conferred by section 133 of the Magistrates Ordinance, the Chief Justice has made the following rules—

1. These rules may be cited as the Magistrates (Forms) Rules 1967. Citation.
2. The forms in the Schedule shall be the prescribed forms for the purposes of the Ordinance. Forms.
3. The Magistrates (Forms) Rules are revoked. Revocation.
(Cap. 227, sub. leg.)

SCHEDULE.

PART I.

FORMS FOR SUMMARY OFFENCES.

FORM 1. [ss. 8 & 72.]

Summons to the defendant upon an information or complaint.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To _____, of _____, [labourer].

Information having this day been laid (or complaint having this day been made) before the undersigned, a magistrate of the said Colony, for that you on the _____ day of _____ 19____, at _____ in this Colony, did [here state shortly the matter of the information or complaint] contrary to [here state the law applicable]:

These are, therefore, to command you, in Her Majesty's name, to be and appear on _____ day, the _____ day of _____ 19____, at _____ o'clock in the _____ noon, at the said court, before such magistrate as may then be there, to answer to the said information (or complaint), and to be further dealt with according to law.

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

FORM 2.

[ss. 9 & 72.]

Warrant when summons is disobeyed.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony.

On the day of 19 , information was laid (or complaint was made) before a magistrate of the said Colony, that [as in the summons]; and a summons was then issued by the said magistrate to the said [name of defendant] commanding him, in Her Majesty's name, to be and appear on day, the day of 19 , at o'clock in the noon, at the said court, before such magistrate as might then be there, to answer to the said information (or complaint) and to be further dealt with according to law; and the said [name of defendant] having not appeared at the time and place so appointed in and by the said summons, although it has been proved to me upon oath (or declaration) that the said summons has been duly served on the said [name of defendant]:

These are, therefore, to command you, in Her Majesty's name, forthwith to apprehend the said [name of defendant] and to bring him before me or such magistrate as may then be sitting to answer to the said information (or complaint) and to be further dealt with according to law.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 3.

[s. 20.]

Warrant where defendant bound by a recognizance has failed to appear.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony.

On the day of 19 , information was laid (or complaint was made or [name of defendant] was charged), before a magistrate of the said Colony, that he [here state shortly the matter of the information, complaint or charge]; and the said [name of defendant] was then bound by a recognizance to be and appear on day, the day of 19 , at o'clock in the noon, at the said court, before me or such magistrate as might then be sitting, to answer to the said information (or complaint or charge) and to be further dealt with according to law; and the said [name of defendant] has not appeared at the time and place so appointed:

These are, therefore, to command you, in Her Majesty's name, forthwith to apprehend the said [name of defendant] and to bring him before me or such magistrate as may then be sitting to answer to the said information (or complaint or charge) and to be further dealt with according to law.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 4.

[ss. 9, 72 & 74.]

Warrant in the first instance.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony.

Information having this day been laid before the undersigned, a magistrate of the said Colony, for that [here state shortly the matter of the information]; and oath (or declaration) being now made before me substantiating the matter of such information:

These are, therefore, to command you, in Her Majesty's name, forthwith to apprehend the said [name of defendant] and to bring him before a magistrate of the said Colony to answer to the said information, and to be further dealt with according to law.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

NOTE.—When the offence is committed on the high seas (or in foreign parts) the warrant should describe the party injured to have been at the time of the offence "in the peace of the Queen".

FORM 5.

[s. 20.]

Warrant of committal for safe custody during an adjournment of the hearing.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons.

On the day of 19 , information was laid before the undersigned, a magistrate of the said Colony for that [here state shortly the matter of the information]; and the hearing of the same having been adjourned to day, the day of 19 , at o'clock in the noon, it is necessary that the said should in the meantime be kept in safe custody:

These are, therefore, to command you, the said police officers, in Her Majesty's name, forthwith to convey the said to a prison [or some other place of security], and there to deliver him to the Commissioner of Prisons, with this precept; and you, the said Commissioner, to receive the said into your custody in a prison [or some other place of security], and there safely to keep him until day, the day of 19 , when you are hereby required to convey and have him at the time and place to which the said hearing is so adjourned as aforesaid, at o'clock in the noon of the same day, before me or such magistrate as may

and tenements if the said fails in the condition hereon endorsed.

Signed (*where not taken orally*)

Taken (orally) before me the day of 19 .

[L.S.]
Explained by
.....
Magistrate.
(or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be).

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden person appears before such magistrate as may then be sitting at the said court on day, the day of 19 , at o'clock in the noon, to answer (further) to the charge made against him by and to be (further) dealt with according to law then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

FORM 9. [ss. 18, 20, 23, 31, 63, 64 & 65.]

(PERSONAL MONEY DEPOSIT)

Recognizance conditioned for appearance.

HONG KONG. IN THE MAGISTRATE'S COURT AT
I, the undersigned of
do hereby acknowledge myself to owe to Our Sovereign Lady the Queen the sum of deposited herewith, if I fail in the condition hereon endorsed.

Signed (*where not taken orally*)

Taken (orally) before me the day of 19 .

[L.S.]
Explained by
.....
Magistrate.
(or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be).

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden person appears before such magistrate as may then be sitting at the said court on day, the day of 19 , at o'clock in the noon, to answer (further) to the charge made against him by and to be (further) dealt with according to law then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

FORM 10. [s. 36.]

(WITH SURETIES)
Recognizance to be of good behaviour and to appear for conviction and sentence or for sentence.

HONG KONG. IN THE MAGISTRATE'S COURT AT
We, the undersigned of
and of of
severally acknowledge ourselves to owe to Our Sovereign Lady the Queen the several sums following, namely, the said as principal, the sum of and the said and as sureties the sum of each, to be levied on our several goods, lands, and tenements if the said principal fails in the condition hereon endorsed.

Signed (*where not taken orally*)

Taken (orally) before me the day of 19 .

[L.S.]
Explained by
.....
Magistrate's Clerk.

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden principal is of good behaviour towards Her Majesty and all her liege people for the term now next ensuing and appears for conviction and sentence or for sentence when called upon within the said period before such magistrate as may then be sitting at the said or other magistrate's court, then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(PERSONAL)

Recognizance to be of good behaviour and to appear for conviction and sentence or for sentence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned
of
do hereby acknowledge myself to owe to Our Sovereign Lady the Queen the sum of _____ to be levied on my goods, lands and tenements if I fail in the condition hereon endorsed.

Signed (*where not taken orally*)

Taken (orally) before me the _____ day of _____ 19 ..

[L.S.]

.....
Magistrate's Clerk.

Explained by

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden person is of good behaviour towards Her Majesty and all her liege people for the term of _____ now next ensuing and appears for conviction and sentence or for sentence when called upon within the said period before such magistrate as may then be sitting at the said or other magistrate's court, then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

Notice of forfeiture of recognizance to be given to principal.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Take notice that (on the complaint of _____) this Court has this day adjudged that the recognizance entered into by you on the _____ day of _____ 19 _____, be forfeited and that you pay the sum of _____ (and _____ for costs) to be paid forthwith (or not later than the _____ day of _____ 19 _____).

Failure to pay forthwith (or on or before the appointed day) will render your money and goods liable to distraint without further notice.

Dated this _____ day of _____ 19 ..

[L.S.]

.....
Magistrate's Clerk.

Certificate of forfeiture to be endorsed on recognizance.

The within-named _____ not having appeared [or as the case may be] at the time and place in the said condition mentioned, it is hereby certified that the within-written recognizance is forfeited.

Dated this _____ day of _____ 19 ..

[L.S.]

.....
Magistrate.

Summons to a witness.

HONG KONG. IN THE MAGISTRATE'S COURT AT

TO

Information having been laid (or complaint having been made) before a magistrate of the said Colony, for that [as in the summons to defendant]; and it having been made to appear to me that you are likely to give material evidence on behalf of the informant (or complainant, or defendant, or accused) in this behalf:

These are, therefore, to require you to be and appear on _____ day, the _____ day of _____ 19 _____, at _____ o'clock in the _____ noon, at the said court, before such magistrate as may then be there, to testify what you shall know concerning the matter of the said information (or complaint).

Dated this _____ day of _____ 19 ..

[L.S.]

.....
Magistrate.

Warrant where a witness has not obeyed a summons.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony.

Information having been laid (or complaint having been made) before a magistrate of the said Colony, for that [as in summons to defendant]; and it having been made to appear that _____ of _____, was likely to give material

evidence on behalf of the informant (*or* complainant, *or* defendant, *or* accused) a summons was duly issued by the said magistrate to the said , requiring him to be and appear on day, the day of 19 , at o'clock in the noon, at the said court before such magistrate as might then be there, to testify what he should know concerning the said or the matter of the said information (*or* complaint); and proof having this day been made before me upon oath (*or* declaration) of such summons having been duly served on the said and of a reasonable sum having been tendered to him for his costs and expenses in that behalf; and the said having refused *or* neglected to appear at the time and place appointed by the said summons, and no just excuse having been offered for such refusal *or* neglect:

These are, therefore, to command you to take the said and to bring and have him on day, the day of 19 , at o'clock in the noon, at the said court, before such magistrate as may then be there, to testify what he shall know concerning the matter of the said information (*or* complaint).

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 16. [ss. 21, 22 & 78.]

Warrant for a witness in the first instance.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony.

Information having been laid (*or* complaint having been made) before a magistrate of the said Colony, for that [*as in the summons to defendant*]; and it being made to appear before me upon oath (*or* declaration) that of

, is likely to give material evidence on behalf of the informant (*or* complainant, *or* defendant, *or* accused) in this matter, and it is probable that the said will not attend to give evidence without being compelled to do so:

These are, therefore, to command you to bring and have the said on day, the day of 19 , at o'clock in the noon, at the said court, before such magistrate as may then be there, to testify what he shall know concerning the matter of the said information (*or* complaint).

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 17. [ss. 21, 22 & 78.]

Commitment of a witness refusing to be sworn or to give evidence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons.

Information having been laid (*or* complaint having been made *or* having been charged) before a magistrate of the said Colony, for that [*as in the summons to defendant*]; and one now appearing before me on day, the day of 19 , at the said court and being required by me to make oath (*or* declaration) as a witness in that behalf now refuses so to do (*or* being sworn *or* declared as a witness in the matter of the said information, *or* complaint, *or* charge) refuses to answer certain questions, without offering any just excuse for such his refusal:

These are, therefore, to command you, the said police officers to take the said and him safely to convey to a prison, and there to deliver him to the Commissioner of Prisons, together with this precept; and you, the said Commissioner, to receive the said into your custody in a prison, and there imprison him for such his contempt for the space of days, unless he shall in the meantime consent to be examined and to answer concerning the premises; and for your so doing this shall be your sufficient warrant.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 18. [ss. 18 & 79.]

Warrant to remand a defendant when apprehended.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons.

Information having been laid (*or* complaint having been made, *or* having been charged) before a magistrate of the said Colony, for that [*as in the summons to defendant*]; and the said being now brought before me under and by virtue of a warrant upon such information (*or* complaint, *or* charge):

These are, therefore, to command you, the said police officers, in Her Majesty's name, forthwith to convey the said to a prison [*or some other place of security*], and there to deliver him to the Commissioner of Prisons, together with this precept; and you, the said Commissioner to receive the said into your custody in a prison [*or some other place of security*], and there safely to keep him until day, the day of 19 .

when you are hereby commanded to convey and have him at the said court at _____ o'clock in the _____ noon of the same day, before such magistrate as may then be there, to answer to the said information (or complaint, or charge) and to be further dealt with according to law.

Dated this _____ day of _____ 19 _____.

[L.S.]

.....
Magistrate.

FORM 19. [ss. 34 & 81.]

Minute and depositions of witnesses.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Regina on the information (or complaint) of _____, versus _____, &c.

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The examination of _____, of [merchant], and _____, of [labourer], taken upon oath (or declaration) this _____ day of 19 _____, at the said court before the undersigned, a magistrate of the said Colony, in the presence and hearing of _____ against whom information is laid (or complaint is made, or who is charged) by this day before [me], for that he, the said _____, on the _____ day of 19 _____, at [describing the offence as in the information, summons, or warrant of commitment].

This deponent _____ upon his oath (or declaration) saith as follows:
[stating the deposition of the witness as nearly as possible in the words he uses. When his deposition is complete, if the offence is an indictable one, let him sign it].

And this deponent _____ upon his oath (or declaration) saith as follows:
[etc.].

The above depositions of _____ and _____ were taken [and sworn] before me at _____, on the _____ day and year first above mentioned.

[L.S.]

.....
Magistrate.

NOTE.—Where a fine is inflicted a memorandum of penalties paid into court shall be added.

FORM 20. [ss. 28 & 69.]

Conviction for fine, to be levied by distress, etc. and, in default of sufficient distress, imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19 _____.

(hereinafter called the defendant) is this day convicted before the said court for that he, on the _____ day of 19 _____, at _____ [state offence]; and it is adjudged that the defendant for his said offence do forfeit and pay the sum of [state the fine and costs or compensation if any] to be paid and applied according to law; and if the said sum be not paid forthwith (or on or before the _____ day of 19 _____, or by instalments of _____ for every _____ days, the first instalment to be paid forthwith or on the _____ day of 19 _____),

*(it is ordered that the said sum be levied by distress and sale of the defendant's goods and chattels, and in default of sufficient distress.)

*(then, inasmuch as it has now been made to appear to me that the issuing of a warrant of distress in this behalf would be ruinous to the defendant and his family.)

*(then, inasmuch as it has now been made to appear to me that the defendant has no goods or chattels whereon to levy the said sum by distress,) it is adjudged that the defendant be imprisoned in a prison in the said Colony, for the space of _____ unless the said sum (and all costs and charges of the said distress) [and of the commitment and conveying of the defendant to a prison], shall be sooner paid.

[L.S.]

.....
Magistrate.

* Delete where inapplicable.

FORM 21. [ss. 28, 41, 51 & 69.]

Conviction for fine, to be levied by distress, and, in default of sufficient distress, imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19 _____.

(hereinafter called the defendant) is this day convicted before the said court for that he, on the _____ day of 19 _____, at _____ [state offence]; and it is adjudged that the defendant for his said offence do forfeit and pay the sum of [state the fine and costs or compensation if any] to be paid and applied according to law; and if the said sum be not paid forthwith (or on or before

the day of 19, or by instalments of for every days, the first instalment to be paid forthwith or on the day of 19), it is ordered that the said sum be levied by distress and sale of the defendant's goods; and, in default of sufficient distress, it is ordered that the defendant be imprisoned in a prison in the said Colony for the space of , unless the said sum, and all costs and charges of the said distress, shall be sooner paid.

[L.S.]

Magistrate.

FORM 22.

[ss. 28, 41 & 69.]

Conviction for fine, and, in default of payment, imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before , Esquire, a magistrate of the said Colony, sitting at the said court.

The day of 19

(hereinafter called the defendant) is this day convicted before the said court for that he, on the day of 19, at [state offence]; and it is adjudged that the defendant for his said offence do forfeit and pay the sum of [state the fine and costs or compensation if any] to be paid and applied according to law; and if the said sum be not paid forthwith (or on or before the day of 19, or by instalments of for every days, the first instalment to be paid forthwith or on the day of 19), it is ordered that the defendant be imprisoned in a prison in the said Colony for the space of unless the said sum shall be sooner paid.

[L.S.]

Magistrate.

FORM 23.

[ss. 28, 41 & 69.]

Conviction when the punishment is by imprisonment. Costs.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before , Esquire, a magistrate of the said Colony, sitting at the said court.

The day of 19

(hereinafter called the defendant) is this day convicted before the said court for that he, on the day of 19, at [state offence]; and it is adjudged that the defendant for his said offence be imprisoned in a prison in the said Colony for the space of ; and it is also adjudged that the defendant do pay to the said the sum of for his costs in this behalf, and if the said sum for costs be not paid forthwith (or on or before the day of 19),

*(then it is ordered that the said sum be levied by distress and sale of the goods and chattels of the defendant and, in default of sufficient distress in that behalf,)

*(then inasmuch as it has now been made to appear to me that the issuing of a warrant of distress in this behalf would be ruinous to the defendant and his family,)

*(then inasmuch as it has now been made to appear to me that the defendant has no goods or chattels whereon to levy the said sums by distress,)

*(then inasmuch as I deem it inexpedient to issue such warrant of distress,) it is adjudged that the defendant be imprisoned in a prison in the said Colony for the space of to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs and all costs and charges of the said distress shall be sooner paid.

[L.S.]

Magistrate.

* Delete where inapplicable.

FORM 24.

[s. 28.]

Conviction where punishment is by imprisonment. No Costs.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before , Esquire, a magistrate of the said Colony, sitting at the said court.

The day of 19

(hereafter called the defendant) is this day convicted before the said court for that he, on the day of 19, at [state offence]; and it is adjudged that the defendant for his said offence be imprisoned in a prison in the said Colony for the space of

[L.S.]

Magistrate.

FORM 25.

[ss. 28 & 41.]

Conviction or order where security is to be given for payment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

[Proceed as in ordinary conviction or order down to direction as to time of payment inclusive, and then, instead of inserting any direction as to distress or imprisonment, proceed as follows]—

and it is ordered that be at liberty to give, to the satisfaction of a magistrate [or such person as may be named], security in the sum of , with two sureties (or one surety) in the sum of [each], for the payment of the said sums as above directed.

[L.S.]

Magistrate.

Where defendant is discharged conditionally on entering into a recognizance to be of good behaviour and to appear.

HONG KONG. IN THE MAGISTRATE'S COURT AT
Before , Esquire, a magistrate of the said Colony, sitting at the said court.

The day of 19 (hereinafter called the defendant) is this day found guilty (and convicted) before the said court for that he on the day of 19, at [state offence]; but being of opinion that it is inexpedient to inflict any punishment (or any other than a nominal punishment), and the defendant having entered into a recognizance without (or with) sureties, in a sum of dollars, to be of good behaviour and to appear for conviction and sentence (or for sentence), when called on at any time during a period of years (months), he is conditionally discharged; and it is ordered that the defendant do pay to the said for compensation (or damages) and for costs [if so ordered] forthwith (or on or before the day of 19, or by instalments of for every days, the first instalment to be paid on or before the day of 19).

[L.S.] Magistrate.

Order for payment of money.

HONG KONG. IN THE MAGISTRATE'S COURT AT
Before , Esquire, a magistrate of the said Colony, sitting at the said court.

The day of 19 having made complaint that (hereinafter called the defendant) [state the facts entitling the complainant to the order with the time and place when and where they occurred], and the parties aforesaid having appeared (or the said having appeared but the defendant although duly called, not having appeared by himself or his counsel, and it being now satisfactorily proved to me upon oath (or declaration) that the defendant has been duly served with the summons in this behalf, which required him to be and appear here on this day before such magistrate as might now be here, to answer to the said complaint and to be further dealt with according to law); and now, having heard the matter of the said complaint, it is adjudged and ordered that the defendant do pay to the said the sum of forthwith (or on or before the day of 19, or as the Ordinance or statute may require), and also do pay to the said the sum of for his costs in this behalf; and if the

said several sums are not paid forthwith (or on or before the day of 19), it is adjudged that the defendant be imprisoned in a prison in the said Colony for the space of unless the said several sums shall be sooner paid.

[L.S.] Magistrate.

Summons to defendant to show cause why a warrant of commitment should not issue.

HONG KONG. IN THE MAGISTRATE'S COURT AT
To , of [labourer].

Whereas on the day of 19, you were convicted of an offence contrary to and were fined :

[or Whereas on the day of 19, it was adjudged that [name of defendant] should pay to the sum of and also should pay to the said the sum of for costs:]

And whereas you were allowed a period of days within which to pay the said sum and the said period has expired:

And whereas the said sum has not been paid:

These are, therefore, to command you, in Her Majesty's name, to be and appear on day the day of 19, at o'clock in the noon, at the said court, before such magistrate as may then be there, to show cause why a warrant of commitment should not issue and to be further dealt with according to law.

And take notice that if you fail to appear a warrant to apprehend you may issue.

Dated this day of 19

[L.S.] Magistrate.

CERTIFICATE OF SERVICE.

This summons was served by me:
(PLACE)
(DATE)

(Signature of Recipient of Summons). (Signature of Process Server).

obeyed [if the Ordinance or statute authorizes this]; and it is also adjudged and ordered that the defendant do pay to the complainant the sum of _____ for his costs in this behalf forthwith (or on the _____ day of _____ 19____, or by instalments, etc.); and if default is made in payment according to this adjudication and order, it is ordered that the sum due thereunder be levied by distress and sale of the defendant's goods; and, in default of sufficient distress, it is adjudged that the defendant be imprisoned in a prison for the space of _____ to commence at and from the termination of his imprisonment aforesaid unless the said sum, and all costs and charges of the said distress, shall be sooner paid.

[L.S.]

.....
Magistrate.

FORM 32.

[ss. 19, 28 & 69.]

Order of dismissal of an information or complaint.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19____.

Information was laid (or complaint was made) before the undersigned for that [etc. as in the summons to the defendant] and both the said parties having appeared before me in order that I should hear and determine the said information (or complaint) (or the defendant having appeared before me, but the said _____ although duly called, not having appeared); and the matter of the said information (or complaint) being by me duly considered, it appears to me that the said information (or complaint) is not proved, and it is therefore dismissed; and it is adjudged that the said _____ do pay to the defendant the sum of _____ for his costs incurred by him in his defence in this behalf; and if the said sum for costs is not paid forthwith (or on or before the _____ day of _____ 19____), it is ordered that the same be levied by distress and sale of the goods and chattels of the said _____, and in default of sufficient distress in that behalf it is adjudged that the said _____ be imprisoned in a prison in the said Colony for the space of _____ unless the said sum for costs, and all costs and charges of the said distress, shall be sooner paid.

[L.S.]

.....
Magistrate.

FORM 33.

[ss. 28 & 36.]

Order discharging offender but directing him to pay damages or costs or both.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19____ (hereinafter called the defendant) has been charged on the information (or complaint) of _____ for that he, on the _____ day of _____ 19____, at _____ [state offence]; and being of opinion that though the said charge is proved, the offence was of so trivial a nature (or having regard to the character, antecedents, age, health or mental condition of the defendant or any other extenuating circumstances as the case may be) that it is inexpedient to inflict any punishment, I do therefore hereby discharge the offender.

[If payment of damages or costs is ordered proceed as follows]— and it is ordered that the defendant do pay to the said _____ for damages and _____ for costs; and it is ordered that the said sums be paid forthwith (or on or before the _____ day of _____ 19____, or by instalments of _____ for every _____ days, the first instalment to be paid forthwith or on or before the _____ day of _____ 19____); and if default is made [proceed as in form of conviction for fine to be levied by distress].

[L.S.]

.....
Magistrate.

FORM 34.

[ss. 28 & 61.]

Order to enter into recognizance to keep the peace or to be of good behaviour.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19____.

_____ having made complaint that _____ (hereinafter called the defendant) [state the facts entitling the complainant to the order, with the time and place when and where they occurred]; and the defendant having appeared, and on hearing the matter of the complaint, it is this day adjudged and ordered that the defendant do forthwith duly enter into a recognizance in the sum of _____ with _____ surety _____ in the sum of _____ [each] to keep the peace or be of good behaviour, towards the complainant, for the term of _____ now next ensuing; and, if the defendant fails to comply with this order it is adjudged that he be imprisoned in a prison in the said Colony for the space of _____, unless he shall sooner comply with this order.

[If costs are ordered proceed as follows]— and it is also adjudged and ordered that the defendant do pay to the said _____ the sum of _____ for costs forthwith (or on or before the _____ day of _____ 19____, or by instalments, etc.); and if default is made in payment according to this adjudication and order, it is ordered [proceed as in form of conviction for fine to be levied by distress].

[L.S.]

.....
Magistrate.

(WITH SURETIES)

Recognizance conditioned to keep the peace or to be of good behaviour or not to do or commit some act or thing.

HONG KONG. IN THE MAGISTRATE'S COURT AT

We, the undersigned of of and of severally acknowledge ourselves to owe to Our Sovereign Lady the Queen the several sums following, namely, the said as principal the sum of and the said as sureties the sum of each, and to be levied on our several goods, lands, and tenements if the said fails in the condition hereon endorsed.

Signed (where not taken orally)

Taken (orally) before me the day of 19 .

[L.S.] Magistrate. (or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be). Explained by Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden keeps the peace or is of good behaviour towards of for the term of now next ensuing (or abstains from doing the thing forbidden, or as the case may be), then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(PERSONAL)

Recognizance conditioned to keep the peace or to be of good behaviour or not to do or commit some act or thing.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned of , do hereby acknowledge myself to owe to

Our Sovereign Lady the Queen the sum of to be levied on my goods, lands and tenements if I the said shall fail in the condition hereon endorsed.

Signed (where not taken orally)

Taken (orally) before me the day of 19 .

[L.S.] Magistrate. (or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be). Explained by Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden keeps the peace or is of good behaviour towards of for the term of now next ensuing (or abstains from doing the thing forbidden, or as the case may be), then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

Summons to person bound by recognizance which is alleged to have been forfeited by conviction of principal.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To , of

You are hereby summoned to appear before me, the undersigned, a magistrate of the said Colony, sitting at on the day of 19 , at o'clock in the noon or before such magistrate as may then be there, to show cause why the recognizance entered into on the day of 19 , whereby you are bound to pay the sum of should not be adjudged to be forfeited, and why you should not be adjudged to pay that sum.

Dated this day of 19 .

[L.S.] Magistrate.

FORM 38. [ss. 28 & 65.]

Adjudication of forfeiture of recognizance where person bound as principal has been convicted of an offence which is a breach of the condition.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19____, (hereinafter called the defendant) was by his recognizance entered into the _____ day of _____ 19____, bound in the sum of _____ the condition of the recognizance being that _____ of _____, should [state condition of recognizance]; and proof having been given that the said _____ has been convicted of the offence of having [state offence], being an offence which is in law a breach of the condition of the said recognizance:

Therefore it is adjudged that the said recognizance is forfeited, and that the defendant do pay to the magistrates' clerk [or other person specified] the said sum of _____ and do also pay to _____ the sum of _____ for costs; and it is ordered that the said sums be paid forthwith (or on or before the _____ day of _____ 19____, or by instalments of _____ for every _____ days, the first instalment to be paid forthwith or on or before the _____ day of _____ 19____); and if default is made in payment according to this adjudication and order, it is ordered [proceed as in conviction for fine to be levied by distress, or omit as the case may be].

[L.S.]

.....
Magistrate.

FORM 39. [ss. 28 & 65.]

*Order cancelling or mitigating forfeiture of recognizance.
(To be endorsed on recognizance).*

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

A warrant of distress was, on the _____ day of _____ 19____, issued for levying the sum of _____ declared to be forfeited under the within-written recognizance, but no goods have been sold thereunder; and the said _____ has applied to me, the undersigned, to cancel (or mitigate) the forfeiture of the said recognizance, and has given security to my satisfaction for the future performance of the condition of the said recognizance, and has paid (or given security for payment of) the costs incurred in respect of the forfeiture thereof [or insert such other condition as the magistrate may think just]:

Therefore the said forfeiture is hereby cancelled (or mitigated to the sum of _____).

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

FORM 40. [ss. 28 & 62.]

Summons to attend an application for varying or dispensing with sureties.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To _____, of _____.

You are hereby summoned to appear before a magistrate of the said Colony sitting at _____ on _____ day the _____ day of _____ 19____, at _____ o'clock in the _____ noon, to show cause why the amount for which it is proposed that the surety (or sureties) of _____ should be bound should not be reduced (or why the obligation of _____ to find a surety (or sureties) should not be dispensed with).

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

FORM 41. [s. 62.]

Order varying order for sureties.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19____.

_____ has been, under a warrant of commitment dated the _____ day of _____ 19____, and issued by this court, committed to prison for default in finding sureties [or a surety] in the sum of _____, and, on new evidence having been produced to me (or on proof of a change of circumstances having been given to me), it seems to me just to vary, in manner hereinafter appearing, the order under which the said warrant was issued:

Therefore it is ordered that the amount for which it is proposed that the surety (or sureties) of the said _____ should be bound be reduced to _____ (or that the obligation of the said _____ to find a surety (or sureties) be dispensed with) [or as may be directed].

[L.S.]

.....
Magistrate.

Oral or written acknowledgment of undertaking to pay a sum adjudged by a conviction.

HONG KONG. IN THE MAGISTRATE'S COURT AT

(hereinafter called the defendant) was this day (or was on the day of 19) convicted before the said court for that he, on the day of 19 , at [state offence]; and it was adjudged by the said conviction that the defendant should pay (as in the conviction); and it was thereby ordered that the defendant should be at liberty to give, to the satisfaction of a magistrate of the said Colony [or as in the conviction], security in the sum of with surety (or sureties) in the sum of [each] for the payment of the said sum at the time and in the manner by the said conviction directed:

Now therefore I, the said defendant, as principal, and we, of , and , of , as sureties (or I, of , as surety) hereby undertake that the defendant will pay the sum adjudged by the said conviction at the time and in the manner thereby directed; and I, the said defendant, and we (or I), the said sureties (or surety), hereby severally acknowledge ourselves bound to forfeit and pay to the magistrates' clerk [or other person specified] the sum of in case the defendant fails to perform this undertaking.

Signed (where not taken orally) Defendant.
..... } Sureties.
.....

Taken (orally) before me the day of 19 .

[L.S.] Magistrate.

Explained by

Sworn Interpreter.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

Oral or written acknowledgment of undertaking to perform condition of forfeited recognizance.

HONG KONG. IN THE MAGISTRATE'S COURT AT

was by his recognizance entered into the day of 19 , bound in the sum of , the condition of the recognizance being that should [state

condition of recognizance]; and, default having been made in the performance of this condition, the recognizance was on the day of 19 , declared to be forfeited, and the said not having paid the said sum, a warrant of distress was on the day of 19 , issued for recovery thereof, but no goods have been sold under the warrant; and the said has applied to the undersigned magistrate of the said Colony to cancel or mitigate the forfeiture:

Now therefore I, the said , as principal, and we, of , and , of (or I, of), as sureties (or surety), hereby undertake that the condition of the said recognizance shall be duly performed, [and that the said shall, on or before the day of 19 , pay the sum of for costs incurred in respect of the said forfeiture]; and I, the said principal, and we (or I) the said sureties (or surety), hereby severally acknowledge ourselves bound to forfeit and pay to the magistrates' clerk [or other person specified] the sum of in case the said principal fails to perform the condition of the said recognizance.

Signed (where not taken orally) Defendant.
..... } Sureties.
.....

Taken (orally) before me the day of 19 .

[L.S.] Magistrate.

Explained by

Sworn Interpreter.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

Declaration of service of summons or other document.

I, of , hereby solemnly declare that I did, on day, the day of 19 , serve of , with the [warrant, summons, notice, process or other document] now shown to me, marked A, by delivering a true copy thereof at his last (or most usual) place of abode.

Taken this day of 19 , before me.

[L.S.] Magistrate. (or Justice of the Peace).

FORM 45.

[s. 30.]

Declaration as to handwriting and seal.

I, _____, of _____, hereby solemnly declare that the signature _____ to the document now produced and shown to me, and marked A is in the proper handwriting of _____ of _____, [and that the seal on the said document is the proper seal of _____].

Taken this _____ day of _____ 19____, before me.

[L.S.]

.....
Magistrate.
(or Justice of the Peace).

FORM 46.

[s. 93.]

Order for restitution of property.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before _____, Esquire, a magistrate of the said Colony, sitting at the said court.

The _____ day of _____ 19____ was charged before me, a magistrate of the said Colony, for that he, on the _____ day of _____ 19____, at _____, [state offence and describe goods as in conviction], and having dealt with the case summarily, the said _____ has been this day convicted before me of the offence with which he was so charged; and it is proved to me that the said goods are now in the possession of _____, of _____:

Therefore it is hereby ordered that the said _____ do forthwith restore the said goods to the said _____, the owner thereof.

[L.S.]

.....
Magistrate.

FORM 47.

[s. 19.]

Certificate of dismissal.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I hereby certify that an information (or complaint) preferred by _____ against _____, for that [etc., as in the summons to defendant], was this day considered by me, a magistrate of the said Colony, and was by me dismissed [with costs].

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

FORM 48.

[s. 51.]

Warrant of distress on conviction for fine, with or without costs or damages, or for costs or damages without fine.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

(hereinafter called the defendant) was on the _____ day of _____ 19____, convicted before the said court for that he, on the _____ day of _____ 19____, at _____, [state offence]; and it was adjudged that the defendant should for his said offence forfeit and pay *[amount of fine], and should also pay to the said _____ the sum of _____ for compensation and _____ for costs and it was ordered that the said sums should be paid [etc., as in the conviction]; and that if default should be made in payment according to the said adjudication and order, the sum due thereunder should be levied by distress and sale of the defendant's goods; and default has been made in payment according to the said adjudication and order:

Therefore you are hereby commanded forthwith to make distress of the goods of the defendant (except the wearing apparel and bedding of him and his family, and, to the value of twenty-five dollars, the tools and implements of his trade); and if, within the space of _____ days next after the making of such distress, the sum of _____ being the sum stated at the foot of this warrant to be due under the said adjudication and order, together with the reasonable costs and charges of the making and keeping of the said distress be not paid, then to sell the said goods by you distrained, and pay the money arising therefrom to the magistrates' clerk, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the defendant; and if no such distress can be found, to certify the same to the said court, in order that further proceedings may be had according to law.

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

| | \$ | ¢ |
|---------------------------------|----|---|
| Amount adjudged | | |
| Paid | | |
| Remaining due | | |
| Costs of issuing warrant | | |
| Total amount to be levied | \$ | |

* Omit direction as to payment of fine, or compensation, or costs, as the case may require.
† N.B.—The goods are not to be sold until after the end of five clear days next following the day on which they are seized, unless the defendant consents or unless the goods are perishable.

FORM 49.

[s. 51.]

Warrant of distress on an order for the payment of any sum of money.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

On the day of 19 , it was adjudged and ordered by the undersigned (or , Esquire), a magistrate of the said Colony, that (hereinafter called the defendant) should pay to the sum of and the sum of for costs [or as the case may be], on or before the day of 19 , [or as ordered]; and that, if default should be made in payment according to the said adjudication and order, the sum due thereunder should be levied by distress and sale of the defendant's goods; and default has been made in payment according to the said adjudication and order:

Therefore you are hereby commanded [proceed as in warrant of distress on conviction for fine].

FORM 50.

[s. 56.]

Warrant of distress for costs on a conviction where the offence is punishable by imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

, of , [labourer], (hereinafter called the defendant) was, on the day of 19 , convicted before the said court for that [state the offence as in the conviction], and it was adjudged that the defendant for his said offence should be imprisoned in a prison in the said Colony for the space of ; and it was also adjudged that the defendant should pay to the said the sum of for his costs in that behalf; and it was ordered that if the said sum of for costs should not be paid [forthwith], the same should be levied by distress and sale of the defendant's goods and chattels; and it was adjudged that, in default of sufficient distress in that behalf, the defendant should be imprisoned in a prison for the space of , to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs, and all costs and charges of the said distress, should be sooner paid; but the defendant having made default in the payment of the said sum of for costs:

These are, therefore, to command you, in Her Majesty's name, that you forthwith make distress of the defendant's goods and chattels, and if, within the space of days next after the making of such distress, the said last-mentioned sum, together with the reasonable charges of taking and keeping the said distress, shall not be paid, that then you sell the said goods and chattels so by you distrained, and pay the money arising from such sale to the magistrates' clerk that he may pay the same as by law directed, and may render the overplus, if any, on demand, to the defendant, and, if no such distress can be found, that then you certify the same to the said court, in order that further proceedings may be had according to law.

Dated this day of 19 .

[L.S.]

Magistrate.

FORM 51.

[s. 56.]

Warrant of distress for costs on an order where the disobeying of the order is punishable with imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

On the day of 19 , complaint was made before the undersigned (or , Esquire), a magistrate of the said Colony, for that [etc., as in the order] and on the day of 19 , at , the said parties having appeared before me, (or the said , Esquire, or as it may be in the order) upon consideration of the matter of the said complaint, it was adjudged that the defendant should [etc., as in the order]; and that if, upon a copy of the minute of that order being served on the defendant either personally or by leaving the same for him at his last or most usual place of abode, he should refuse or neglect to obey the same, the defendant for such his disobedience should be imprisoned in a prison in the said Colony for the space of

unless the said order should be sooner obeyed; and also that the defendant should pay to the said the sum of for his costs in that behalf; and it was ordered that if the said sum for costs should not be paid [forthwith], the same should be levied by distress and sale of the defendant's goods and chattels; and it was adjudged that in default of sufficient distress in that behalf the defendant should be imprisoned in a prison for the space of , to commence at and from the termination of his imprisonment aforesaid unless the said sum for costs, and all costs and charges of the said distress, should be sooner paid; and whereas after the making of the said order a copy of the minute thereof was duly served on the defendant, but he did not then pay, nor has he paid, the said sum of for costs but therein has made default:

These are, therefore, to command you, in Her Majesty's name, that you forthwith make distress of the defendant's goods and chattels, and if, within the space of days next after the making of such distress, the said last-mentioned sum together with the reasonable charges of taking and keeping the said distress shall not be paid, that then you sell the said goods and chattels so by you distrained, and pay the money arising from such sale to the magistrates' clerk, that he may pay the same as by law directed, and may render the overplus, if any, on demand, to the defendant, and, if no such distress can be found, then that you certify the same to the said court, in order that further proceedings may be had according to law.

Dated this day of 19 .

[L.S.]

Magistrate.

FORM 52.

[s. 70.]

Warrant of distress for costs on an order for dismissal of an information or complaint.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

On the day of 19 , information was laid (or complaint was made) before the undersigned (or , Esquire), a magistrate of the said Colony, for that [etc., as in the order of dismissal]; and afterwards, on the day of 19 , both parties having appeared before me (or the said , Esquire), and the case having been duly heard and considered, and the said information (or complaint) not having been proved, it was therefore dismissed; and it was adjudged that the said should pay to the defendant the sum of for his costs incurred by him in his defence in that behalf; and it was ordered that if the said sum for costs should not be paid [forthwith], the same should be levied by distress and sale of the goods and chattels of the said , and it was adjudged that, in default of sufficient distress in that behalf, the said should be imprisoned in a prison in the said Colony for the space of unless the said sum for costs, and all costs and charges of the said distress, should be sooner paid; and the said having now made default in the payment of the said sum for costs:

These are, therefore, to command you, in Her Majesty's name, that you forthwith make distress of the goods and chattels of the said , and if, within the space of days next after the making of such distress the said last-mentioned sum, together with the reasonable charges of taking and keeping the said distress, shall not be paid, that then you sell the said goods and chattels so by you distrained, and pay the money arising from such sale to the magistrates' clerk, that he may pay the same as by law directed, and may render the overplus, if any, on demand to the said , and if no such distress can be found, then that you certify the same to the said court, in order that further proceedings may be had according to law.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 53. [s. 36.]

Warrant of distress where the defendant is discharged, but is ordered to pay damages or costs or both.

HONG KONG. IN THE MAGISTRATE'S COURT AT

The day of 19 (hereinafter called the defendant) was charged for that he, on the day of 19 , at [state offence]; and on the hearing of the said charge, on the day of 19 , before , a magistrate of the said Colony, the magistrate being of opinion that, though the charge was proved, the offence was in the particular case of so trivial a nature (or having regard to the character, antecedents, age, health or mental condition of the defendant or any other extenuating circumstances as the case may be,) that it was inexpedient to inflict any punishment, discharged the defendant but ordered that the defendant should pay to *for damages and* †for costs†; and it was ordered that the said sums should be paid [as in order];
[Proceed as in warrant of distress on conviction for fine.]

* Where no order to pay damages, omit words between asterisks.

† Where no order to pay costs, omit words between daggers.

In either case substitute "sum" for "sums".

FORM 54.

[s. 65.]

Warrant of distress for sum due under recognizance declared to be forfeited.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

was, by his recognizance entered into on the day of 19 , bound in the sum of , the condition of the recognizance being that should [state condition of recognizance], and, default having been made in compliance with the said condition, the said recognizance was, on the day of 19 , declared by the undersigned (or , Esquire), a magistrate of the said Colony to be forfeited; and the said has made default in payment of the sum due under the said recognizance:

Therefore you are hereby commanded forthwith to make distress of the goods of the said , except the wearing apparel and bedding of him and his family, and, to the value of twenty-five dollars, the tools and implements of his trade, and if, within the space of* days next after the making of such distress, the sum of , being the sum stated at the foot of this warrant to be due under the said recognizance, together with the reasonable costs and charges of the making and keeping of the said distress, be not paid, then to sell the said goods by you distrained and pay the money arising therefrom to the magistrates' clerk, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the said , and if no such distress is found, to certify the same to the said court, in order that further proceedings may be had according to law.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

| | \$ | e |
|-------------------------------------|----|---|
| Amount due under recognizance | | |
| Paid | | |
| Remaining due | | |
| Costs of issuing warrant | | |
| Total amount to be levied | \$ | |

* N.B.—The goods are not to be sold until after the end of five clear days next following the day on which they are seized, unless the owner consents or unless the goods are perishable.

FORM 55.

[s. 65.]

Warrant of distress for sum due under recognizance adjudged to be forfeited by conviction of principal.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To [insert name, etc., of officer where the person executing is not a police officer] and to each and all of the police officers of the said Colony.

(hereinafter called the defendant) was, by his

also should pay to the said _____ the sum of _____ for costs; and default was made in payment according to the said adjudication and order; and a summons was duly issued to the defendant commanding him to appear on this day before this court (or a warrant to apprehend the defendant was issued):

And whereas the defendant has this day appeared before me:

[And whereas I have made inquiry into the defendant's means in his presence:]

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this warrant, and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him, for the space of _____, unless the said sum shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.] _____
Magistrate.

FORM 63. [ss. 53 & 54.]

Warrant of commitment for want of distress.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

[Proceed as in warrant of distress down to commanding part, and close thus]—

and on the _____ day of _____ 19 _____, a warrant of distress was handed for execution to _____, a police officer (or bailiff) of the said Colony, commanding him to levy the sum of [state sum directed to be levied] by distress and sale of the defendant's goods; and it now appears, as well by the return of the said _____ to the said warrant of distress as otherwise, that he has made diligent search for the defendant's goods but that no sufficient distress whereon to levy the said sum could be found:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of _____, unless the said sum, and all the costs and charges of the said distress, shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.] _____
Magistrate.

FORM 64.

[s. 52.]

Warrant of commitment pending return to warrant of distress following conviction.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

(hereinafter called the defendant) was, on the _____ day of _____ 19 _____, (or this day) convicted before the said court for that he [state the offence as in the conviction]; and default has been made in payment according to the said adjudication and order; and a warrant of distress has been issued against the defendant in pursuance of the said conviction, but no return has been made thereto; and the defendant has not given sufficient security, to the satisfaction of this court, for his appearance at the time and place appointed for the return of the said warrant:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to keep and detain him until the _____ day of _____ 19 _____, being the day appointed for the return of the said warrant, unless he previously enters into a recognizance in the sum of _____, with surety (or sureties) _____ in the sum of _____ [each] conditioned for his appearance on that day; and on that day, if such recognizance has not been entered into, to convey and have him before a magistrate of the said Colony at the said court, at _____ o'clock in the _____ noon, to be further dealt with according to law; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.] _____
Magistrate.

FORM 65.

[s. 52.]

Warrant of commitment pending return to warrant of distress following order.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

(hereinafter called the defendant) was, on the _____ day of _____ 19 _____, (or this day) ordered by the said court to

pay to _____ the sum of _____ for [as in order] and for costs [as in order]; and default has been made in payment according to the said adjudication and order; and a warrant of distress has been issued against the defendant in pursuance of the said order:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to keep and detain him until the day of _____ 19 _____, being the day appointed for the return of the said warrant, unless he previously enters into a recognizance in the sum of _____, with surety (or sureties) _____ in the sum of _____ [each] conditioned for his appearance on that day; and on that day, if such recognizance has not been entered into, to convey and have him before a magistrate of the said Colony at _____ o'clock in the noon, to be further dealt with according to law; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.] _____
Magistrate.

FORM 66. [s. 56.]

Warrant of commitment on a conviction where the punishment is by imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

(hereinafter called the defendant) has been this day convicted before the said court for that he [state the offence as in the conviction]; and it has been adjudged that the defendant be for his said offence imprisoned in a prison for the space of _____ :

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of _____ ; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.] _____
Magistrate.

FORM 67.

[s. 80.]

Warrant of commitment to put the accused upon trial for an indictable offence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

(hereinafter called the defendant) has been this day committed before the said court for that _____ contrary to [here state the law applicable] and it has been adjudged that the defendant be committed to prison and there to wait for his/her trial at the next criminal sessions of the Supreme Court to be holden on/about _____

These are, therefore, to command you, the said police officers, to take the defendant and convey him/her to a prison, and there to deliver him/her to the Commissioner of Prisons together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to keep and detain him/her until such date as the Supreme Court may require him/her to stand for his/her trial; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.] _____
Magistrate.

FORM 68.

[ss. 40 & 56.]

Warrant of commitment on an order where disobedience to the order is punishable by imprisonment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

On the _____ day of _____ 19 _____, complaint was made before the undersigned (or _____, Esquire), a magistrate of the said Colony, for that [etc., as in the order]; and afterwards, to wit, on the _____ day of _____ 19 _____, at _____, the said parties appeared before me [or as in the order]; and thereupon, having considered the matter of the said complaint, it was ordered that the defendant should [as in the order]; and it was adjudged that if, upon a copy of the minute of that order being duly served on the defendant, either personally or by leaving the same for him at his last or most usual place of abode, he should refuse or neglect to obey the same, in such case the defendant for such his disobedience should be imprisoned in a prison for the space of _____, unless the said order should be sooner obeyed; and it now having been proved to me that, after the making of

the said order, a copy of the minute thereof was duly served on the defendant, but he then refused (*or* neglected) to obey the same, and has not as yet obeyed the same:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him for the space of _____; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.]

.....
Magistrate.

FORM 69. [ss. 51 & 56.]

Warrant of commitment for want of distress in either of the cases mentioned in Forms 48 and 49.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

[Recite the conviction or order and then proceed thus]—

And whereas afterwards, on the _____ day of _____ 19 _____, a warrant of distress was issued against the defendant in pursuance of the said conviction (*or* order); and it having been made to appear to me, as well by the return to the said warrant of distress as otherwise, that diligent search for the defendant's goods and chattels has been made, but that no sufficient distress whereon to levy the sum above mentioned could be found:

These are, therefore, to command you, the said police officers, to take the defendant and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this warrant; and you, the said Commissioner, to receive the defendant into your custody in a prison and there to imprison him, for the space of _____ unless the said sum, and all costs and charges of the said distress, amounting to the further sum of _____, shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.]

.....
Magistrate.

FORM 70.

[s. 70.]

Warrant of commitment for want of distress in the case mentioned in Form 52.

[Recite the order of dismissal and then proceed thus]—

And whereas afterwards, on the _____ day of _____ 19 _____, a warrant of distress was issued against the said _____ in pursuance of the said order; and it having been made to appear on the _____ day of _____ 19 _____, to me as well by the return to the said warrant of distress as otherwise, that diligent search for the goods and chattels of the said _____ has been made, but that no sufficient distress whereon to levy the sum above mentioned could be found:

These are, therefore, to command you, the said police officers, to take the said _____ and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this warrant; and you, the said Commissioner, to receive the said _____ into your custody in a prison and there imprison him for the space of _____, unless the said sum, and all costs and charges of the said distress, amounting to the further sum of _____, shall be sooner paid; and for your so doing this shall be your sufficient warrant.

Dated this _____ day of _____ 19 _____.

[L.S.]

.....
Magistrate.

FORM 71.

[s. 60.]

Warrant of commitment reducing term of imprisonment on part payment.

[Adopt the ordinary form of warrant of commitment but before the commanding part insert the following]—

and on application to the said court to issue a warrant to commit the defendant to prison for non-payment of the sum adjudged to be paid by the said conviction (*or* order, *or* for default of sufficient distress), it appears to the said court that, by payment of part of the said sum (*or* by the net proceeds of the said distress) the amount of the sum so adjudged has been reduced to such an extent that the unsatisfied balance, if it had constituted the original amount so adjudged to be paid, would have subjected the defendant to a maximum term of imprisonment less than the term of imprisonment to which he is liable under the said conviction (*or* order):

Therefore the said term of imprisonment is hereby revoked; and it is hereby ordered that the defendant be imprisoned in a prison for the space of [the reduced term], unless the said sum, and all costs and charges of the said distress, if any, shall be sooner paid, and you are hereby commanded [proceed as in ordinary warrant of commitment, inserting reduced term of imprisonment].

PART II.
FORMS FOR RECOVERY OF CIVIL DEBTS.

FORM 72. [s. 67.]

Summons to witness.

HONG KONG. IN THE MAGISTRATE'S COURT AT
Case No.

Between
(Address
Description) Plaintiff,

and
(Address
Description) Defendant.

To , of

You are hereby required to attend before such magistrate of the said Colony as may be sitting at the said court:

(DATE)

(TIME)

(COURT NO.)

to give evidence in the above cause on behalf of the plaintiff/defendant.

Dated this day of 19 .

[L.S.] Magistrate.

FORM 73. [s. 67.]

Judgment summons.

HONG KONG. IN THE MAGISTRATE'S COURT AT
Between
(Address
Description) Plaintiff,

and
(Address
Description) Defendant.

The day of 19 .

To the above-named defendant (or plaintiff).

The plaintiff (or defendant) obtained an order against you, the above-named defendant (or plaintiff), before the undersigned (or

Esquire), a magistrate of the said Colony, on the day of 19 , for the payment of , and you have made default in payment of the sum payable in pursuance of the said order:

Therefore you are hereby summoned to appear personally before such magistrate of the said Colony as may be sitting at the said court on day the day of 19 , at o'clock in the noon, to be examined upon oath (or declaration) by the said court touching the means you have or have had since the date of the order to satisfy the sum payable in pursuance of the said order; and also to show cause why you should not be committed to prison for such default.

[L.S.] Magistrate.

Amount of order, and costs \$ €

| | | | |
|----------|---|----|---|
| Deduct { | Paid into the Magistracy | \$ | € |
| | Instalments not required to have been paid before the date of the summons | | |
| | | \$ | € |

Sum payable

Costs of this summons

Amount upon payment of which no further proceedings will be had until default in payment of next instalments

FORM 74. [s. 67.]

Order of commitment.

HONG KONG. IN THE MAGISTRATE'S COURT AT
Between
(Address
Description) Plaintiff,

and
(Address
Description) Defendant.

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

The plaintiff (or defendant) obtained an order against the defendant (or plaintiff) before the undersigned (or before , Esquire), a magistrate of the said Colony on the day of 19 , for the payment of , and the defendant (or plaintiff) has made default in payment of , payable in pursuance of

the said order; and a summons was, at the instance of the plaintiff (or defendant), duly issued, by which the defendant (or plaintiff) was required to appear personally before such magistrate of the said Colony as might be sitting at the said court on the _____ day of 19____, to be examined upon oath (or declaration) touching the means he had then or had since the date of the order to satisfy the sum then due and payable in pursuance of the said order, and to show cause why he should not be committed to prison for such default; and at the hearing of the said summons the defendant (or plaintiff) appeared (or the summons was proved to have been duly served), and it has now been proved that the defendant (or plaintiff) now has (or has had since the date of the said order) the means to pay the sum then due and payable in pursuance of the said order, and has refused (or neglected, or then refused or neglected) to pay the same, and the defendant (or plaintiff) has shown no cause why he should not be committed to prison:

Now, therefore, it is ordered that, for such default, the defendant (or plaintiff) be committed to prison for _____ days, unless he shall sooner pay the sum stated below as that on the payment of which he is to be discharged: and you are hereby required, you the said police officers, to take the defendant (or plaintiff) and convey him to a prison, and there to deliver him to the Commissioner of Prisons, together with this order; and you, the said Commissioner, to receive the defendant (or plaintiff) and keep him safely in a prison for _____ days from the arrest under this order, or until he is sooner discharged by due course of law.

Dated this _____ day of _____ 19____.

[L.S.] _____
Magistrate.

| | | |
|--|----------|---------|
| Total sum payable at the time of hearing of the judgment summons | \$ _____ | ¢ _____ |
| Hearing of summons, and costs of order | _____ | _____ |
| Total sum on payment of which the prisoner will be discharged | _____ | _____ |

FORM 75. [s. 67.]

Certificate for discharge of a prisoner from custody.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Between _____ Plaintiff,
(Address Description)
and _____ Defendant.
(Address Description)

To the Commissioner of Prisons in the said Colony.

I hereby certify that the defendant (or plaintiff), who was committed to your custody by virtue of an order of commitment dated the _____ day of _____ 19____, has paid and satisfied the sum of money for the non-payment whereof he was so committed, together with all costs due and payable by him in respect thereof, and may in respect of that order be forthwith discharged out of your custody.

Dated this _____ day of _____ 19____.

[L.S.] _____
Magistrate.

FORM 76. [s. 67.]

Distress warrant.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Between _____ Plaintiff,
(Address Description)
and _____ Defendant.
(Address Description)

To each and all of the police officers and bailiffs of the said Colony.

On the _____ day of _____ 19____, it was adjudged and ordered by the undersigned (or _____, Esquire), a magistrate of the said Colony, that the defendant (or plaintiff) should pay to the plaintiff (or defendant) _____ for debt (or damages) and for costs, amounting together to the sum of _____; and it was ordered that the said sum should be paid on the _____ day of _____ 19____ (or as in the judgment), and that, if default should be made in payment according to the said adjudication and order, the sum due thereunder should be levied by distress and sale of the defendant's (or plaintiff's) goods; and default has been made in payment according to the said adjudication and order:

Therefore you are hereby commanded forthwith to make distress of the goods of the said defendant (or plaintiff), except the wearing apparel and bedding of him and his family, and, to the value of twenty-five dollars, the tools and implements of his trade, and if, within the space of* _____ days next after the making of such distress, the sum of _____ being the sum stated at the foot of this warrant to be due under the said adjudication and order, together with the reasonable charges of the making and keeping of the said distress, be not paid, then to sell the said goods by you distrained, and pay the money arising thereby to the magistrates' clerk, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the defendant (or plaintiff); and, if no such distress can be found, to certify the same

[Here state whatever the prisoner may say, and in his very words as nearly as possible. Get him to sign it, if he will].

This day of 19 .

(Signed)

Taken before me at the day and year last above written.

.....
Magistrate.

FORM 79. [s. 84.]

Recognizance to prosecute or to prosecute and give evidence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned of
do hereby acknowledge myself to owe to Our
Sovereign Lady the Queen the sum of to be levied
on my goods, lands and tenements, if I the said
shall fail in the condition hereon endorsed.

Signed (where not taken orally)

Taken (orally) before me the day of 19 .

[L.S.]

.....
Magistrate.

(or Magistrate's Clerk or
Superintendent of Police
or Inspector of Police or
Commissioner of Prisons,
as the case may be).

Explained by

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that whereas
(hereinafter called the accused) was this day charged
with [state shortly particulars of offence]:

If therefore the within-bounden person appears at the next criminal
sessions of the Supreme Court and there prefers or causes to be preferred
an indictment in respect of the said offence, and also duly prosecutes such
indictment (and give evidence upon the trial thereof), then the said
recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and
insert the word "orally" after "Taken".

FORM 80. [s. 84.]

Recognizance to give evidence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned
of do hereby acknowledge myself to owe to
Our Sovereign Lady the Queen the sum of to be levied
on my goods, lands and tenements if I the said shall fail
in the condition hereon endorsed.

Signed (where not taken orally)

Taken (orally) before me the day of 19 .

[L.S.]

.....
Magistrate.

(or Magistrate's Clerk or
Superintendent of Police
or Inspector of Police or
Commissioner of Prisons,
as the case may be).

Explained by

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the
within-bounden person appears at the next criminal sessions of the
Supreme Court and there giveth such evidence as he knoweth upon an
indictment to be then and there preferred against , then
the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and
insert the word "orally" after "Taken".

FORM 81. [s. 84.]

*Notice of the said recognizance to be given to the
prosecutor and his witnesses.*

HONG KONG. IN THE MAGISTRATE'S COURT AT

Take notice that you, of , are
bound in the sum of to appear at the next criminal sessions
of the Supreme Court [or as the case may be], and then and there prosecute
and give evidence [according to the condition] against ,
and unless you then appear there and prosecute and give evidence
accordingly, the recognizance entered into by you will be forthwith levied
on you.

Dated this day of 19 .

.....
Magistrate.

FORM 82.

[s. 84.]

Commitment of witness for refusing to enter into the recognizance.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

Whereas was lately charged before the undersigned, a magistrate of the said Colony, for that [etc., as in the summons to the witness], and it having been made to appear upon oath that of was likely to give material evidence for the prosecution, a summons was duly issued to the said requiring him to be and appear before me on the day of 19 at , or before such other magistrate as should then be there, to testify what he should know concerning the said charge so made against the said as aforesaid; and the said now appearing before me (or being brought before me by virtue of a warrant in that behalf) to testify as aforesaid has now been examined by me touching the premises, but being by me required to enter into a recognizance conditioned to give evidence against the said has now refused so to do:

These are, therefore, to command you, the said police officers, to take the said and him safely to convey to a prison and there deliver him to the Commissioner of Prisons, together with this precept; and you, the said Commissioner, to receive the said into your custody in a prison and there to imprison and safely keep him until after the trial of the said for the offence aforesaid, unless in the meantime the said shall duly enter into such recognizance as aforesaid in the sum of before a magistrate of the said Colony, conditioned in the usual form, to appear at the next criminal sessions of the Supreme Court [or as the case may be] and there to give evidence on the trial of the said for the said offence if an indictment should be filed against him for the same.

Dated this day of 19 .

[L.S.]
Magistrate.

N.B.—Delete the portion of the form which does not apply.

FORM 83.

[s. 84.]

Subsequent order to discharge the witness.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To the Commissioner of Prisons in the said Colony.

Whereas by my order, dated the day of 19 , reciting that was lately charged before me for a certain offence mentioned, and , having appeared

before me and being examined as a witness for the prosecution in that behalf, refused to enter into a recognizance to give evidence against the said , and I therefore thereby committed the said to your custody and required you safely to keep him until after the trial of the said for the offence aforesaid unless in the meantime he should enter into such recognizance as aforesaid:

And whereas, for want of sufficient evidence against the said , the said has not been committed or holden to bail for the said offence, but on the contrary has since been discharged, and it is therefore not necessary that the said should be detained longer in your custody:

These are, therefore, to order and direct you, the said Commissioner, to discharge the said out of your custody as to the said commitment, and suffer him to go at large.

Dated this day of 19 .

[L.S.]
Magistrate.

FORM 84.

[s. 79.]

Warrant remanding accused.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To each and all of the police officers of the said Colony and to the Commissioner of Prisons in the said Colony.

Whereas was this day charged before the undersigned, a magistrate of the said Colony, for that [etc., as in the warrant to apprehend]; and it appears to me to be necessary to remand the said :

These are, therefore, to command you, the said police officers in Her Majesty's name, forthwith to convey the said to a prison [or some other place of security] and there deliver him to the Commissioner of Prisons together with this precept; and you, the said Commissioner, to receive the said into your custody in a prison [or some other place of security] and there safely keep him until day, the day of 19 , when I hereby command you to have him at the said court, at o'clock in the noon of the same day, before such magistrate of the said Colony as may be sitting at the said court, to answer further to the said charge, and to be further dealt with according to law, unless you shall be otherwise ordered in the meantime.

Dated this day of 19 .

[L.S.]
Magistrate.

(WITH SURETIES)

Recognizance of bail instead of remand, on an adjournment of examination.

HONG KONG. IN THE MAGISTRATE'S COURT AT

We, the undersigned _____ of _____

and _____ of _____

severally acknowledge ourselves to owe to Our Sovereign Lady the Queen the several sums following, namely, the said _____ as principal the sum of _____, and the said _____ and _____ as sureties the sum of _____ each, to be levied on our several goods, lands and tenements if the said _____ fails in the condition hereon endorsed.

Signed (*where not taken orally*)

Taken (orally) before me the _____ day of _____ 19 _____

[L.S.]

Magistrate.

(*or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be.*)

Explained by _____

Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden _____ appears before such magistrate as may then be sitting at the said court on _____ day, the _____ day of _____ 19 _____, at _____ o'clock in the _____ noon, to answer (further) to the charge made against him by _____ and to be (further) dealt with according to law (*or* appears before such magistrate as may then be sitting at _____ for sentence when called upon) then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(PERSONAL)

Recognizance of bail instead of remand, on an adjournment of examination.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned _____ of _____ do hereby acknowledge myself to owe to

Our Sovereign Lady the Queen the sum of _____ to be levied on my goods, lands and tenements if I the said _____ shall fail in the condition hereon endorsed.

Signed (*where not taken orally*)

Taken (orally) before me the _____ day of _____ 19 _____

[L.S.]

Magistrate.

(*or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be.*)

Explained by _____

Sworn Interpreter.

CONDITION ENDORSED.

The condition of the within-written recognizance is such that if the within-bounden _____ appears before such magistrate as may then be sitting at the said court on _____ day, the _____ day of _____ 19 _____, at _____ o'clock in the _____ noon, to answer (further) to the charge made against him by _____ and to be (further) dealt with according to law (*or* appears before such magistrate as may then be sitting at _____ for sentence when called upon) then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

Notice of the said recognizance to be given to accused and his sureties.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Take notice that you _____, of _____, are bound in the sum of _____, and your sureties, _____ and _____, in the sum of _____ each, that you, _____, appear before me a magistrate of the said Colony, on _____ day, the _____ day of _____ 19 _____, at _____ o'clock in the _____ noon, at _____ to answer further to the charge made against you by _____ and to be further dealt with according to law; and unless you _____ personally appear accordingly, the recognizance entered into by yourself and your sureties will be forthwith levied on your several goods, lands and tenements.

Dated this _____ day of _____ 19 _____

[L.S.]

Magistrate.

(WITH SURETIES)

Recognizance conditioned for appearance.

HONG KONG. IN THE MAGISTRATE'S COURT AT

We, the undersigned of of and of severally acknowledge ourselves to owe to Our Sovereign Lady the Queen the several sums following, namely, the said as principal the sum of , and the said and as sureties the sum of each, to be levied on our several goods, lands and tenements if the said fails in the condition hereon endorsed.

Signed (where not taken orally)

Taken (orally) before me the day of 19 .

[L.S.]

Magistrate.

(or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be).

Explained by

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the above-written recognizance is such that whereas the said was this day charged before me for that he . If therefore the said will appear at the criminal sessions of the Supreme Court to be holden on or about the day of 19 , and at every adjournment thereof and there surrender himself (if so required) into the custody of the Commissioner of Prisons in the said Colony, and plead to such indictment as may be filed against him by the Attorney General and take his trial upon the same, and not depart the said Court without leave, then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(PERSONAL)

Recognizance conditioned for appearance.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I, the undersigned of do hereby acknowledge myself to owe to Our Sovereign Lady the Queen the sum of to be levied

on my goods, lands and tenements if I the said shall fail in the condition thereon endorsed.

Signed (where not taken orally)

Taken (orally) before me the day of 19 .

[L.S.]

Magistrate.

(or Magistrate's Clerk or Superintendent of Police or Inspector of Police or Commissioner of Prisons, as the case may be).

Explained by

.....
Sworn Interpreter.

CONDITION ENDORSED.

The condition of the above-written recognizance is such that whereas the said was this day charged before me for that he

If therefore the said will appear at the criminal sessions of the Supreme Court to be holden on the day of 19 , and at every adjournment thereof and there surrender himself (if so required) into the custody of the Commissioner of Prisons in the said Colony, and plead to such indictment as may be filed against him by the Attorney General and take his trial upon the same, and not depart the said Court without leave, then the said recognizance shall be void, but otherwise shall remain in full force.

NOTE.—Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

Notice of the said recognizance to be given to accused and his sureties.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Take notice that you, of , are bound in the sum of , and your sureties, and in the sum of [each], that you appear [etc., as in the condition of the recognizance], and not depart the said court without leave; and unless you, personally appear and plead, and take your trial accordingly, the recognizance entered into by yourself and your sureties will be forthwith levied on your several goods, lands and tenements.

Dated this day of 19 .

[L.S.]

.....
Magistrate.

FORM 91. [s. 102.]

Certificate of consent to bail by the committing magistrate endorsed on the commitment.

HONG KONG. IN THE MAGISTRATE'S COURT AT

I hereby certify that I consent to the within-named being bailed by recognizance, himself in the sum of , and [two] sureties in the sum of [each].

Dated this day of 19 .

[L.S.]
Magistrate.

FORM 92. [s. 103.]

Warrant of deliverance on bail being given for a prisoner already committed.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To the Commissioner of Prisons in the said Colony.

, late of [labourer] has before me, a magistrate of the said Colony, entered into his own recognizance, and found sufficient sureties for his appearance at the next criminal sessions of the Supreme Court [or as the case may be] to answer Our Sovereign Lady the Queen for that he [etc., as in the commitment], for which he was taken and committed to a prison:

These are, therefore, to command you, in Her Majesty's name, that if the said do remain in your custody in a prison for the said cause, and for no other, you shall forthwith suffer him to go at large.

Dated this day of 19 .

[L.S.]
Magistrate.

PART IV.

FORMS FOR INDICTABLE OFFENCES TRIABLE SUMMARILY.

FORM 93. [ss. 91, 92 & 93.]

Summary conviction of indictable offence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before , Esquire, a magistrate of the said Colony.

(hereinafter called the defendant) having been charged for that he, on the day of 19 , at [state offence]; and the magistrate having determined to try the case summarily; the defendant is this day convicted of the said offence, and it is adjudged that he pay [or that he be imprisoned, insert particulars] for his said offence [proceed as in ordinary forms of summary conviction].

Dated this day of 19 .

[L.S.]
Magistrate.

FORM 94. [s. 93.]

Order of dismissal where an indictable offence has been tried summarily.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Before , Esquire, a magistrate of the said Colony.

The day of 19 .

(hereinafter called the defendant) having been charged on the information of for that he, on the day of 19 , at [state offence]; and the magistrate having determined to try the case summarily; and the matter of the said charge having been duly considered by the said magistrate, it manifestly appears to him that the said charge is not proved:

Therefore the said information is hereby dismissed; and it is ordered that the informant pay to the defendant the sum of for costs forthwith (or on or before the day of 19); and if default is made [proceed as in a conviction for fine to be levied by distress or omit as the case may be.]

[L.S.]
Magistrate.

PART V.

FORMS RELATING TO APPEALS AND CASE STATED.

FORM 95. [s. 105.]

Application to magistrate to state a case.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To , Esquire, a magistrate of the said Colony.

In the matter of an information (or complaint) wherein I, the undersigned , was informant (or prosecutor, or complainant)

and _____ was defendant, heard and determined before you at the said court on the _____ day of _____ 19____, being dissatisfied with your determination, upon the hearing of the above information (or complaint) and being aggrieved thereby as being erroneous in point of law [or as the case may be], I hereby, pursuant to section 105 of the Magistrates Ordinance (Chapter 227), make application to you to state and sign a case setting forth the facts and grounds of such your determination, in order that I may appeal therefrom to a judge of the Supreme Court.

Dated this _____ day of _____ 19____.

(Signed)

FORM 96. [s. 111.]

Magistrate's certificate of refusal to state case.

HONG KONG. IN THE MAGISTRATE'S COURT AT

Whereas on the _____ day of _____ 19____, an information [or complaint] preferred by _____ against _____ of _____ (hereinafter called the defendant) for that he [etc., as in the information, complaint or summons] was heard and determined by me, the undersigned, a magistrate of the said Colony, and thereon [here state the adjudication, order or determination together with any consequential order as to fine, imprisonment, costs or other matter]:

And whereas the defendant (or _____) being dissatisfied with the said determination and alleging that he is aggrieved thereby as being erroneous in point of law (or as being in excess of jurisdiction), has applied to me pursuant to section 105 of the Magistrates Ordinance (Chapter 227), to state and sign a case setting forth the facts and grounds of such determination in order that he may appeal therefrom:

Now I being of opinion that the application of the defendant (or _____) is merely frivolous have refused to state such case, of which refusal the defendant (or _____) has requested me to sign and deliver to him a certificate:

Now therefore I, the said magistrate, pursuant to section 111 of the said Ordinance, do hereby certify that I am of opinion that the application of the defendant (or _____) as aforesaid is merely frivolous, and that I have refused to state such case accordingly.

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

FORM 97.

[s. 105.]

Case stated by a magistrate.

IN THE SUPREME COURT OF HONG KONG.

APPELLATE JURISDICTION.

Between _____, Appellant,
and _____, Respondent.

This is a case stated by the undersigned, a magistrate of the Colony of Hong Kong under the Magistrates Ordinance (Chapter 227), for the purpose of appeal to a judge of the Supreme Court on questions of law which arose before me as hereinafter stated.

1. At the magistrate's court in the said Colony, at _____ on the _____ day of _____ 19____, an information (or a complaint) preferred by _____ (hereinafter called the respondent) against _____ (hereinafter called the appellant) [or as the case may be], under section _____ of the [state the Ordinance or statute as the case may be] charging, for that he, the appellant [etc., state the offence or cause of complaint], was heard and determined by me, the said parties respectively being then present; and upon such hearing the appellant was duly convicted before me of the said offence, and it was adjudged that he should pay (or and upon such hearing the appellant was by me ordered to pay) to the respondent the sum of _____ [here state the adjudication of fine, sum, or imprisonment and costs, as in a conviction or an order].

(Or, if dismissed: and upon such hearing the said information (or complaint) was dismissed by me.) (and, if so, the appellant was ordered to pay to the respondent of the sum of _____ for his costs incurred by him in his defence in that behalf, conclude as in an order of dismissal).

2. And whereas the appellant, being dissatisfied with my determination upon the hearing of the said information (or complaint) and alleging himself to be aggrieved by such determination as being erroneous in point of law has, pursuant to section 105 of the Magistrates Ordinance, duly applied to me in writing to state and sign a case setting forth the facts and the grounds of such determination as aforesaid, in order that he may appeal therefrom to a judge of the Supreme Court, and has duly entered into a recognizance as required by the said Ordinance in that behalf.

(Where the case stated has been refused in the first instance—but I, being of opinion that the application of the appellant was merely frivolous, refused to state and sign such case, and at his request signed and delivered to him a certificate of such refusal; and whereas a judge of the Supreme Court has since ordered me to state such case.)

3. Now therefore I, the said magistrate, in compliance with the said application (or in obedience to the said order of a judge of the Supreme Court) and the provisions of the said Ordinance (if more facts are introduced than proved and by consent of the said parties), do hereby state and sign the following case.

4. Upon the hearing of the information (or complaint) it was proved on the part of the respondent, and found as a fact, that [here state so much of the evidence given and of the facts as are necessary to raise the point of law in question].

(b) shall personally appear and surrender himself at _____ before and to a judge of the Supreme Court or the Full Court at each and every hearing of his appeal by such judge or court and to then and there abide by the judgment of such judge or court and not to depart or be absent from court at any hearing without the leave of such judge or court and in the meantime not to depart out of the Colony of Hong Kong;

then this recognizance shall be void, but otherwise shall remain in full force.

NOTE—(1) Where the recognizance is taken orally omit the words "the undersigned" and insert the word "orally" after "Taken".

(2) The conditions (a) or (b) may be used separately or together as occasion demands, but the conditions in (b) will only be required if the appellant is released from custody under s.119(a).

FORM 100. [s. 110.]

Order to bring up appellant in custody to enter into recognizance of appeal.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To the Commissioner of Prisons in the said Colony.

You are hereby ordered to bring _____, now in your custody, before the undersigned, a magistrate of the said Colony, or such magistrate as may then be sitting at the said court, on _____ day, the _____ day of _____ 19____, at _____ o'clock in the _____ noon, that he may enter into a recognizance with _____ surety _____ conditioned to appear and try an appeal from the conviction (or order), dated the day of _____ 19____, of the undersigned (or _____, Esquire), a magistrate of the said Colony, and may thereupon, if the magistrate thinks fit, be released from your custody.

Dated this _____ day of _____ 19____.

[L.S.]

.....
Magistrate.

FORM 101. [s. 114.]

Notice of appeal to a judge against conviction.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To _____, the magistrates' clerk at the said Court.

I, _____, of _____, do hereby give you notice that it is my intention to appeal to a judge of the Supreme Court of Hong Kong against a certain conviction of me by _____, Esquire, a magistrate sitting at the said court for having on _____ at _____ [state offence, etc.]. And that the general grounds of such appeal are [state here each ground of appeal, such as that the conviction was against the weight of evidence upon the hearing of the proceedings

in that behalf, or that certain evidence was improperly admitted or rejected (as the case may be) upon the hearing of the proceedings in that behalf, or that there was no evidence, or no sufficient evidence whereon to found the said conviction, (or as the case may be)], and that I am not guilty of the said offence.

Dated this _____ day of _____ 19____.

(Signed)

FORM 102. [s. 114.]

Notice of appeal to a judge against sentence.

HONG KONG. IN THE MAGISTRATE'S COURT AT

To _____, the magistrates' clerk at the said Court.

I, _____, of _____, do hereby give you notice that it is my intention to appeal to a judge of the Supreme Court of Hong Kong against my sentence on a certain conviction of me by _____, Esquire, a magistrate sitting at the said court for having on _____ at _____ [state offence, etc.]. And that the general grounds of my appeal are that my sentence was too severe.

Dated this _____ day of _____ 19____.

(Signed)

Dated the 3rd day of March 1967.

Michael Hogan
Chief Justice.

Explanatory Note.

(This Note is not part of the rules, but is intended to indicate their general purport).

These rules revoke and replace the Magistrates (Forms) Rules which have become out of date.

(Secretariat GR 3/3231/67)

REVISED EDITION OF THE LAWS ORDINANCE 1965.
(No. 53 of 1965).

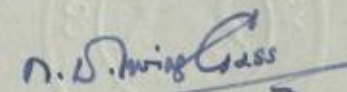
ANNUAL REVISION 1966.

Whereas booklets of Ordinances enacted or amended during the period of twelve months ending on the 31st December 1966 have been prepared and published in accordance with the provisions of section 13 of the Revised Edition of the Laws Ordinance 1965:

It is hereby notified that, pursuant to subsection (4) of section 13 of the said Ordinance, the Governor has specified the 10th day of April 1967 as the date from which the booklets of Ordinances, which are listed below, shall be without question whatsoever in all courts of justice and for all purposes whatsoever the sole and only proper laws of the Colony in respect of those Ordinances.

| <i>Booklet.</i> | <i>Ordinance.</i> |
|-----------------|--|
| Cap. 1 | Interpretation and General Clauses |
| Cap. 50 | Importation and Exportation |
| Cap. 80 | Merchant Shipping (Aliens Employment) |
| Cap. 88 | Application of English Law |
| Cap. 91 | Legal Aid |
| Cap. 101 | Urban Council |
| Cap. 106 | Telecommunication |
| Cap. 118 | Crown Lease (Pok Fu Lam) |
| Cap. 123 | Buildings |
| Cap. 127 | Foreshores and Sea Bed |
| Cap. 135 | Merchant Shipping (Recruiting of Seamen) |
| Cap. 145 | Library |
| Cap. 161 | Medical Registration |
| Cap. 165 | Hospitals, Nursing Homes and Maternity Homes Registration |
| Cap. 206 | Explosive Substances |
| Cap. 274 | "Star" Ferry Company (Service) |
| Cap. 295 | Dangerous Goods |
| Cap. 331 | Immigration Service |
| Cap. 343 | Medical Clinics |
| Cap. 1034 | Masonic Benevolence Fund Incorporation |
| Cap. 1114 | Hong Kong Trade Development Council |
| Cap. 1115 | Hong Kong Export Credit Insurance Corporation |

By Command,


Colonial Secretary.

31st March 1967.

INTERPRETATION AND GENERAL CLAUSES
ORDINANCE 1966.

(No. 31 of 1966).

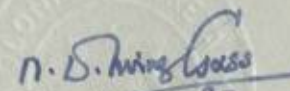
DELEGATION BY GOVERNOR.

In exercise of the powers conferred upon him by section 63 of the Interpretation and General Clauses Ordinance 1966, the Governor has delegated from the 5th day of April 1967 any person holding the office mentioned in the first column of the Schedule hereto, being an office designated by him, to exercise such powers or perform such duties on his behalf as are conferred or imposed upon him by the section of the Ordinance mentioned opposite in the second column of the Schedule hereto.

SCHEDULE.

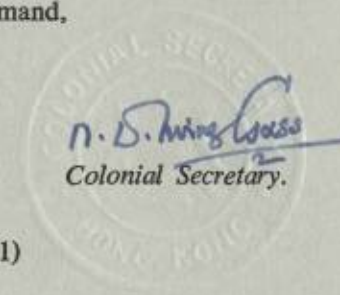
| Public Office. | Section of the Ordinance. |
|--|--|
| Director of Agriculture and Fisheries. | Section 17 of the Wild Birds and Wild Mammals Protection Ordinance (Cap. 170). |

By Command,


Colonial Secretary.

5th April 1967.

(Secretariat ECON. 5/3371/51)



PROCLAMATION.

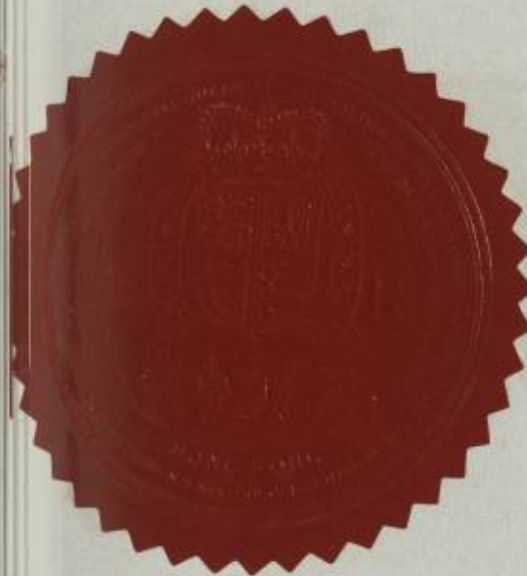
No. 3 of 1967.

BY HIS EXCELLENCY SIR DAVID CLIVE CROSBIE TRENCH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Decoration of the Military Cross, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by section 1 of the Enemy Property Legislation Repeal Ordinance (Chapter 345), it is provided that the said Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that the said Ordinance shall come into operation on the 1st day of May 1967.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 6th day of April 1967.



David Clive Crosbie Trench

Governor.

GOD SAVE THE QUEEN.

Explanatory Note.

(This Note is not part of the Proclamation, but is intended to indicate its general purport).

The Enemy Property Legislation Repeal Ordinance (Cap. 345) repeals the Alien Enemies (Winding Up) Ordinance (Cap. 62) and the Trading with the Enemy Ordinance 1914 (Cap. 188), the reference thereto having been corrected by the Revised Edition of the Laws (Correction of Error) Order 1967 (L.N. 28 of 1967). The latter two Ordinances are replaced by the Trading with the Enemy Ordinance (Cap. 346)—see L.N. 62 of 1967.

(Secretariat CR 5/2261/52)

**PROCLAMATION.**

No. 4 of 1967.

BY HIS EXCELLENCY SIR DAVID CLIVE CROSBIE TRENCH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Decoration of the Military Cross, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by section 1 of the Trading with the Enemy Ordinance (Chapter 346), it is provided that the said Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that the said Ordinance shall come into operation on the 1st day of May 1967.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 6th day of April 1967.



David Clive Crosbie Trench

Governor.

GOD SAVE THE QUEEN.

(Secretariat CR 5/2261/52)

IMPORTATION (COFFEE) REGULATIONS.

(Chapter 50).

IMPORTATION (COFFEE) REGULATIONS (AMENDMENT
OF FIRST SCHEDULE) ORDER 1967.

In exercise of the powers conferred by regulation 10 of the Importation (Coffee) Regulations, the Director of Commerce and Industry has made the following order—

1. This order may be cited as the Importation (Coffee) Regulations (Amendment of First Schedule) Order 1967. Citation.

2. The First Schedule to the principal regulations is deleted and replaced by the following— Deletion and replacement of First Schedule. (Cap. 50, sub. leg.)

"FIRST SCHEDULE.

[reg. 5.]

COUNTRIES PARTICIPATING IN THE AGREEMENT.

Importing.

Exporting.

| | |
|---|--------------------------|
| Argentina | Brazil |
| Australia | Burundi |
| including Papua and New Guinea | Cameroon |
| Austria | Central African Republic |
| Belgium | Colombia |
| Canada | Congo (Belgium) |
| Czechoslovakia | Congo (Dutch Republic) |
| Denmark | Costa Rica |
| Federal Republic of Germany | Cuba |
| Finland | Dahomey |
| France | Dominican Republic |
| including French Guiana, Guadeloupe, Martinique, Reunion, Comores, New Caledonia, Polynesia and French Coast of Somalia | Ecuador |
| Italy | El Salvador |
| Japan | Ethiopia |
| Luxembourg | Gabon |
| Netherlands | Ghana |
| New Zealand | Guatemala |
| including Cook Islands, Niue Island and Tokelau Islands | Haiti |
| Norway | Honduras |
| Spain | India |
| Sweden | Indonesia |
| Switzerland | Ivory Coast |
| | Kenya |
| | Malagasy Republic |
| | Mexico |
| | Nicaragua |

Importing.
 Tunisia
 U.S.S.R.
 United Kingdom
 United States of America

Exporting.
 Nigeria
 Panama
 Peru
 Portugal
 including Angola, Portuguese
 Guinea, Macau, Timor, Sao
 Tome and Principe and Cape
 Verde
 Rwanda
 Sierra Leone
 Tanzania
 Togo
 Trinidad and Tobago
 Uganda
 Venezuela".

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DEFENCE (FINANCE) REGULATIONS.
 (Chapter 309).

GENERAL PERMISSION OF GOVERNOR.

It is hereby notified that, for the purposes of regulations 1, 1A, 1B, 1C and 2 of the Defence (Finance) Regulations, the Governor has granted permission for the doing of anything which may be necessary for the purposes of or in connexion with any lawful commercial transaction arising in the ordinary course of the trade or business carried on by any person, being a transaction between persons one of whom is resident or carries on trade or business in Hong Kong.

By Command,

N. D. Murray Glass
 Colonial Secretary.

25th April 1967.

(Secretariat CR 27/2321/50)

AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.

(No. 14 of 1967).

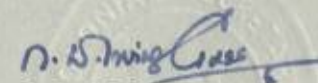
PAY CLASSIFICATION (HONG KONG REGIMENT)
ASSIGNMENT NOTICE 1967.

Pursuant to the provisions of subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Hong Kong Regiment set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE.

| 1. Rank. | 2. Pay Classification. |
|--|---------------------------|
| Lieutenant-Colonel | B |
| Major | C |
| Captain | D |
| Lieutenant | E |
| Warrant Officer, Class I | F |
| Second-Lieutenant Regimental Quartermaster Sergeant } | G |
| Warrant Officer, Class II | H |
| Staff Sergeant | J |
| Sergeant | K |
| Corporal, Grade I | M |
| Corporal, Grade II | N |
| Lance Corporal, Grade I | O |
| Lance Corporal, Grade II | P |
| Private, Grade I | Q |
| Private, Grade II | R |
| Private, Grade III | S |
| Recruit | T |

By Command,


Colonial Secretary.

25th April 1967.

(Secretariat CR 1/62)

AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.

(No. 14 of 1967).

**PAY CLASSIFICATION (HONG KONG AUXILIARY
AIR FORCE) ASSIGNMENT NOTICE 1967.**

Pursuant to the provisions of subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Hong Kong Auxiliary Air Force set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE.

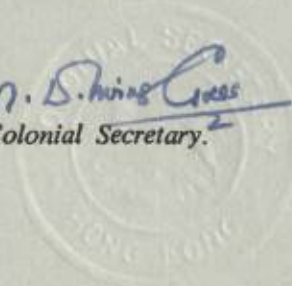
| 1. Rank. | 2. Pay Classification. |
|-------------------------------|---------------------------|
| Wing Commander | B |
| Squadron Leader | C |
| Flight Lieutenant | D |
| Flying Officer | E |
| Pilot Officer | G |
| Warrant Officer | H |
| Cadet | I |
| Flight Sergeant | J |
| Sergeant | K |
| Corporal | M |
| Senior Aircraftsman, Grade I | O |
| Senior Aircraftsman, Grade II | P |
| Leading Aircraftsman | Q |
| Aircraftsman, Grade I | R |
| Aircraftsman, Grade II | T |

By Command,

N. D. King Cross
Colonial Secretary.

25th April 1967.

(Secretariat CR 1/62)



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AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.

(No. 14 of 1967).

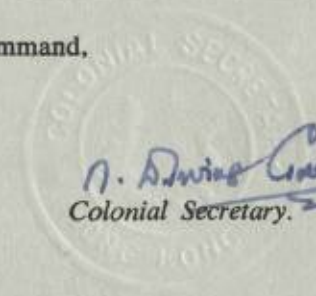
**PAY CLASSIFICATION (HONG KONG WOMEN'S
AUXILIARY ARMY CORPS) ASSIGNMENT NOTICE 1967.**

Pursuant to the provisions of subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Hong Kong Women's Auxiliary Army Corps set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE.

| 1. <i>Rank.</i> | 2. <i>Pay Classification.</i> |
|---------------------------|----------------------------------|
| Major | E |
| Captain | F |
| Lieutenant | G |
| Warrant Officer, Class I | H |
| Second-Lieutenant | I |
| Warrant Officer, Class II | J |
| Staff Sergeant | L |
| Sergeant | M |
| Corporal, Grade I | O |
| Corporal, Grade II | P |
| Lance-Corporal, Grade I | Q |
| Lance-Corporal, Grade II | R |
| Private, Grade I | S |
| Private, Grade II | T |
| Private, Grade III | U |
| Recruit | V |

By Command,


N. Andrew Cross
Colonial Secretary.

25th April 1967.

(Secretariat CR 1/62)

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AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.

(No. 14 of 1967).

**PAY CLASSIFICATION (HONG KONG AUXILIARY
POLICE FORCE) ASSIGNMENT NOTICE 1967.**

Pursuant to the provisions of subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Hong Kong Auxiliary Police Force set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE.

| 1. Rank. | 2. Pay Classification. |
|---|---------------------------|
| Senior Assistant Commissioner of Police } Assistant Commissioner of Police } | A |
| Chief Superintendent } Senior Superintendent } | B |
| Superintendent | C |
| Assistant Superintendent | D |
| Senior Inspector | E |
| Inspector } Senior Inspector (Female) } | G |
| Inspector (Female) | I |
| Sergeant | K |
| Corporal } Sergeant (Female) } | M |
| Corporal (Female) | O |
| Police Constable | Q |
| Recruit | R |
| Woman Police Constable | S |
| Recruit Woman Police Constable | T |

By Command.

N. D. King
Colonial Secretary.

25th April 1967.

(Secretariat CR 1/62)

ORDINANCE

AUXILIARY FIRE SERVICE

In pursuance of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Auxiliary Fire Service Unit set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE

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AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.

(No. 14 of 1967).

PAY CLASSIFICATION (AUXILIARY FIRE SERVICE
UNIT) ASSIGNMENT NOTICE 1967.

Pursuant to subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Auxiliary Fire Service Unit set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE.

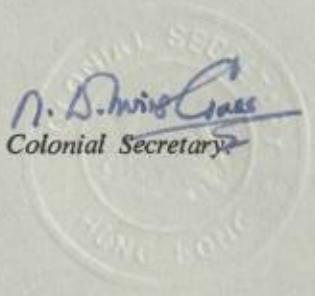
| 1. Rank. | 2. Pay Classification. |
|---|---------------------------|
| Chief Staff Officer | C |
| Senior Fire Officer, Class I Senior Fire Officer, Class II | D |
| Fire Officer, Class I | E |
| Fire Officer, Class II | G |
| Fire Officer, Class III Group Officer | I |
| Principal Fireman | J |
| Leading Fireman Senior Fireman Assistant Group Officer | K |
| Fireman, Class I Senior Firewoman | M |
| Firewoman, Class I | O |
| Fireman, Class II | Q |
| Firewoman, Class II | S |

By Command.

N. D. Ming Coas
Colonial Secretary

25th April 1967.

(Secretariat CR 1/62)



ALLOWANCES

FOR THE SERVICE

UNIT 1967

and pursuant to the provisions of the Ordinance, the Governor hereby assigns to each rank of the Auxiliary Medical Services set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

UNIT 1967



**AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.**

(No. 14 of 1967).

**PAY CLASSIFICATION (AUXILIARY MEDICAL SERVICES
UNIT) ASSIGNMENT NOTICE 1967.**

Pursuant to the provisions of subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Auxiliary Medical Services set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

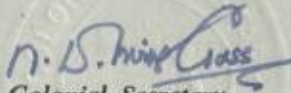
SCHEDULE.

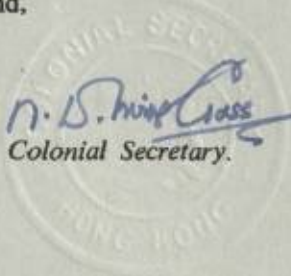
| 1. <i>Rank.</i> | 2. <i>Pay Classification.</i> |
|---|----------------------------------|
| Unit Controller | A |
| Deputy Unit Controller | B |
| Medical Officer, Grade I } Chief Supervisor | C |
| Medical Officer, Grade II } Group Supervisor | D |
| Senior Supervisor | E |
| Supervisor } Accountant | G |
| Assistant Supervisor } Supervisor (Female) | I |
| Assistant Accountant | J |
| Senior Dresser } Assistant Supervisor (Female) | K |
| Dresser, Class I } Dispenser | M |
| Dresser, Class II } Auxiliary Nurse, Class I | O |
| Clerk } Telephonist } Auxiliary Nurse, Class II | Q |
| Stretching Bearer } Messenger } Driver | S |
| Recruit | T |

By Command,

25th April 1967.

(Secretariat CR 1/62)


Colonial Secretary.



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AUXILIARY FORCES PAY AND ALLOWANCES
ORDINANCE 1967.

(No. 14 of 1967).

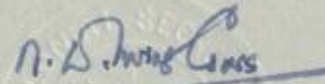
**PAY CLASSIFICATION (CIVIL AID SERVICES UNIT)
ASSIGNMENT NOTICE 1967.**

Pursuant to the provisions of subsection (1) of section 5 of the Ordinance, the Governor hereby assigns to each rank of the Civil Aid Services Unit set out in the first column of the Schedule the pay classification specified in respect thereof in the second column of the Schedule.

SCHEDULE.

| 1. <i>Rank.</i> | 2. <i>Pay Classification.</i> |
|--------------------------|----------------------------------|
| Senior Grade VII Officer | A |
| Grade VII Officer | B |
| Grade VI Officer | C |
| Senior Grade V Officer | D |
| Grade V Officer | E |
| Grade IV Officer | G |
| Senior Grade III Member | J |
| Grade III Member | K |
| Grade II Member | M |
| Senior Grade I Member | Q |
| Grade I Member | S |
| Grade I Member (Female) | U |

By Command,


Colonial Secretary.

25th April 1967.

(Secretariat CR 1/62)

