FORM 4.

Compulsory Service Ordinance, 1951.

*Medical Notice prior to Intended Transfer.*

(ss. 7 & 20).

In virtue of the powers vested in me by section 20 as read with section 7 of the Compulsory Service Ordinance, 1951, I hereby require you to present yourself for medical examination at the time and place specified below—

Place .....

Date ..... Time .....

You should take this notice with you.

Failure to comply with requirements of this notice constitutes an offence, and renders the offender liable to a fine of five thousand dollars and to imprisonment for two years.

.....

*Director of Manpower.*

*19* .

*To*: .....

.....

.....

.....

FORM 5.

Compulsory Service Ordinance, 1951.

*Provisional Notice of Intended Transfer.*

(ss. 19 & 20).

You have been medically examined and have been graded as .....

You are now notified that in virtue of the powers vested in me by sections 19 and 20 as read with section 9 of the Compulsory



Service Ordinance, 1951, you have been provisionally selected for service in .....

.....

*Director of Manpower.*

*19* .

*To*: .....

.....

.....

.....

*Note*: Under the provisions of section 10 of the Compulsory Service Ordinance, 1951, you may, if you wish, object to this selection on any one or more of the following grounds—

1. You are a person to whom the Compulsory Service Ordinance, 1951, does not apply.
2. You are a person exempted from the provisions of Part II of the Compulsory Service Ordinance, 1951.
3. The obligations imposed by the service to which you are directed would entail undue hardship for you.
4. You are physically unfit to perform the service to which you are directed.
5. You could more usefully serve in a body other than that for which you have been provisionally selected, and are fit to serve in such other body.
6. (If provisionally selected for service in the Royal Hong Kong Defence Force). You conscientiously object to undergoing military training or to performing combatant duties.

Any such objection must be made in writing to the Director of Manpower, Essential Services Office, King's Building, Hong Kong, within seven days of the date of receipt by you of this provisional notice.

It should be noted that by virtue of section 20(*b*) of the Compulsory Service Ordinance, 1951, you are to continue to discharge your duties as a member of the .....

.....

.....

until you have been enrolled in the .....

for which you have been provisionally selected by this notice.

FORM 6.

Compulsory Service Ordinance, 1951.

*Final Notice and Order of Transfer.*

(ss. 19 & 20).

In exercise of the powers vested in me by sections 19 and 20 as read with sections 14 and 15 of the Compulsory Service Ordinance, 1951—

I hereby order your transfer from the ..... ..... in which you are now serving to the .....

I hereby require you to present yourself at the time and place specified below for enrolment in the ..... ....., and for subsequent service therein in accordance with instructions that may be given to you by or under the authority of .....

Place .....

Date ..... Time .....

You should take this notice with you.

Failure to comply with the requirements of this notice constitutes an offence, and renders the offender liable to a fine of five thousand dollars and to imprisonment for two years.

.....

*Director of Manpower.*

*19* .

*To*: .....
.....
.....
.....

---

FORM 7.

Compulsory Service Ordinance, 1951.

*Objection to complying with Medical Notice.* (s. 7).

*To*: Director of Manpower,
Essential Services Office,
King's Building,
Hong Kong.

By virtue of the provisions of section 7(3) of the Compulsory Service Ordinance, 1951, I (here insert full name in block capitals, surname first) ..... ..... of (here insert address in Hong Kong) .....
.....



hereby object to complying with the Medical Notice served upon me, on the grounds that I am—

(*a*) a person to whom the Ordinance does not apply;

(*b*) a person exempted from the provisions of Part II of the Ordinance by virtue of section 5 thereof.

Strike out (*a*) or (*b*) if inapplicable to you.

My reasons for objecting on the above grounds are set out overleaf.

*Signature* .....

*Date* .....

*Reasons for Objection.*
(To be printed overleaf.)

Reasons should be set out in numbered paragraphs and should if possible be typed.

If there is insufficient room on this form a blank sheet or sheets may be attached marked "Further Reasons for Objection" which should also be signed and dated.

---

*Observations of the Director of Manpower.*

.....

*Director of Manpower.*

*19* .

FORM 8.

Compulsory Service Ordinance, 1951.

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*Objection to Notice of Provisional Selection or Provisional Notice of Intended Transfer.* (ss. 10 & 20).

---

*To*: Director of Manpower,
Essential Services Office,
King's Building,
Hong Kong.

Sections 10 and 20 refer.

By virtue of the provisions of the Compulsory Service Ordinance, 1951, I (here insert full name in block capitals, surname first) .....
of (here insert address in Hong Kong) .....
..... (hereby object to the †Notice of Provisional Selection / Provisional Notice of Intended Transfer which has been served upon me on the grounds that—

†Strike out whichever is inapplicable.

(*a*) to (*f*) strike out all grounds except those which are applicable to you.

(*a*) I am a person to whom the Ordinance does not apply;

(*b*) I am a person exempted from the provisions of Part II of the Ordinance;

(*b*) See section 5 of the Ordinance.

(*c*) the obligations imposed by such service would entail undue hardship for me;

(*d*) I am physically unfit to perform such service;

(*e*) I could more usefully serve in a body other than that †for which I have been provisionally selected / †to which it is proposed to transfer me and am in fact fit to serve in such other body;

†
†Strike out whichever is inapplicable.

(*f*) Applicable only to you if you have been provisionally selected for service in the R.H.K.D.F.

(*f*) I conscientiously object to undergoing military training or to performing combatant duties.

My reasons for objecting on the above grounds are set out overleaf.



*Particulars of Family and Occupation.*

Give details of your wife and children or other dependants and of your trade, profession, or other occupation.

*Signature* .....

*Date* .....

*Reasons for Objection.*
(To be printed overleaf.)

Reasons should be set out in numbered paragraphs and should if possible be typed.

If there is insufficient room on this form a blank sheet or sheets may be attached marked "Further Reasons for Objection" which should also be signed and dated.

---

*Observations of the Director of Manpower.*

.....
*Director of Manpower.*

*19* .

FORM 9.

Compulsory Service Ordinance, 1951.

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*Notice of Dissatisfaction with Refusal of Consent to Quit.* (s. 16).

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By virtue of the provisions of section 16 of the Compulsory Service Ordinance, 1951, I (here insert full name in block capitals, surname first) .....
..... of (here insert address in Hong Kong) .....
hereby notify you of my dissatisfaction with your decision to refuse me consent to quit the †Royal Hong Kong Defence Force/Special Constabulary/Essential Services Corps.

†Strike out where inapplicable to you.

I desire to appeal against your decision to the Compulsory Service Tribunal.

These should be typed if possible.

The grounds for my dissatisfaction are as follows (here state your reasons)—

If there is insufficient room on this form a blank sheet or sheets may be attached marked "Further Grounds for Dissatisfaction" which should also be signed and dated.

*Signature* .....

*Date* .....

---



*Observations of the Director of Manpower.*

.....
*Director of Manpower.*

*19* .

*Clerk of Councils.*

COUNCIL CHAMBER,
*11th September, 1951.*

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# ROYAL HONG KONG DEFENCE FORCE ORDINANCE, 1951.

REGULATIONS BY THE GOVERNOR IN COUNCIL.

*(under section 15).*

In exercise of the power conferred by section 15 of the Royal Hong Kong Defence Force Ordinance, 1951, the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Hong Kong Defence Force (Amendment) Regulations, 1951, and shall be read as one with the Hong Kong Defence Force Regulations, 1949, hereinafter referred to as the principal regulations and these regulations and the principal regulations may be cited together as the Royal Hong Kong Defence Force Regulations, 1951. **Citation.** **G.N.A. 74/49.**

**2.** Regulation 3 of the principal regulations is hereby amended by the deletion of the word "civilian" in the third line thereof and the substitution therefor of the words "member of the Force". **Amendment of regulation 3 of the principal regulations.**

**3.** Regulation 7 of the principal regulations is hereby amended— **Amendment of regulation 7 of the principal regulations.**

(*a*) by the insertion after the the word "Force" at the end of the first line, of the following—

"or joining the Force in accordance with the provisions of the Compulsory Service Ordinance, 1951,"; and

(*b*) by the deletion of the words "of the Force" in the first and second lines of paragraph (*a*) thereof and the substitution therefor of the words "and shall reach the required medical standard".

**4.** Regulation 8 of the principal regulations is hereby amended— **Amendment of regulation 8 of the principal regulations.**

(*a*) by the rescission of paragraphs (1), (2) and (3) thereof;

(*b*) by the deletion of the symbols and figure "(4)" at the beginning of paragraph (4) thereof; and

(*c*) by the replacement of the marginal reference thereto as follows—

"Completion of service by a volunteer."

Amendment of regulation 9 of the principal regulations.

**5.** Regulation 9 of the principal regulations is hereby amended—

(*a*) by the rescission of paragraph (1) thereof;

(*b*) by the deletion of the symbols and figure "(2)" at the beginning of paragraph (2) thereof; and

(*c*) by the replacement of the marginal reference thereto as follows—

"Appointment, promotion, removal and retirement of officers."

Amendment of regulation 12 of the principal regulations.

**6.** Regulation 12 of the principal regulations is hereby amended by the addition at the end thereof of the following—

"Without prejudice to the provisions of any regulations so laid down and in default thereof the rules as to training and instruction contained in the First Schedule shall apply to all units of the Force."

Replacement of regulation 13 of the principal regulations.

**7.** Regulation 13 of the principal regulations is hereby replaced by the following new regulation 13—

"Liability to attend at instruction periods shall be deemed to accrue quarterly.

**13.** (1) Notwithstanding that a number of instruction periods have been prescribed whether by these regulations or by regulations applicable to any particular unit in respect of any year the quarter thereof shall be deemed to have been prescribed for each quarter of the year to the intent that the liability of an officer or member to attend a quarter of such instruction periods shall be deemed to accrue in and in respect of each quarter of the year.

(2) For the purpose of ensuring compliance with the provisions of paragraph (1) a Commanding Officer may at any time after the completion of the quarter in respect of which liability to attend instruction periods has been deemed to accrue by paragraph (1) from time to time require attendance at such number of instruction periods, attendance at which is necessary to discharge the liability imposed by paragraph (1).



(3) Any officer or member who feels aggrieved by any order given by the Commanding Officer under paragraph (2) may appeal in writing, stating the grounds of his complaint, to the Commandant through his Commanding Officer. The Commandant may in his discretion, confirm, vary or reverse the order which was the subject of the complaint and his decision in the matter shall be final.

(4) The provisions of paragraphs (1), (2) and (3) shall apply *mutatis mutandis* to such instruction periods as may have been lawfully substituted in accordance with the regulations applicable for the instruction periods prescribed.

Amendment of regulation 19 of the principal regulations.

**8.** Regulation 19 of the principal regulations is hereby amended—

(*a*) by the substitution of the word "Reserve" for the word "Force" in sub-paragraph (*a*) of paragraph (3); and

(*b*) by the deletion of the words "in the Auxiliary Force or" in the first line of paragraph (4).

Replacement of regulation 20 of the principal regulations.

**9.** Regulation 20 of the principal regulations is hereby replaced as follows—

"Penalties.

**20.** It shall be an offence to contravene the provisions of regulation 15, 16 or 17. Any person guilty of such an offence or of an offence under regulation 13 shall be liable to a fine of five hundred dollars."

Addition of regulation 21 of the principal regulations.

**10.** The following new regulation is added after regulation 20 of the principal regulations as regulation 21—

"Allowances.

**21.** (1) The rates and conditions governing the payment of instruction allowances shall be as prescribed in the Second Schedule.

(2) The rates and conditions governing the payment of bounties shall be as prescribed in the Third Schedule."

(3) Notwithstanding anything contained in the Second Schedule or the Third Schedule a Commanding Officer who shall be the sole judge of the sufficiency of the cause may deprive a member of instruction allowance in respect of—

(*a*) any instruction period not attended in the quarter of the year in which by regulation 13 he is liable to attend such period; and

(*b*) any instruction period during which such member has not in the opinion of the Commanding Officer used his best endeavours to obtain the full benefit of the instruction provided during such instruction period."

Amendment of regulations 12, 14, 15, 16, 17, 18 and 19 of the principal regulations.

**11.** The principal regulations are hereby amended—

(*a*) by the substitution of the word "members" for the word "volunteers" where it appears in regulations 12, 15, 16, 17 and 19;

(*b*) by the substitution of the word "member" for the word "volunteer" where it appears in regulations 14 and 18.

Addition of three new Schedules to the principal regulations.

**12.** The principal regulations are amended by the addition thereto of the following Schedules—

" FIRST SCHEDULE.

*Rules for Training and Instruction.*

1. Every officer and member shall—

(*a*) attend not less than 60 instruction periods annually which may be reduced at the discretion of the Commandant in consultation with the appropriate Service Commander;

(*b*) attend camp annually for not less than 14 days or such less time as the Commandant may direct in consultation with the appropriate Service Commander;

(*c*) attend such alternative instruction periods not exceeding in the aggregate those prescribed as the Commandant may direct. For the purpose of this paragraph a period of 6 hours' instruction shall be deemed to be the equivalent of 1 day's attendance at camp.

2. The Commanding Officer shall fix the time and places of parades.

3. No officer or member shall be deemed efficient until he has undergone the annual training prescribed in this Schedule, and until he has passed such tests of efficiency as may from time to time be laid down by the Commanding Officer and approved by the Commandant. The Commandant may in special circumstances, exempt an officer or member from the provisions of this rule.



SECOND SCHEDULE.

*Instruction Allowances.*

| *Rank* | *Rate per instruction period.* | *Maximum amount payable in respect of any one day's instruction.* |
|---|---|---|
| | $ | $ |
| Officers ..... | 1.30 | 7.80 |
| Petty Officers, Sergeants and above ..... | 1.10 | 6.60 |
| Leading Seamen and Corporals ..... | .90 | 5.40 |
| Others ..... | .70 | 4.20 |

THIRD SCHEDULE.

| *Conditions for award of bounty.* | *Amount of Bounty.* |
|---|---|
| | $ |
| A. The bounty payable on performance of 70 instruction periods and on being deemed efficient in accordance with the regulations governing the unit of the officer or member will be ..... | 50.00 |
| B. On performance of 30 instruction periods or 3 Training Days of not less than 6 hours each additional to the number of instruction periods and other training required for being deemed efficient, an additional bounty will be payable amounting to ..... | 150.00." |

*Clerk of Councils.*

COUNCIL CHAMBER,
*11th September, 1951.*

# THE EMERGENCY REGULATIONS ORDINANCE, 1922.

REGULATIONS MADE BY THE GOVERNOR IN COUNCIL.

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In exercise of the power conferred by section 2 of the Emergency Regulations Ordinance, 1922, as amended by the Emergency Regulations (Amendment) Ordinance, 1949, and by the Emergency Regulations (Amendment) (No. 2) Ordinance, 1949, the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Emergency (Special Constabulary) (Amendment) Regulations, 1951. **Citation.**

**2.** Regulation 2 of the principal regulations is hereby replaced as follows— **Replacement of regulation 2 of the principal regulations.**

"Interpretation.

**2.** In these regulations, wherever an expression defined in section 3 of the Police Force Ordinance, 1948, occurs, then such expression shall have the same meaning as in the said Ordinance and—

"bounty" means the bounty payable under regulation 11(5);

"date of Authorization" means the date of the Order by which the Governor authorizes the recruitment and constitution of the Special Constabulary;

"instruction" means a period of attendance of less that 6 hours' duration at a time and place specified by the Commissioner;

"instruction allowance" means the allowance payable under regulation 11(4);

"instruction period" means a period of instruction of 1 hour's duration;

"member" means a member of the Special Constabulary;

"Special Constabulary" means a body of persons constituted under these regulations to perform the duties in aid of the Police Force of the Colony;

"training" means a period of attendance of not less than 6 hours' duration at a time and place specified by the Commissioner;

"volunteer" means a member of the Special Constabulary other than a person upon whom a liability to enrol therein has been imposed under the provisions of the Compulsory Service Ordinance, 1951."

Replacement of regulation 9 of the principal regulations.

**3.** Regulation 9 of the principal regulations is hereby replaced as follows—

"Requirements for efficiency.

**9.** (1) Subject to the provisions of paragraphs (2) and (3) every member who fails without reasonable excuse to complete the requirements of efficiency in any year shall be liable to a fine of one thousand dollars.

(2) No member shall be liable to prosecution under paragraph (1) in respect of the year during which he attains the age of 60 years if he proposes to resign from the Special Constabulary in accordance with the provisions of regulation 17.

(3) If any volunteer other than a person referred to in paragraph (2) quits the Special Constabulary without completing the requirements of efficiency in any year, he shall be liable to a fine not exceeding $100: Provided that the Commissioner may exempt from liability any volunteer who, in his opinion, quitted the Special Constabulary for a reasonable and *bona fide* cause and used reasonable diligence in his training until he quitted the Special Constabulary.

(4) The requirements for efficiency in any year shall be—

(*a*) the diligent performance by the member, to the satisfaction of the Commissioner, of such number of instruction periods of not less than 5 and not exceeding 60 as the Commissioner may direct;

(*b*) attendance, if the Commissioner so requires, for not more than 14 days training;

(*c*) such training and instruction alternative to that laid down in paragraphs (*a*) and (*b*) as the Commissioner may direct: Provided that the total period of training or instruction so ordered shall not exceed in the aggregate the maximum amounts laid down in those paragraphs.



(5) For the purpose of this regulation and regulation 11, the year shall be deemed to start on the 1st day of October.

(6) For the purpose of paragraph 4(*c*) one day's training shall be deemed to be the equivalent of a period of 6 hours' instruction."

Amendment of regulation 11 of the principal regulations

**4.** Regulation 11 of the principal regulations is hereby amended by the addition of the following paragraphs as paragraphs (3), (4) and (5)—

"(3) A member when in training shall be entitled to receive pay and allowances at the same rates as he would be eligible to receive when called out for active service.

(4) A member when under instruction shall be entitled to receive an instruction allowance in respect of such periods of instruction in accordance with the rates shown in the following table—

| *Rank of Member.* | *Allowance in respect of each instruction period.* | *Maximum amount payable in respect of any one day's instruction.* |
|---|---|---|
| Constables ..... | $ .70 | $4.20 |
| Corporals ..... | .90 | 5.40 |
| Sergeants & above... | 1.10 | 6.60 |
| Inspectors, Chief Inspectors & Gazetted Police Officers ..... | 1.30 | 7.80 |

(5) Any member who fulfils the requirements for efficiency in any one year and performs 70 instruction periods during the course of the year shall be entitled to receive a bounty of $50: Provided that if he shall perform 90 instruction periods during the course of the year the bounty shall be $200."

Replacement of regulation 17 of the principal regulations.

**5.** Regulation 17 of the principal regulations is hereby replaced as follows—

"Right to quit Special Constabulary.

**17.** (1) A volunteer may quit the Special Constabulary by giving to the Commissioner one month's notice in writing of his intention so to do.

[*cf.* section 16 of the Compulsory Service Ordinance, 1951.]

(2) A member of the Special Constabulary other than a volunteer may quit the Special Constabulary only in accordance with the provisions of the Compulsory Service Ordinance, 1951.

(3) A member may quit the Special Constabulary by giving to the Commissioner one month's notice in writing of his intention so to do provided that such notice shall be inoperative unless it expires on or after the day upon which such member attains the age of 60."

Addition of new regulations 20, 21, 22 and 23 to the principal regulations.

**6.** The principal regulations are hereby amended by the addition of the following new regulations after regulation 19 as regulations 20, 21, 22 and 23—

"Complaints.

**20.** Any member who feels that he has a just cause for complaint in any matter relative to the Special Constabulary may present his complaint to the Commissioner with a right of appeal to the Governor whose decision shall be final.

Obstruction

**21.** No person shall wilfully obstruct any part of the Special Constabulary or any member in the performance of any service or duty under these regulations: Penalty: a fine of one thousand dollars.

Enrolment of persons upon whom a liability to enrol has been imposed.

**22.** Notwithstanding anything contained in these regulations the Commissioner shall enrol in the Special Constabulary any person upon whom a liability to enrol therein has been imposed by section 15 of the Compulsory Service Ordinance, 1951, and shall appoint such person to the rank for which he considers him suitable. Enrolment shall be effected by the name of the person concerned being entered as a member of the Special Constabulary and by such person taking the oath or declaration of office prescribed by regulation 23.

Declaration of Office.

**23.** (1) Every member shall, before entering on the duties of his office, take before a magistrate or justice of the peace an oath or declaration of office in the form set forth in paragraph (2).



(2) Oath of Office.

I, .....
swear by Almighty God (or solemnly and sincerely affirm and declare) that I will obey, uphold and maintain the laws of the Colony of Hong Kong and I will at all times execute the powers and duties of my office honestly, faithfully and diligently without fear or favour to any person and with malice or ill-will towards none.

And I do further swear that I will at all times obey without question the lawful orders of those set in authority over me.

Sworn before me this day
of , 19 .

Magistrate/Justice of the Peace."

*Clerk of Councils.*

COUNCIL CHAMBER,
*11th September, 1951.*

*Explanatory Note.*

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

By virtue of the Compulsory Service Ordinance, 1951, persons subject to compulsory service thereunder may be directed to enrol compulsorily in the Royal Hong Kong Defence Force, the Special Constabulary or the Essential Services Corps. The legislation relating to the Royal Hong Kong Defence Force and the Essential Services Corps has been suitably amended to provide for the enrolment instruction and training of such persons and the payment to them in respect of such training of an instruction allowance.

These regulations amend the principal regulations to make similar provision in respect of the Special Constabulary. In addition new regulations have been added to the principal regulations enabling members of the Special Constabulary to make complaints and making it an offence to obstruct any part of the Special Constabulary or any of its members in the execution of their duty.

# THE HONG KONG POLICE RESERVE ORDINANCE, 1927.

## REGULATIONS BY THE GOVERNOR IN COUNCIL.

In exercise of the power conferred by section 3 of the Hong Kong Police Reserve Ordinance, 1927, the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Hong Kong Police Reserve (Amendment) Regulations, 1951, and shall be read as one with the regulations made under the Special Police Reserve Ordinance, 1941, and set forth at page 999 in Volume III of the Regulations of Hong Kong (1937 Edition) hereinafter referred to as the principal regulations. **Citation.**

**2.** Regulation 2 of the principal regulations is amended by inserting the words "instruction, training," between the words "drills" and "musketry" in the fifth line thereof and by adding the following sentence at the end of the regulation— **Amendment of regulation 2 of the principal regulations.**

"Such commands shall be obeyed by every member of the Reserve."

**3.** Regulation 3 of the principal regulations is hereby replaced as follows— **Replacement of regulation 3 of the principal regulations.**

"Requirement for efficiency.

**3.** (1) Subject to the provisions of paragraphs (2) and (3) every member of the Reserve who fails without reasonable excuse to complete the requirements of efficiency in any year shall be guilty of an offence and be liable to a fine of five hundred dollars.

(2) No member of the Reserve shall be liable to prosecution under paragraph (1) in respect of the year during which he attains the age of 60 years if he proposes to resign from the Reserve in accordance with the provisions of regulation 8.

(3) If any member of the Reserve other than a person referred to in paragraph (2) quits the Reserve without completing the requirements of efficiency in any year, he shall be liable to a fine of $100.00: Provided that the Commissioner of Police may exempt from

liability any member of the Reserve who, in his opinion, quitted the Reserve for a reasonable and *bona fide* cause and used reasonable diligence in his training until he quitted the Reserve.

(4) The requirements of efficiency in any year shall be—

(*a*) the diligent performance by the member of the Reserve, to the satisfaction of the Commissioner of Police, of such number of instruction periods not less than 5 and not exceeding 60 as the Commissioner shall direct;

(*b*) attendance, if the Commissioner of Police so requires, for not more than 14 days' training;

(*c*) such training and instruction alternative to that laid down in paragraphs (*a*) and (*b*) as the Commissioner may direct: Provided that the total period of training or instruction so ordered shall not exceed in the aggregate the maximum amounts laid down in those paragraphs.

(5) For the purpose of this regulation, and regulation 9, the year shall be deemed to start on the 1st day of October.

(6) For the purpose of paragraph (4)(*c*) one day's training shall be deemed to be the equivalent of a period of 6 hours' instruction."

**Amendment of regulation 9 of the principal regulations.**

**4.** Regulation 9 of the principal regulations is hereby amended by deleting the words "and such period only" in the third line of paragraph (1) and by the addition of the following paragraphs as paragraphs (3), (4) and (5) after paragraph (2) thereof—

"(3) A member of the Reserve when in training shall be entitled to receive pay and allowances at the same rates as would be eligible to receive when called out for active service.

(4) A member of the Reserve when under instruction shall be entitled to receive an instruction allowance in respect of such periods of instruction in accordance with the rates shewn in the following table—



| *Rank of member.* | *Allowance in respect of each instruction period.* | *Maximum amount payable in respect of any one day's instruction.* |
|---|---|---|
| | $ | $ |
| Constables ..... | .70 | 4.20 |
| Corporals ..... | .90 | 5.40 |
| Sergeants & above ..... | 1.10 | 6.60 |
| Inspectors, Chief Inspectors & Gazetted Police Officers. | 1.30 | 7.80 |

(5) Any member of the Reserve who fulfils the requirements for efficiency in any one year and performs 70 instruction periods during the course of the year shall be entitled to receive a bounty of $50: Provided that if he shall perform 90 instruction periods during the course of the year the bounty shall be $200."

**Addition of new regulations 12, 13 and 14 to the principal regulations.**

**5.** The principal regulations are hereby amended by the addition of new regulations 12, 13 and 14 after regulation 10 as follows—

"Complaints.

**12.** Any member of the Reserve who feels that he has a just cause for complaint in any matter relative to the Reserve may present his complaint to the Commissioner of Police with a right of appeal to the Governor whose decision shall be final.

Obstruction.

**13.** Any person who wilfully obstructs any part of the Reserve or any member of the Reserve in the performance of any service or duty under these regulations shall be guilty of an offence.

**14.** In these regulations—

"bounty" means the bounty payable under regulation 9(5);

"instruction" means a period of attendance of less than 6 hours' duration at a time and place specified by the Commissioner;

"instruction allowance" means the allowance payable under regulation 9(4);

"instruction period" means a period of instruction of one hour's duration;

"member of the Reserve" means a member of Hong Kong Police Reserve;

"training" means a period of attendance of not less than 6 hours' duration at a time and place specified by the Commissioner;

"Reserve" means the Hong Kong Police Reserve.

*Clerk of Councils.*

COUNCIL CHAMBER,
*11th September, 1951.*

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## LEGISLATIVE COUNCIL RESOLUTION.

RESOLVED

That there shall be established a fund styled the Trading Reserve Fund;

That the Fund or any part of it may be held in Hong Kong dollars or in sterling and shall be administered by the Financial Secretary and may be invested by the Financial Secretary in such securities as may be approved by the Secretary of State;

That there shall be appropriated to the Fund the sum of thirty million dollars from the profits which have accrued from the trading and financing operations of the Department of Commerce & Industry up to the 31st March, 1950;

That in the event of the trading and financing operations of the Department of Commerce & Industry subsequent to the 31st March, 1950 resulting in an overall loss in any financial year, then such loss shall be charged to the Fund.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,
*19th September, 1951.*

## LEGISLATIVE COUNCIL RESOLUTION.

RESOLVED

That there shall be established a fund styled the Development Fund;

That the Fund or any part of it may be held in Hong Kong dollars or in sterling and shall be administered by the Financial Secretary and may be invested by the Financial Secretary in such securities as may be approved by the Secretary of State;

That all profits which have accrued up to the 31st March, 1950, from the trading and financing operations of the Department of Commerce & Industry in excess of the sum of thirty million dollars shall be appropriated to the Development Fund;

That all profits accruing after the 31st March, 1950, from the trading and financing operations of the Department of Commerce & Industry shall be appropriated to the Development Fund so soon as may be practicable after the close of each financial year;

That the Financial Secretary with the approval of the Finance Committee of this Council may from time to time appropriate from the Fund monies for the purpose of financing, whether by way of grant or loan, such schemes of development within the Colony as may be approved by the Governor in Council and by the Secretary of State.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,
*19th September, 1951.*

## HAWKERS ORDINANCE, 1935.

(ORDINANCE NO. 22 OF 1935).

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In exercise of the powers conferred by section 2 of the Hawkers Ordinance, 1935, the Urban Council hereby makes the following by-laws—

**1.** These by-laws may be cited as the Hawkers (Amendment) By-laws, 1951, and shall be read as one with the by-laws contained in the Schedule to the Hawkers Ordinance, 1935. Citation.

Ordinance No. 22 of 1935.

**2.** The principal by-laws are amended by the addition after by-law 6 under the heading "Class 2.—Fixed Pitch Hawkers." of the following— Amendment of the principal by-laws.

"Approved type of shade.

**7.** Every licensee may place over the pitch allotted by the Council a collapsible shade of a design and construction approved by the Council provided such shade does not exceed the dimensions following—

(*a*) length ..... 4 feet;

(*b*) width ..... 3 feet;

(*c*) height—

(i) 4′ 6″ above ground level on one side; and

(ii) 3′ 6″ on the opposite side."

Made by the Urban Council this 11th day of September, 1951.

*Secretary.*

Approved by the Legislative Council this 19th day of September, 1951.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,

*19th September, 1951.*

## MERCHANT SHIPPING ORDINANCE, 1899.

### Order by the Governor in Council.

The Governor in Council in exercise of his powers and under subsection (19A) of section 4 of the Merchant Shipping Ordinance, 1899, has ordered that the ships specified in the Schedule hereto be until further notice exempted from the provisions of subsections (1) and (3) of section 4 of the Ordinance aforesaid: Provided nevertheless that no person shall be permitted to act in the capacity of master, mate or engineer for either a specified service or voyage unless he has passed a special examination before the Director of Marine.

### SCHEDULE.

| | |
|---|---|
| Hydralock | Angelina |
| Hong Ming | Caroline Moller |
| Wai Sang | Edendale |
| Nancy Moller | Brown Ranger |
| Empire Park | Anking |
| Inchmay | Admiral Chase |
| Inchmull | Binfield |
| Incharran | Caltex II |
| Jade Leaf | Corda |
| Plymouth Star | Ethel Moller |
| Mount Cameron | Flying Bird |
| Nigelock | Fukien |
| Rosita | Foochow |
| Shun Lee | Hang Sang |
| Taikinshan | Ho Kwang |
| Taichungshan | Hupeh |
| Admiral Hardy | Hunan |
| Fengning | Goldmouth |
| Belapur | Allegiance II |
| Hanyang | Kut Sang |

Lok Sang
Lee Hong
Landsdowne
Laure Pattison
Lady Wolmer
MacDuff
Pakhoi
Sing Hing
Shansi
Salvalour
Soochow
Szechuen
Tak Sang
Victoria Peak
Yunnan

*Clerk of Councils.*

COUNCIL CHAMBER,
*25th September, 1951.*

FERRIES ORDINANCE, 1917.
(No. 28 of 1917, section 5.)

In exercise of the power conferred by section 5 of the Ferries Ordinance, 1917, the Governor in Council has made the following regulations—

REGULATIONS

**1.** These regulations may be cited as the Excluded Ferries (To Kwa Wan and Cha Kwo Ling) Regulations, 1951. Citation.

**2.** The ferry named hereunder is excluded from the operation of the Ordinance so long as— Ferry excluded from operation of Ordinance.

(*a*) no exclusive and conflicting licence is granted under the said Ordinance; and
(*b*) the number of vessels serving the ferry run is adequate to maintain a service and schedule approved by the Director of Marine; and
(*c*) all directions given by the Director of Marine as to ferry points or piers and the use and maintenance thereof are complied with; and
(*d*) only vessels licensed and approved for the purpose by the Director of Marine are employed; and
(*e*) the fares and charges at any time taken and made are approved by the Director of Marine; and
(*f*) the licensee makes his own arrangements with the Director of Public Works for the erection and use of small temporary piers:

Provided that notwithstanding the above prescribed conditions, the period of exclusion shall not exceed one year from the date of the coming into operation of these regulations, determinable nevertheless by the Director of Marine on one month's notice being given.

*Excluded Ferry.*

The ferry of Leung Shing between To Kwa Wan and Cha Kwo Ling across the southern area of Kowloon Bay.

*Clerk of Councils.*

COUNCIL CHAMBER,
*28th September, 1951.*

(11)

# UNIVERSITY ORDINANCE, 1911.

(AMENDMENT OF STATUTES OF THE UNIVERSITY).

In exercise of the powers conferred by section 13(2) of the University Ordinance, 1911, the Court amends the Statutes of the University appearing on pages 662 to 681 of Volume II of the Regulations of Hong Kong (1937 Edition) as follows:—

## AMENDMENTS.

**1.** Paragraph 3 of Statute 3 is hereby repealed and replaced as follows— Amendment of Statute 3.

"**3.** No degree in medicine or surgery shall be conferred on any person who has not completed a five years' course of medical study at a University or other place of learning, including at least two years at the University of Hong Kong; and no degree in any other Faculty shall be conferred on any person who has not completed at least a three years' course of study at a University or other place of learning, including at least one year at the University of Hong Kong."

**2.** Sub-paragraph (4) of paragraph 1 of Statute 7 is hereby amended by the deletion of the words "and being resident in the Colony" occurring in the second line thereof. Amendment of Statute 7.

**3.** Statute 8 is hereby amended— Amendment of Statute 8.

(*a*) by the deletion from paragraph 1 of the words "in the second term" and the substitution therefor of the words "in the third term"; and

(*b*) by the repeal of paragraph 5 and the substitution of the following therefor as paragraph 5—

"**5.** The budget of the University shall be submitted to the Court at a meeting held in the third term and the accounts at a meeting held in the first term of each academic year."

**4.** Statute 16 is hereby amended by the deletion from sub-paragraph (4) of paragraph 1 of the following sign and words— Amendment of Statute 16.

" : Provided that the Council shall have a like power in the case of honorary degrees only."

**5.** Statute 21 is hereby amended by the addition after paragraph 3 of the following paragraph as paragraph 4 thereof— Amendment of Statute 21.

"4. This statute shall not have effect with regard to any gift made after 5th March, 1951, but this paragraph shall not affect any right acquired before 5th March, 1951."

Confirmed and made by the Court this 23rd day of May, 1951.

*Registrar of the University.*

Approved by the Governor in Council this 9th day of October, 1951.

*Clerk of Councils.*

COUNCIL CHAMBER,
*9th October, 1951.*

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## IMPORTATION AND EXPORTATION ORDINANCE, 1915.

(Ordinance No. 32 of 1915).

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In exercise of the power conferred by section 11A of the Importation and Exportation Ordinance, 1915, the Governor in Council has prescribed the following fees—

*Scale of fees.*

| | | $ |
|---|---|---|
| 1. | For any import or export licence in respect of prohibited, restricted or controlled imports or exports | No fee |
| 2. | For any declaration submitted by an importer or exporter for statistical purposes under the provisions of the Registration of Imports and Exports Ordinance, 1922 | 1.00 |
| 3. | Certificate of origin of goods when application made before shipment | 5.00 |
| 4. | Certificate as to origin of goods when application made after shipment | 5.00 |
| 5. | Certificate of the landing of goods | 5.00 |
| 6. | Certificate of breakages and/or shortage of cargo damaged or short in bond | 5.00 |
| 7. | Certificate of accuracy of copy of or extract from office records | 5.00 |
| 8. | Other certificates to which signature of the Director is not required by any enactment | 5.00 |
| 9. | Owner's declaration in respect of personal or household effects liable to any *ad valorem* duty and imported as baggage into Great Britain or Northern Ireland or any place within the British Commonwealth | 5.00 |

| | | $ |
|---|---|---|
| 10. | For any signature given or document issued (other than as in items 1 and 2 above or not otherwise specifically provided for) in connexion with the importation or exportation of any commodity or facilitating proof of the composition, manufacture or origin of any commodity imported or to be imported, exported or to be exported, or given or issued in connexion with the commercial purposes of any person or firm ..... | 5.00 |

*Clerk of Councils.*

COUNCIL CHAMBER,
*18th October, 1951.*

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## LEGISLATIVE COUNCIL RESOLUTION.

### MAGISTRATES ORDINANCE, 1932.

(Ordinance No. 41 of 1932).

Resolution made and passed by the Legislative Council under subsection (5) of section 12 of the Magistrates Ordinance, 1932, on the twenty-fourth day of October, 1951.

Resolved that the procedure prescribed by subsection (5) of section 12 of the Magistrates Ordinance, 1932, as amended by the Magistrates (Amendment) Ordinance, 1949, shall apply to the offences specified in the Schedule to this resolution.

### SCHEDULE.

All offences against the regulations appearing at pages 702-803 of Volume II of the Regulations of Hong Kong (1937 Edition) and made under section 3 of the Vehicles and Traffic Regulation Ordinance, 1912, (now repealed) and deemed by virtue of section 9(2) of the Interpretation Ordinance, 1950, to have been made under section 3 of the Vehicle and Road Traffic Ordinance, 1947, as from time to time amended by regulations made under section 3 of the Vehicle and Road Traffic Ordinance, 1947 except offences against the following regulations—

Regulations 40(3), 44, 46(5)(*a*), 46(5)(*b*), 47 and 112.

*Clerk of Councils.*

COUNCIL CHAMBER,
*24th October, 1951.*

## LEGISLATIVE COUNCIL RESOLUTION.

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## REVISED EDITION OF THE LAWS ORDINANCE, 1948.

(Ordinance No. 20 of 1948).

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Resolution made and passed by the Legislative Council under section 7(1) of the Revised Edition of the Laws Ordinance, 1948, on the twenty-fourth day of October, 1951.

WHEREAS the Revised Edition of the Laws Ordinance, 1948, provided for the preparation and publication of a revised edition of the law of the Colony :

AND WHEREAS a revised edition of Ordinances and a revised edition of subsidiary legislation have been prepared in accordance with the provisions of the said Ordinance :

AND WHEREAS the said revised edition of Ordinances and the said revised edition of subsidiary legislation have now been printed and have been laid on the table of the Legislative Council :

AND WHEREAS subsection (1) of section 7 of the said Ordinance provides that upon the passing of resolution of the Legislative Council authorizing him so to do, the Governor may, by proclamation, order that the revised edition of Ordinances shall come into force on such date as he may think fit :

NOW THEREFORE BE IT RESOLVED as follows—

The Governor is hereby authorized to order by proclamation that the revised edition of Ordinances prepared under the authority of the Revised Edition of the Laws Ordinance, 1948, shall come into force on such date as he may think fit.

*Clerk of Councils.*

COUNCIL CHAMBER,
*24th October, 1951.*

## THE BUILDINGS ORDINANCE, 1935.

(Ordinance No. 18 of 1935).

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The Governor in Council has been pleased to direct under Section 5 of the Buildings Ordinance, 1935, that the following name be added to the List of Authorized Architects published as Notification No. 458 in the *Gazette* of 4th May, 1951.

HU KWOK LEUNG (許國亮).

*Clerk of Councils.*

COUNCIL CHAMBER,
*26th October, 1951.*

## JURY ORDINANCE, 1887.

(Ordinance No. 6 of 1887)

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The Governor in Council makes the following Order under section 7(3) of the Jury Ordinance, 1887.

### ORDER.

The number of names which the Registrar of the Supreme Court shall include in the list of special jurors shall not exceed two hundred and fifty.

*Clerk of Councils.*

COUNCIL CHAMBER,
*29th October, 1951.*

# THE EMERGENCY REGULATIONS ORDINANCE.
(CAP. 241).

REGULATIONS BY THE GOVERNOR IN COUNCIL.

In exercise of the power conferred by section 2 of the Emergency Regulations Ordinance, Chapter 241, the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Emergency (Registration of British Subjects) (Amendment) Regulations, 1951, and shall be read as one with the Emergency (Registration of British Subjects) Regulations, 1951. **Citation.** **(G.N. A. 6/51).**

**2.** The following definition is hereby substituted for the definitions of "Registration Commissioner" and "Registration Officers" in regulation 2 of the principal regulations— **New definition of Registration Commissioner.**

" "Registration Commissioner" includes the person appointed to be Director of Manpower under the Compulsory Service Ordinance, 1951, and any person appointed to be an Assistant Director of Manpower".

**3.** Regulation 4 of the principal regulations is hereby substituted by the following— **Substitution of new regulation for regulation 4 of the principal regulations.**

**"Application for registration.**

**4.** (1) Subject to the provisions of regulation 3, every British subject of or above the age of 17 shall make a written application to the Registration Commissioner to be registered in the form set out in the Schedule hereto.

(2) The time for making such application shall—

(*a*) in the case of persons already in the Colony be within seven days of the publication of the Emergency (Registration of British Subjects) (Amendment) Regulations, 1951;

(*b*) in the case of persons who have not yet attained the age of 17 years whether in the Colony or subsequently arriving therein, be within seven days of attaining the age of 17 years or upon arrival in the Colony whichever shall be the later; and

(*c*) in the case of persons arriving in the Colony who have attained the age of 17 years be upon arrival in the Colony.

(3) This regulation shall not apply—

(*a*) to any persons arriving in the Colony who can prove—

(i) that they do not intend to stay in the Colony for more than seven days; or

(ii) that they are *bona fide* travellers in transit through the Colony; or

(*b*) to any person who has made application for registration under the regulation for which this regulation has been substituted."

Insertion of new regulation 6A to the principal regulations.

**4.** The principal regulations are hereby amended by the insertion after regulation 6 of the following regulation 6A—

"Departure from the Colony to be notified.

**6A.** (1) Whenever a person to whom these regulations apply proposes to leave the Colony he shall notify particulars thereof to the Registration Commissioner not less than seven days prior to the date of departure proposed and shall keep the Registration Commissioner informed of any matter whereby the particulars supplied have ceased to be complete or accurate: Provided that it shall be lawful for the Registration Commissioner in any particular case in his discretion to substitute a lesser period for the period of seven days aforesaid if he is satisfied that in the circumstances it was impracticable to give a notification of not less than seven days.

(2) Every person whose business or part of whose business consists in making arrangements for the departure of persons from the Colony shall from time to time but not later so far as concerns any particular departure than seven days after such departure, furnish the Registration Commissioner with complete and accurate lists of persons on whose behalf or for whose benefit such person has made arrangements in connexion with a departure from the Colony together with the particulars hereinafter specified and shall from time to time notify the Registration Commissioner of any matter whereby any list supplied has ceased to be complete or accurate.



(3) The list referred to in paragraph (2) shall contain the name and address of the person departing from the Colony, particulars of the means and date of departure and of the nature of the passport or other document authorizing such person to travel and these particulars shall be deemed to be also the particulars required to be notified under paragraph (1). For the purposes of this paragraph "departure" shall include an intended "departure".

(4) This regulation shall not apply to any departure from the Colony of which satisfactory proof is furnished to the Registration Commissioner (whether before or after the departure) that it will be or was as the case may be a temporary departure only for a period of not more than one week or to any departure which the Registration Commissioner may by such means as appear to him to be convenient declare to be exempt from the provisions of this regulation."

Substitution of new regulation for regulation 8 of the principal regulations.

**5.** The following regulation is hereby substituted for regulation 8 of the principal regulations—

"Penalties.

**8.** (1) Any person who—

(*a*) being required to make an application for registration under regulation 4 fails to make such application; or

(*b*) contravenes the provisions of regulation 6 or 6A; or

(*c*) fails to comply with a requirement made under regulation 7; or

(*d*) in furnishing any information which he is required by or in pursuance of these regulations to furnish furnishes any information which he knows or has reason to believe to be false in any material particular or by reason of the omission of any material particular, or furnishes any information without any belief in the truth or accuracy of the information supplied,

shall be guilty of an offence against these regulations: Penalty: a fine of five thousand dollars and imprisonment for two years."

Amendment of the Schedule to the principal regulations.

**6.** The Schedule to these regulations is hereby substituted for the Schedule to the principal regulations.

## SCHEDULE.

### EMERGENCY (REGISTRATION OF BRITISH SUBJECTS) REGULATIONS, 1951. [reg. 4]

NOTES:

*Capital letters, family name first.

†State Dept. (if a Civil Servant) or firm (if in Commercial Employment). In the case of skilled occupation, *e.g.* engineers, mechanics, drivers, radio operators, artificers, full details of experience, qualifications and competancy should be given.

‡Note that you are required by law to inform the Director of Manpower, King's Bldg., Hong Kong of any subsequent change of address.

§Delete where inapplicable.

1. *Name in full .....

2. Sex .....

3. †Occupation .....

4. ‡Address in Hong Kong, business .....

   ,, ,, ,, ,, private .....

5. Probable length of residence in Hong Kong .....

6. Place of birth .....

7. Date of birth .....

8. Race .....

9. Whether unmarried, married or widowed .....

10. § Name of wife or husband in full .....

    .....

11. §Occupation of wife or husband in full .....

    .....

12. §Address of wife or husband if living .....

    .....

13. §Wife's nationality previous to marriage .....

14. Are you a member of § Royal Hong Kong Defence Force,
    § Special Constabulary,
    § Essential Services Corps (including Auxiliary Fire Service, Civil Aid Services & Auxiliary Medical Service).



15. Give particulars of any previous service in the Armed Forces (giving rank and unit) or in Civil Defence Services (whether in the Colony or otherwise) .....
    .....

16. Give details of any amateur or professional knowledge or experience you may have (other than any already given in answer to Question 3) in any of the following subjects—

    Aviation .....

    Nursing .....

    Radio or telegraphic .....

    communications .....

    Secretarial duties .....

    Shipping & vessels generally .....

    Engineering—

    Civil .....

    Electrical .....

    Marine .....

    Mechanical .....

    Refrigeration .....

    Automobiles .....

    (including ability to drive a car or lorry & effect repairs) .....

17. Give details of any other professional, language or business qualifications and/or experience .....

18. State the nature of the services you would prefer to perform in the event of an emergency .....

19. I am a British subject (within the meaning of the Emergency Registration of British Subjects) Regulations, 1951, by—

§ Birth

§ Naturalization

§ Marriage

I§ have / have not a ..... passport.

20. I hereby apply to be registered as a person claiming to be a British subject under the Emergency (Registration of British Subjects) Regulations, 1951, and declare that the statements I have made in this application are true to the best of my knowledge and belief.

*Signed* .....

*Date* .....

§Delete where inapplicable.

*Clerk of Councils.*

COUNCIL CHAMER,
*6th November, 1951.*

*Explanatory Note.*

1. The effect of regulation 3 of these regulations is to cause application to be made upon arrival in the case of British subjects arriving in the Colony and to provide more comprehensively for registration by persons who have not already registered and in particular for persons in the Colony who have attained or may attain the age of 17 since the 12th of January, 1951.

2. The regulations introduce a new regulation 6A so as to keep a check on British subjects leaving the Colony by making it necessary for such persons to notify departure and for transport firms or companies to supply lists of persons departing from the Colony.

3. The effect of regulation 2 is to make the Director of Manpower the authority for the administration of the principal regulations as amended by these regulations.

4. The effect of regulation 5 is to substitute new provisions regarding penalties.

## COMPANIES ORDINANCE (Cap. 32).

The Governor in Council has been pleased to direct under section 131(3) of the Companies Ordinance that the name of Thomas Le C. Kuen & Co. be added to Part I of the List of Authorized Auditors.

*Clerk of Councils.*

COUNCIL CHAMBER,
*13th November, 1951.*

## NEW TERRITORIES ORDINANCE.

(Cap. 97)

In exercise of the power conferred by section 4 of the New Territories Ordinance, the Governor in Council has made the following rules—

**1.** These rules may be cited as the Markets and Market Areas (N.T.) (Amendment) Rules, 1951, and shall be read as one with the Markets and Market Areas (N.T.) Rules. Citation. (Vol. IX, p. 132).

**2.** Rule 1 of the principal rules is amended by the deletion of the second item thereof and the substitution therefor of the following— Amendment of rule 1 of the principal rules.

| | | |
|---|---|---|
| "Lots Nos. 2185, 2332, 2338, 2339 and 2340 of Demarcation District No. 51. | Luen Wo Private Market | The area within a radius of 1000 yards of the market." |

*Clerk of Councils.*

COUNCIL CHAMBER,
*13th November, 1951.*

## NEW TERRITORIES ORDINANCE.

(Cap. 97)

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In exercise of the power conferred by section 4 of the New Territories Ordinance, the Governor in Council has made the following rules—

**1.** These rules may be cited as the New Territories (Amendment) Rules, 1951, and shall be read as one with the New Territories Rules. Citation. (Vol. IX, p. 89).

**2.** The principal rules are amended by the deletion of— Amendment of the principal rules.

(*a*) the words and figures "Special Rules for Cheung Chau and Sai Kung Markets.....152" in the SUMMARY OF RULES and the substitution therefor of the words and figures "Special rule for Cheung Chau and Luen Wo Markets.....152";

(*b*) the words "SAI KUNG" in the heading "SPECIAL RULE FOR CHEUNG CHAU AND SAI KUNG MARKETS." appearing immediately above rule 152 and the substitution therefor of the words "LUEN WO";

(*c*) the words "Sai Kung" in the first and second lines of rule 152 and the substitution therefor of the words "Luen Wo";

(*d*) the words "Sai Kung" in the marginal note to rule 152 and the substitution therefor of the words "Luen Wo";

(*e*) the words "and Sai Kung Markets" in the second column of Appendix II opposite the words "PRIVATE MARKET" in the first column thereof and the substitution therefor of the word "Market".

*Clerk of Councils.*

COUNCIL CHAMBER,
*13th November, 1951.*

# THE EMERGENCY REGULATIONS ORDINANCE

(Cap. 241).

REGULATIONS BY THE GOVERNOR IN COUNCIL.

In exercise of the powers conferred by section 2 of the Emergency Regulations Ordinance the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Emergency (Control of Minerals) Regulations, 1951. **Citation.**

**2.** In these regulations— **Interpretation.**

"authorized buyer" means a person licensed under regulation 6;

"licensee" means a person holding a valid mining licence or mining lease granted under the Prospecting and Mining Ordinance, 1906;

"mineral" means wolfram, or the ores of tin or lead;

"public interest" has the same meaning as in the Emergency (Principal) Regulations, 1949;

"public warehouse" means the premises of the Hong Kong and Kowloon Wharf and Godown Company Limited, Holt's Wharf, the North Point Wharves Limited and the China Provident Loan and Mortgage Company Limited and such other warehouse as the Director of Commerce and Industry shall by notification in the *Gazette* declare to be a public warehouse for the purpose of this regulation;

"removal permit" means a permit granted under regulation 4;

"Superintendent" means the Superintendent of Mines.

**3.** No person shall possess or have under his power or control any mineral unless he is— **Unlawful possession of a mineral.**

(*a*) a licensee; or

(*b*) the employee of such licensee and is within the area to which such licensee's lease or licence relates; or

(*c*) the holder of a valid removal permit; or

(*d*) an authorized buyer:

Provided that nothing in this regulation shall be deemed to prohibit the storage of a mineral in a public warehouse which has been moved thereto in accordance with these regulations.

Restriction on movement of minerals.

Form 1, Schedule.

**4.** (1) The Superintendent may supply to a licensee or an authorized buyer removal permits in the form prescribed in Form 1 in the Schedule hereto.

(2) A removal permit shall contain the following particulars—

(*a*) the quantity of mineral permitted to be removed;

(*b*) the name and registered address of the authorized buyer to whom the mineral is to be sold, or if issued by an authorized buyer the place from which and to which the mineral may be removed;

(*c*) the hour and date of issue of the said removal permit.

(3) A removal permit shall be valid for 48 hours from time of issue.

(4) No person shall remove any minerals from one part of the Colony to another save in accordance with a removal permit issued and signed by the licensee from whose land such mineral was won, or in the case of minerals lawfully acquired by an authorized buyer, in accordance with a removal permit issued and signed by him: Provided that any minerals which have been lawfully moved to a public warehouse and in respect of which an export permit has been granted by the Director of Commerce and Industry may be removed from such warehouse to a vessel for the purpose only of being exported in pursuance of such export permit, without a removal permit.

(5) Each removal permit issued shall be in duplicate one part being retained by the person issuing such permit and the other by the person to whom the minerals are delivered thereunder.

Restriction on buying mineral.

**5.** (1) No person shall buy any mineral unless he is the holder of an authorized buyer's licence.

(2) No authorized buyer shall store any minerals other than at the addresses specified for the purpose in such licence.

Authorized buyer's licence.

Form 2, Schedule.

**6.** (1) The Superintendent may issue an authorized buyer's licence in the form prescribed in Form 2 of the Schedule hereto and on payment of the annual fee of $500 authorizing the person named therein to buy minerals and to store such minerals at the addresses specified in the licence.

(2) The Governor in Council may at any time in his absolute discretion revoke any licence issued under sub-regulation (1).



(3) The name and address of each authorized buyer shall be published in the *Gazette*.

Restriction on selling mineral.

**7.** No person shall sell any minerals unless he has first satisfied himself that the purchaser is the holder of an authorized buyer's licence: Provided that nothing herein contained shall prohibit the sale of a mineral by an authorized buyer to a person outside the Colony.

Duty of an authorized buyer.

**8.** (1) No authorized buyer shall purchase any minerals unless he has first satisfied himself that the seller is authorized to be in possession and to dispose of such mineral.

(2) No authorized buyer shall have in his possession any minerals except at such premises as are specified in his licence as places for storing such minerals.

Authorized buyer to keep books etc.

**9.** Every authorized buyer shall—

(*a*) keep books showing—

(i) all purchases made by him and the nature and weight of the minerals purchased;

(ii) the date of each purchase;

(iii) the name of the vendor and his title or authority to be in possession of the mineral;

(*b*) retain the removal permit in respect of each purchase;

(c) produce for inspection such books, removal permits and any stock of minerals when required to do so by the Superintendent or any officer authorized by him or by a police officer not below the rank of Sub-Inspector or by any revenue officer not below the rank of Revenue Inspector Class II.

Penalty.

**10.** Any person who contravenes any of the provisions of regulation 3, 4, 5, 7, 8 or 9 shall be guilty of an offence and shall be liable on summary conviction to a fine of $10,000 or imprisonment for 1 year.

Powers of arrest, seizure and search.

**11.** It shall be lawful for any police officer, any revenue officer and for any public officer authorized by the Superintendent in that behalf—

(*a*) to arrest and bring before a magistrate any person whom such officer may have reason to suspect of having contravened any of the provisions of these regulations;

(*b*) to search the person and property of any person the arrest of whom is hereby authorized: Provided that no female person shall be searched other than by a female;

(*c*) to seize remove and detain—

(i) any thing with respect to which any such officer may have reasonable grounds for suspecting that an offence against these regulations has been committed;

(ii) any thing which may appear to such officer likely to be, or to contain evidence of any such offence.

Trespass on mining land.

**12.** (1) For the purposes of this regulation "mining land" shall mean any area of unleased Crown land and any land in respect of which a mining lease or licence has been granted under which it is lawful to extract a mineral from such land.

(2) If the Governor is of opinion that despite the provisions of these regulations and the ordinary provisions of law persons are trespassing in large numbers on any mining land for the purpose of unlawfully extracting minerals therefrom and that by reasons of the methods employed by such persons or the vicinity of a catchment area or the dangers to health and sanitation or for any other reason which he may deem sufficient, it is expedient in the public interest that this regulation shall apply to such area of mining land, he may by order to be signified in the *Gazette* declare that this regulation shall apply to such area. Any such order shall remain in force for a period of three months from the date of its publication in the *Gazette* and shall then expire. Such expiry shall have the same effect as the repeal of an enactment but shall be without prejudice to the making of a further order under this paragraph in respect of the same area of mining land.

(3) As from the expiration of the seventh day following the publication in the *Gazette* of any such order it shall be an offence for any person to be upon any mining land to which such order applies without lawful authority: Penalty for a first offence, a fine of two hundred and fifty dollars or imprisonment for six weeks, for a second or subsequent offence, a fine of five hundred dollars or imprisonment for three months.

(4) Lawful authority for the purposes of paragraph (3) shall in the case of unleased Crown land in respect of which no mining licence has been granted mean the authority of the District Commissioner, New Territories, and otherwise shall mean the authority of the lessee or licensee under any mining lease or licence.



(5) Without prejudice to regulation 11, any member of His Majesty's Forces when acting in conjunction with or by way of assisting any police officer in detecting or apprehending any person who has or is reasonably suspected of having committed an offence against paragraph (3) of this regulation shall have all the powers of a police officer.

Forfeiture.

**13.** It shall be lawful for a magistrate to order to be forfeited to the Crown any minerals with respect to which any offence under these regulations has been committed, whether any person shall have been convicted of such offence or not, and upon the making of such order for forfeiture the said minerals shall be deemed to be the property of the Crown free from all rights of any person. Before making any such order the magistrate shall give to any person claiming or appearing to the magistrate to be the owner of or otherwise interested in such article an opportunity of being heard: Provided that it shall be lawful for the Governor in his absolute discretion to give effect to any claim for relief from such forfeiture where such claim is established to his satisfaction on equitable, moral or other grounds.

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## SCHEDULE.

FORM 1. [reg. 4.]

*Mineral Removal Permit.*

The Emergency (Control of Minerals) Regulations, 1951.

Permission is hereby granted to .....

on behalf of .....

to remove (*a*) ..... of (*b*) .....

from .....

to .....

(*a*) Quantity.
(*b*) Mineral.

*Signed* .....

Time and date of issue a.m./p.m. 195 .

FORM 2. [reg. 6.]

*Authorized Buyer's Licence.*

The Emergency (Control of Minerals) Regulations, 1951.

(a) Name. Licence is hereby granted to (a).....

(b) Address. ..... of (b) .....

(c) Mineral. to purchase (c) ..... ..... from the.....

..... day of ..... until the .....

day of .....

Business under this licence shall be transacted by the authorized buyer at the following addresses only—

Terms and conditions—

Dated this day of , 195 .

Licence Fee $500 per annum.

.....

*Superintendent of Mines.*

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,

*27th November, 1951.*

*Explanatory Note.*

Owing to the great demand for strategic materials due to the present international situation profits to be made from the mining of wolfram and the ores of tin and lead has greatly increased and in several areas in the New Territories where there are deposits of these ores very many persons, without the authority of a licence or lease for the purpose, have been engaged in illegally mining these ores. In consequence not only has Government been deprived of substantial sums of money due as royalties but the congregation of large numbers of miners and their families on and around these areas without supervision or proper sanitation has resulted in a very grave threat to public order and the health of the Colony. Public health is further imperilled by reason of the fact that a part of the waterworks catchment is within the area in which the illicit mining is taking place.

The purpose of these regulations is to prevent illegal mining by making it an offence for unauthorized persons to move, buy, sell or have in their possession wolfram or the ores of lead or tin and to provide that heavy penalties (up to a maximum of $10,000 or 1 year) may be imposed on offenders.



The practices above mentioned have continued despite the granting of mining leases and the nature of the terrain makes it difficult to catch offenders red handed. Moreover the practice has been so widespread that it may well be that law and order will still be flouted notwithstanding the enactment of the regulations already mentioned. In order to enable effective action to be taken regulation 12 further provides that if the Governor is of opinion that despite the ordinary sanctions of the law large numbers of persons are trespassing on any land for the purposes of illegal mining, and that by reason of the methods used, or the vicinity of a catchment area or the dangers to public health and sanitation it is expedient in the public interest so to, he may by order declare that the further provisions of that regulation shall apply to such area, namely that from the seventh day after the publication of such order it shall be an offence punishable with a fine of $250 or 6 weeks for a first offence and $500 or 3 months for every subsequent offence to be on any land to which the order applies without lawful authority and that for the purpose of enforcing such provision any member of His Majesty's Forces acting in conjunction with the police shall have all the powers of a police officer. Sub-regulation (2) provides that any order made under regulation 12 shall remain in force for a period of 3 months.

# PUBLIC HEALTH (ANIMALS AND BIRDS) ORDINANCE.

(Cap. 139).

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In exercise of the power conferred by section 3 of the Public Health (Animals and Birds) Ordinance, the Urban Council has made the following by-laws—

**1.** These by-laws may be cited as the Public Health (Animals and Birds) (Amendment) By-laws, 1951, and shall be read as one with the Public Health (Animals and Birds) By-laws. Citation. (Volume X, page 105).

**2.** By-law 31 of the principal by-laws is hereby rescinded and replaced as follows— Rescission and replacement of by-law 31.

"Removal of animals, etc., from infected place prohibited.

**31.** No animal or bird, and no carcase, fodder, litter, dung, utensil, milk or other thing shall be moved out of an infected place without a special permit issued by the Senior Veterinary Officer. Any such permit may contain such conditions as the Senior Veterinary Officer may think necessary or expedient to impose and failure to comply with any of the conditions imposed shall be deemed a contravention of this by-law."

Made by the Urban Council this 6th day of November, 1951.

*Secretary.*

Approved by the Legislative Council this 5th day of December, 1951.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,
*5th December, 1951.*

# THE QUARANTINE AND PREVENTION OF DISEASE ORDINANCE.

(Chapter 141).

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REGULATIONS BY THE GOVERNOR IN COUNCIL.

(under section 8 of the Ordinance).

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In exercise of the powers conferred by section 8 of the Quarantine and Prevention of Disease Ordinance, the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Quarantine and Prevention of Disease (Scale of Charges) Regulations, 1951. Citation.

**2.** The charges in the Schedule shall be the prescribed charges to be paid under the Ordinance. Prescribed charges.

**3.** Government Notifications Nos. 365 and 366 published in the *Gazette* of the 29th August, 1946, and Government Notification No. 730 of the 29th July, 1948, are hereby revoked. Revocation.

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## SCHEDULE.

SCALE OF CHARGES.

1. Sulphur dioxide fumigation of ships.

| | | |
|---|---|---|
| (1) | (*a*) The first 100,000 cubic feet or part thereof. | $200.00 |
| | (*b*) For every 10,000 cubic feet over the first 100,000 and up to 200,000 ..... | $ 30.00 |
| | (*c*) For every 10,000 cubic feet over the second 100,000 ..... | $ 25.00 |
| (2) | (*a*) Fumigation of cargo in lighters or cargo in compartments based on the cubic capacity—30 cents per ton of 40 cu. ft. | |
| | (*b*) Minimum charge ..... | $ 75.00 |

2. Hydrogen cyanide fumigation of ships.

(1) (*a*) The first 100,000 cubic feet or part thereof ... $250.00

(*b*) For every 10,000 cubic feet over the first 100,000 up to 200,000 ..... $ 30.00

(*c*) For every 10,000 cubic feet over the second 100,000 up to 300,000 ..... $ 25.00

(*d*) For every 10,000 cubic feet over 300,000 ... $ 20.00

(2) (*a*) Fumigation of cargo in lighters or cargo in compartments based on the cubic capacity—40 cents per ton of 40 cu. ft.

(*b*) Minimum charge ..... $100.00

(3) 20% surcharge will be made for each extra dosage above normal (normal dosage is 2 ounces per 1,000 cubic feet) in spaces requiring such treatment.

3. Disinsecting of crews' quarters, storerooms, etc.,

(1) By spray or powder insecticides ..... $ 80.00

(2) Disinsecting of aircraft ..... $ 60.00

The above charges do not apply in cases where disinsecting is carried out after an infectious disease.

4. Disinfection of aircrafts, ship's crews quarters, bedding and clothing :

(1) Ship's cabins, hospitals, crews quarters, lavatories, etc. ..... $ 60.00

(2) Bathing ship's crews and passengers and disinfecting their clothing and effects by steam—

(*a*) Passengers (per person) ..... $ 4.00

(*b*) Crews (per person) ..... $ 2.00

(*c*) Minimum charge ..... $100.00

(3) Disinfection of personal effects, bedding etc. by steam sterilizer—

(*a*) For first "load" ..... $100.00

(*b*) For every subsequent "load" ..... $ 20.00

(4) Disinfection of aircraft ..... $ 60.00

The above charges do not apply in cases where disinfection is carried out after an infectious disease.



5. No additional fee shall be payable for the issue of a deratisation certificate after the fumigation of a vessel.

6. The scale of charges for deratisation exemption certificates (issued when justified by sanitary conditions disclosed by inspection of vessels) is as follows—

(*a*) Vessels not exceeding 1,000 net tons & oil tankers ..... $30.00

(*b*) Vessels exceeding 1,000 net tons but not exceeding 2,500 ..... $40.00

(*c*) Vessels exceeding 2,500 net tons but not exceeding 5,000 ..... $50.00

(*d*) Vessels exceeding 5,000 net tons but not exceeding 7,500 ..... $60.00

(*e*) Vessels exceeding 7,500 net tons but not exceeding 10,000 ..... $70.00

(*f*) Vessels exceeding 10,000 net tons ..... $80.00

7. All the above prescribed charges shall be increased by 50% in every case where such charges are payable for work done outside official hours. For the purposes of these regulations, official hours shall be from 9 a.m. to 5 p.m. on each of the days Monday to Friday inclusive, and from 9 a.m. to 1 p.m. on Saturday, and work done on general holidays shall be deemed to be work done outside official hours.

*Clerk of Councils.*

COUNCIL CHAMBER,
*5th December, 1951.*

# THE EMERGENCY REGULATIONS ORDINANCE.
(Chapter 241).

REGULATIONS BY THE GOVERNOR IN COUNCIL.

In exercise of the power conferred by section 2 of the Emergency Regulations Ordinance as amended by the Emergency Regulations (Amendment) Ordinance, 1949, and by the Emergency Regulations (Amendment) (No. 2) Ordinance, 1949, the Governor in Council has made the following regulations—

## REGULATIONS.

**1.** These regulations may be cited as the Emergency (Special Constabulary) (Amendment) (No. 2) Regulations, 1951, and shall be read as one with the Emergency (Special Constabulary) Regulations, 1950. Citation. (G.N. A.270/50.)

**2.** The principal regulations are hereby amended by the insertion of the following new regulation between regulation 8 and regulation 9 as regulation 8A— Addition of new regulation 8A to the principal regulations.

"Calling out for active service by Commissioner.

**8A.** For the purpose of instruction or of training the Commissioner may by departmental order call out the Special Constabulary or any member thereof for active service for a period to be specified in such order: Provided that a member called out for active service under the provisions of this regulation shall be deemed to be under instruction for the purposes of paragraph (4) of regulation 11."

*Clerk of Councils.*

COUNCIL CHAMBER,
*11th December, 1951.*

*Explanatory Note.*

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

It is intended that special constables should undergo part of their training by actually performing, under supervision, the duties of police officers. To do this, they require to have the powers, privileges, protection and immunities granted to police officers, and to be subject to the same provisions as to discipline

Under the existing regulations, special constables only have these powers etc. when they are called out for active service. These regulations therefore amend the principal regulations to provide that special constables may also be called out for active service for the purpose of instruction of training.

A similar provision existed in the Emergency (Special Constabulary) Regulations, 1950, but on amendment by the Emergency (Special Constabulary) (Amendment) Regulations, 1951, the force of the provision was lost.

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# THE MOTOR VEHICLES INSURANCES (THIRD PARTY RISKS) ORDINANCE, 1951.

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ORDER BY THE GOVERNOR IN COUNCIL

(Under section 4(5).)

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In exercise of the power conferred on him by subsection (5) of section 4 of the Motor Vehicles Insurance (Third Party Risks) Ordinance, 1951, the Governor in Council has made the following Order—

## ORDER.

**1.** This Order may be cited as the Motor Vehicles Insurance (Third Party Risks) (Commencement) Order, 1951. Citation.

**2.** Subsection (1) of section 4 of the Motor Vehicles Insurance (Third Party Risks) Ordinance, 1951, shall come into force on the 1st day of June, 1952. Date of coming into force of subsection (1) of section 4 of the Motor Vehicles Insurance (Third Party Risks) Ordinance, 1951.

*Clerk of Councils.*

COUNCIL CHAMBER,
*11th December, 1951.*

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# REGISTRATION OF IMPORTS AND EXPORTS ORDINANCE.

(Chapter 51)

## REGULATIONS BY THE GOVERNOR IN COUNCIL under section 3.

In exercise of the power conferred by section 3 of the Registration of Imports and Exports Ordinance the Governor in Council has made the following regulations—

**1.** The regulations may be cited as the Registration (Imports and Exports) (Amendment) Regulations, 1951, and shall be read as one with the Registration (Imports and Exports) Regulations. **Citation.** **(Vol. VIII, p. 304).**

**2.** Regulation 3 of the principal regulations is hereby amended by the substitution of the words "in such form and in such manner as the Director shall prescribe" for the words "in Form 1 in the Appendix, or in such Chinese translation thereof as may be approved by the Director" in the 4th, 5th and 6th lines thereof. **Amendment of regulation 3 of the principal regulations.**

**3.** Regulation 4 of the principal regulations is hereby amended by the substitution of the words "in such form and in such manner as the Director shall prescribe" for the words "in Form 2 in the Appendix, or in such Chinese translation thereof as may be approved by the Director" in the 4th, 5th and 6th lines thereof. **Amendment of regulation 4 of the principal regulations.**

**4.** Regulation 5 of the principal regulations is hereby repealed and replaced by the following— **Replacement of regulation 5 of the principal regulations.**

"5. Any declaration furnished to the Director on or after 1st January, 1952, pursuant to the provisions of regulation 3 or 4 shall specify the item code numbers and the country code numbers as set out in the Hong Kong Imports and Exports Classification List issued by the Director and published in the *Gazette*."

**5.** The principal regulations are hereby amended by the deletion of Forms 1 and 2 in the Appendix thereto. **Deletion of Forms 1 and 2 of the Appendix of the principal regulations.**

*Clerk of Councils.*

COUNCIL CHAMBER,
*18th December, 1951.*

## LEGISLATIVE COUNCIL RESOLUTION.

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## LANDLORD AND TENANT ORDINANCE.

(Chapter 255).

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Resolution made and passed by the Legislative Council under section 34 of the Landlord and Tenant Ordinance, Chapter 255 on the 19th day of December, 1951.

Resolved pursuant to section 34 of the Landlord and Tenant Ordinance that the duration of the said Ordinance be extended for the term of one year with effect from the 1st January, 1952.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,
*19th December, 1951.*

## LEGISLATIVE COUNCIL RESOLUTION.

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### SOCIETIES ORDINANCE.

(Chapter 151).

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Resolution made and passed by the Legislative Council under section 26 of the Societies Ordinance, Chapter 151, on the 19th day of December, 1951.

Resolved pursuant to section 26 of the Societies Ordinance, Chapter 151, that the duration of the said Ordinance be extended for the term of one year with effect from the 1st January, 1952.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,
*19th December, 1951.*

## LEGISLATIVE COUNCIL RESOLUTION.

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## ILLEGAL STRIKES AND LOCK-OUTS ORDINANCE.

(Chapter 61).

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Resolution made and passed by the Legislative Council under section 8 of the Illegal Strikes and Lock-outs Ordinance, Chapter 61, on the 19th day of December, 1951.

Resolved pursuant to section 8 of the Illegal Strikes and Lock-outs Ordinance, Chapter 61, that the duration of the said Ordinance be extended for the term of one year with effect from the 1st January, 1952.

*Deputy Clerk of Councils.*

COUNCIL CHAMBER,
*19th December, 1951.*

# PUBLIC HEALTH (FOOD) ORDINANCE.

(Chapter 140).

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## By-laws made by the Urban Council under section 5.

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In exercise of the power conferred by section 5 of the Public Health (Food) Ordinance, the Urban Council has made the following by-laws—

**1.** These by-laws may be cited as the Restaurants and Food Stalls (Amendment) By-laws, 1951, and shall be read as one with the Restaurants and Food Stalls By-laws. Citation. (Vol. X, p. 157).

**2.** The principal by-laws are amended by the insertion of the following immediately after by-law 1 of Part I— Insertion of new by-law 1A in Part I of the principal by-laws.

"Interpretation. **1A.** In these by-laws—

"undeveloped area" means any area allotted to the Council which is not by order of the Council made from time to time shown coloured red upon a map signed by the Chairman of the Council, countersigned by its Secretary and deposited in the Land Office, a copy of which may be seen at the offices of the Council."

**3.** By-law 5 of Part I of the principal by-laws is rescinded and replaced as follows— Rescission and replacement of by-law 5 of Part I of the principal by-laws.

"Fees. **5.** The following fees are hereby prescribed and shall be paid to the Treasury in advance—

| Nature of Licence. | Fee. |
|---|---|
| (*a*) Restaurant Licence: | |
| (i) in any undeveloped area ..... | $60.00 |
| (ii) elsewhere in Hong Kong, Kowloon and New Kowloon..... | $120.00 |
| (*b*) Food Canteen Licence: | |
| (i) in any undeveloped area ..... | $10.00 |
| (ii) elsewhere in Hong Kong, Kowloon and New Kowloon..... | $30.00 |

| Nature of Licence. | Fee. |
|---|---|
| (c) Cafe Licence: | |
| (i) in any undeveloped area ..... | $15.00 |
| (ii) elsewhere in Hong Kong, Kowloon and New Kowloon ..... | $50.00 |
| (d) Marine Restaurant Licence: ..... | $250.00 |

Provided that in respect of any such licence issued after the first day of January, half only of the above fees shall be charged and paid."

Rescission and replacement of by-law 24 of Part I of the principal by-laws.

**4.** By-law 24 of Part I of the principal by-laws is rescinded and replaced as follows—

"Responsibility for observance of by-laws, and restriction as to transfer of licence or control of business.

**24.** (1) Licensees shall be held responsible for the due observance of these by-laws. It shall not be permissible for any licensee to transfer his licence nor to delegate control of his business to another person except with the written permission of the Council.

(2) In any case where delegation of control has been permitted by the Council, both the person to whom control has been delegated and the licensee shall be held jointly and severally responsible for the due observance of these by-laws."

Rescission and replacement of by-law 2 of Part II of the principal by-laws.

**5.** By-law 2 of Part II of the principal by-laws is rescinded and replaced as follows—

"Restaurant requirements.

**2.** Except in so far as no special conditions appropriate to the particular premises are prescribed, no premises shall be operated or maintained as a restaurant unless they—

Ground surfaces to be in accordance with the provision of s.s. (1) and (2) of s. 20 of Cap. 123.

(a) comprise the whole or part of a building of substantial construction the whole of the ground surfaces of which shall be in accordance with the provisions of subsections (1) and (2) of section 20 of the Buildings Ordinance, or of any legislation subsequently enacted in revision or amendment thereof:

Provided that in the case of buildings erected before the year 1936, the Council may waive or modify the requirements in the matter of ground surfaces;



Floor surfaces.

(b) are provided with floor surfaces other than ground surfaces of non-absorbent material finished off smooth;

Yard with + access to scavenging lane or street.

(c) are provided with a yard or other open space in the rear, or partly in the rear and partly at the side, of sufficient size and exclusively belonging to such building, and having access directly to a scavenging lane or street. The expression "of sufficient size" in this paragraph means equal in area to not less than one-third of the roofed-over area of such building: Provided that—

(i) in the case of a building designed for exclusive use as a restaurant, or for purposes of recreation the amenities of which include a restaurant, the roofed-over area of which exceeds 600 square feet, a yard to which there is direct access both from the kitchen of the restaurant and by an entrance not less than 10 feet in width from a street accessible to motor vehicles, shall be deemed of sufficient size if its area is not less than 200 square feet and its lesser dimension is at least 10 feet in interior measurement from wall to wall;

(ii) if the licensee of any premises in respect of which a licence was held on 30th June, 1947, and in respect of which there is no yard or access to a scavenging lane or street, is able to satisfy the Council that such premises are so conducted as not to be or become a menace to public health, the Council may renew such licence subject to such special conditions as the Council shall think fit having regard to the requirements of public health; or

(iii) where an application refers to premises situated in an upper storey and the premises otherwise comply with the provisions of these by-laws, the Council may, in its absolute discretion, grant a licence if the Council is satisfied that the arrangements for ventilation and the stowage and removal of refuse are equivalent to those provided by means of a yard or other open space which complies with the provisions of this paragraph;

+ Corrected by G.N.A. 10/52.

Kitchen accommodation.

(*d*) are provided with kitchen accommodation which, exclusive of the space for food preparation, shall be commensurate with the total amount of seating accommodation provided for customers and the adequacy of which shall be to the satisfaction of the Council. The kitchen accommodation shall be so situated as to obviate the need of passing through a yard or other open space in order to gain access to the main premises;

Requirements for water closets and urinals.

(*e*) are provided with adequate water closet and flushed urinal accommodation satisfactory to the Council and the Council may, if it deems necessary, require separate accommodation for each sex: Where however the Council is satisfied that an applicant for a licence is unable to provide a suitable and adequate water supply for flushing purposes or if no government sewer exists within a reasonable distance and if the Council is further satisfied that suitable alternative latrine accommodation is provided or available the Council may waive this requirement;

Ablution facilities for customers and staff.

(*f*) are provided with suitable and adequate ablution facilities for the customers and the staff. Such facilities shall include clean towels, soap, and basins of impervious construction with water from the public mains connected thereto and fitted with wastepipes which discharge in the open air over or into a gully trap;

Scullery accommodation.

(*g*) are provided with adequate scullery accommodation comprising sinks of impervious construction with water from the public mains connected thereto and fitted with wastepipes which discharge in the open air over or into a gully trap. Each sink shall be provided with a drip board or tray draining into the sink. The scullery accommodation shall be so situated as to obviate the need to pass through a yard or other open space in order to gain access to the main premises;

Cement rendering of food preparation space.

(*h*) are provided with space for food preparation which, exclusive of the kitchen, shall be adequate and satisfactory and shall have walls of impervious construction to a height of not less than six feet above floor level. The space so provided shall be so situated



+ as to obviate the need to pass through a yard or other open space in order to gain access to the main premises;

Food storage facilities.

(*i*) are provided with receptacles for the storage of food of adequate size and suitable type which shall be made of or lined with impervious materials and be proof against dust, flies and vermin;

Water supply.

(*j*) are provided with an ample supply of potable water which, except with the special permission of the Council, shall be laid on from the public mains; and

Water storage.

(*k*) are provided with tanks of adequate capacity for the storage of water for potable purposes and installed in accordance with a permit obtained from the Water Authority. The tanks so provided shall be adequately protected against dust and mosquitoes."

Insertion of new by-law 2A in Part II of the principal by-laws.

**6.** The principal by-laws are amended by the insertion of the following immediately after by-law 2 of Part II—

"Grant of licence in spite of non-compliance with the provisions of by-law 2.

**2A.** In undeveloped areas the Council may before granting a licence waive, modify or vary such of the provisions of the immediately preceding by-law 2 or substitute others in lieu thereof as the Council deems fit and in any special case outside such areas in which the Deputy Director of Health Services certifies that the requirements of public health can be fully satisfied notwithstanding that any or all of the provisions of the immediately preceding by-law 2 cannot be complied with the Council may in its absolute discretion and subject to such special conditions as may be necessary to ensure that the requirements of public health shall continue to be satisfied grant a licence: Provided that a licence granted under the provisions of this by-law may be revocable at any time without previous notice to the licensee if it appears to the Council desirable so to do in the interest of public health."

Amendment of by-law 6 of Part IV of the principal by-laws.

**7.** By-law 6 of Part IV of the principal by-laws is amended by the addition of the following immediately after the full-stop at the end thereof—

+ Corrected by G.N.A. 10/52.

"Where a kitchen is used for boiling water or preparing food, the kitchen shall be so situated as to obviate the need to pass through a yard or other open space in order to gain access to the main premises."

Made by the Urban Council this 15th day of December, 1951.

*Secretary.*

Approved by the Legislative Council this 19th day of December, 1951.

*Deputy Clerk of Councils.*

D. & S. No 8/41

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