

COMPANIES ORDINANCE.

(Chapter 32).

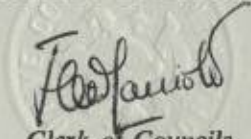
COMPANIES (FORMS) (AMENDMENT) ORDER 1966.

In exercise of the powers conferred by section 2 of the Companies Ordinance, and all other powers enabling him in that behalf, the Governor in Council has made the following order—

1. This order may be cited as the Companies (Forms) (Amendment) Order 1966. Citation.

2. Paragraph 3 of the Companies (Forms) Order is amended by— Amendment
of para-
graph 3.

- (a) the deletion in (a) of sub-paragraph (2) of “, the signature or seal of such official being authenticated by any of the British officials mentioned in section 6 of the Commissioners for Oaths Act, 1889”; and (Vol. VIII,
p. 7).
- (b) the deletion in (b) of sub-paragraph (2) of “, the certificate of the notary being authenticated by any of the British officials mentioned in section 6 of the Commissioners for Oaths Act, 1889”; and
- (c) the deletion in (c) of sub-paragraph (2) of “, the status of the person administering the oath being authenticated by any of the British officials mentioned in section 6 of that Act”.


Clerk of Councils.

COUNCIL CHAMBER,
6th December, 1966.

Explanatory Note.

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

This order amends the Companies (Forms) Order by removing the necessity for the authentication by British officials of certain matters in connexion with the certification of documents to be delivered to the Registrar by companies incorporated outside the Colony under the laws of a foreign country.

It is based on the Companies (Forms) (Amendment No. 3) Order 1962, S.I. 1962/1302 (1962 II p. 1394), which makes similar provision in England.

(Secretariat GR1/5641/62)



DEFENCES (FIRING AREAS) ORDINANCE.

(Chapter 196).

DEFENCES (FIRING AREAS) (AMENDMENT OF SCHEDULES)
ORDER 1966.

In exercise of the powers conferred by section 11 of the Defences (Firing Areas) Ordinance, the Governor in Council has made the following order—

1. This order may be cited as the Defences (Firing Areas) Citation. (Amendment of Schedules) Order 1966.

2. The First Schedule to the Ordinance is amended—

Amendment
of First
Schedule.
(Cap. 196).

(a) by the deletion from Part I of Notes (1) and (2) and the substitution therefor of the following—

"Note— (1) All Latitudes are N. and Longitudes E.

(2) All map references are taken from Edition I-GSGS, Series L 8811 (1:25,000), sheets 15, 16 and 20."; and

(b) by the deletion from Part I of paragraphs (a), (b) and (c) and the substitution therefor of the following—

"(a) *Firing Area A*—

The area included in this firing area is bounded as follows—

By a line starting at a point 100 yards east of the coast at grid reference KV 183741 (Lat. 22° 20' 57", Long. 114° 15' 54") north-eastwards to grid reference KV 212747 (Lat. 22° 21' 18", Long. 114° 17' 36"), thence south-eastwards to grid reference KV 221730 (Lat. 22° 20' 25", Long. 114° 18' 06"), thence eastwards to grid reference KV 259730 (Lat. 22° 20' 27", Long. 114° 20' 20"), thence south-eastwards to grid reference KV 261726 (Lat. 22° 20' 14", Long. 114° 20' 27"), thence east-south-east to grid reference KV 285719 (Lat. 22° 19' 53", Long. 114° 21' 51"), thence eastwards to grid reference KV 320720 (Lat. 22° 19' 58", Long. 114° 23' 54"), thence southwards to KV 320647 (Lat. 22° 16' 00", Long. 114° 23' 57"), thence westwards to the southern tip of East Ninepin, grid reference KV 286647 (Lat. 22° 15' 58", Long. 114° 21' 59"), thence north-westwards to grid reference KV 267654 (Lat. 22° 16' 20", Long. 114° 20' 51") and to the centre of Steep

Island, grid reference KV 230661 (Lat. 22° 16' 39", Long. 114° 18' 42"), thence north-eastwards to grid reference KV 248673 (Lat. 22° 17' 23", Long. 114° 19' 46"), and to grid reference KV 259693 (Lat. 22° 18' 27", Long. 114° 20' 21"), thence north-westwards to grid reference KV 232704 (Lat. 22° 19' 00", Long. 114° 18' 43"), thence to grid reference KV 220720 (Lat. 22° 19' 51", Long. 114° 18' 03"), thence westwards to a point 100 yards east of the coast at grid reference KV 188720 (Lat. 22° 19' 50", Long. 114° 16' 12"), thence in a northerly direction, running 100 yards east of the coast to the starting point.

(b) *Firing Area B—*

The area included in this firing area is bounded as follows—

By a line starting at a point 100 yards east of the coast at grid reference KV 188720 (Lat. 22° 19' 50", Long. 114° 16' 12") eastwards to grid reference KV 220720 (Lat. 22° 19' 51", Long. 114° 18' 03"), thence south-eastwards to grid reference KV 232704 (Lat. 22° 19' 00", Long. 114° 18' 43") thence to grid reference KV 259693 (Lat. 22° 18' 27", Long. 114° 20' 21"), thence south-westwards to grid reference KV 248673 (Lat. 22° 17' 23", Long. 114° 19' 46"), thence to the centre of Steep Island, grid reference KV 230661 (Lat. 22° 16' 39", Long. 114° 18' 42"), thence north-westwards to a point 100 yards from the coast at grid reference KV 201712 (Lat. 22° 19' 25", Long. 114° 16' 58") thence in a north-westerly direction running 100 yards east of the coast to the starting point.

(c) *Firing Area C—*

The area included in this firing area is bounded as follows—

By a line starting at a point grid reference KV 212747 (Lat. 22° 21' 18", Long. 114° 17' 36"), thence north-westwards to grid reference KV 223757 (Lat. 22° 21' 51", Long. 114° 18' 14"), thence in a northerly direction 200 yards east of the coast of Kau Sai Island to grid reference KV 224762 (Lat. 22° 22' 08", Long. 114° 18' 16"), thence north-eastwards to grid reference KV 225765 (Lat. 22° 22' 18", Long. 114° 18' 18"), thence along a line 50 yards inland from the shore of Kwa Tau Tam to grid reference KV 233773 (Lat. 22° 22' 45", Long. 114° 18' 47"), thence eastwards to grid reference KV

240772 (Lat. 22° 22' 42", Long. 114° 19' 10"), thence following the eastern shore of Tai Tau Chau to grid reference KV 245759 (Lat. 22° 22' 00", Long. 114° 19' 30"), thence south-eastwards to grid reference KV 259730 (Lat. 22° 20' 27", Long. 114° 20' 20") thence westwards to grid reference KV 221730 (Lat. 22° 20' 25", Long. 114° 18' 06") thence north-westwards to the starting point. The area bounded by a circle of radius 250 yards around grid reference KV 239734 (Lat. 22° 20' 39", Long. 114° 19' 09") is excluded from the range."

3. The Third Schedule to the Ordinance is amended—

Amendment
of Third
Schedule.

(a) by the deletion of sub-paragraphs (a) and (b) of paragraph 5, and the substitution therefor of the following—

"Firing
Areas A,
B and C. (a) for Firing Areas A, B and C—

(i) by a red flag flown at each of the following positions—

KV 172734, KV 184714,
KV 195707, KV 207684,
KV 218677, KV 219698,
KV 174758, KV 185775;

(ii) by a red flag flown on a 10-foot pole on a buoy moored in each of the following positions—

KV 226650, KV 259693,
KV 229730, KV 214745;

Firing Areas
A and B.

(b) for Firing Areas A and B only—

(i) by a red flag flown at each of the following positions—

KV 172734, KV 184714,
KV 195707, KV 207684,
KV 218677, KV 219698,
KV 174758, KV 185775;

(ii) by a red flag flown on a 10-foot pole on a buoy moored in each of the following positions—

KV 226650, KV 259693,
KV 229730; and

Firing Area
C.

(c) for Firing Area C only—

(i) by a red flag flown at each of the following positions—

KV 230775, KV 174758,
KV 185775;

- (ii) by a red flag flown on a 10-foot pole on a buoy moored at KV 214745;";
- (b) by the renumbering of sub-paragraphs (c) and (d) of paragraph 5 as sub-paragraphs (d) and (e) thereof respectively; and
- (c) by the insertion, after paragraph 6, of the following new paragraph—
- "Firing Areas A and B or A, B and C.
- 6A. When Firing Areas A and B or A, B and C are in use, the seaward approaches to these areas shall be patrolled by not less than two range safety launches."



Clerk of Councils.

COUNCIL CHAMBER,
6th December, 1966.

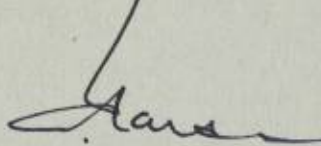
(Secretariat B/L 1/4/4941/47)

DEVELOPMENT LOAN FUND.

Resolution made and passed by the Legislative Council on the 7th day of December, 1966.

WHEREAS it was resolved by this Council on the 22nd day of October, 1958, *inter alia* that the Financial Secretary may from time to time appropriate from the Fund monies for the purpose of financing by loans or advances such schemes of development within the Colony as may be approved by the Governor, provided that the amount of appropriation and the terms and conditions of the loan or advance, shall in every case be subject to the prior approval of the Finance Committee of this Council:

Now it is further resolved that the Financial Secretary may also, from time to time, appropriate from the Fund monies for the purpose of financing by investments such schemes of development within the Colony as may be approved by the Governor, provided that the amount of appropriation and the terms and conditions of the investment shall in every case be subject to the prior approval of the Finance Committee of this Council.



Deputy Clerk of Councils.

COUNCIL CHAMBER,
7th December, 1966.

(Secretariat FIN65/2321/58)

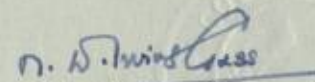
AIR NAVIGATION.

HONG KONG AIR NAVIGATION (INVESTIGATION OF ACCIDENTS) (AMENDMENT) (NO. 2) REGULATIONS 1966.

In exercise of the powers conferred on him by section 10 of the Civil Aviation Act 1949, as adapted and modified and extended to the Colony by the Colonial Civil Aviation (Application of Act) Order 1952, the Governor has made the following regulations—

1. These regulations may be cited as the Hong Kong Air Navigation (Investigation of Accidents) (Amendment) (No. 2) Regulations 1966. Citation.
2. Regulation 2 of the Hong Kong Air Navigation (Investigation of Accidents) Regulations 1951 (hereinafter referred to as the principal regulations) is amended by the deletion of the definition "Director" and the substitution therefor of the following—
" "Director" means the Director of Civil Aviation and also includes any assistant director of civil aviation." Amendment
of regula-
tion 2.
(G.N.A.
228/51).
3. Regulation 7 of the principal regulations is amended by the insertion, after paragraph (3), of the following—
"(4) The Chief Inspector of Accidents may in writing delegate to any officer of the Civil Aviation Department by name or office either generally or for any particular occasion such of his powers and functions under paragraph (2) as he considers necessary." Amendment
of regula-
tion 7.
4. The Hong Kong Air Navigation (Investigation of Accidents) (Amendment) Regulations 1964 and the Hong Kong Air Navigation (Investigation of Accidents) (Amendment) Regulations 1966 are hereby revoked. Revocation.
(L.N.
171/64).
(L.N.
73/66).

By Command,


Colonial Secretary.

26th November, 1966.

Explanatory Note.

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

These regulations extend the definition "Director" in the principal regulations to include any assistant director of civil aviation and authorize the Chief Inspector of Accidents to delegate his powers under the principal regulations to any officer of the Civil Aviation Department.

(Secretariat GR5/501/48II)

WILD BIRDS AND WILD MAMMALS PROTECTION
ORDINANCE 1954.

(No. 8 of 1954).

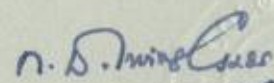
WILD BIRDS AND WILD MAMMALS (AMENDMENT OF
SECOND SCHEDULE) ORDER 1966.

In exercise of the powers conferred by section 20 of the Wild Birds and Wild Mammals Protection Ordinance 1954, the Governor has made the following order—

1. This order may be cited as the Wild Birds and Wild Mammals Citation. (Amendment of Second Schedule) Order 1966.
2. The Second Schedule to the Ordinance is amended by—
 - (a) deleting "The hunting of the mammals and birds specified below is prohibited."; and
 - (b) inserting the following under the heading "Mammals", after "Leopard Cat—*Felis bengalensis*"—
"Orang Utan—*Pongo pygmaeus*".

Amendment
of Second
Schedule.
(8 of 1954).

By Command,


Colonial Secretary.

8th December, 1966.

Explanatory Note.

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

This order makes orang utans scheduled mammals for the purposes of the Wild Birds and Wild Mammals Protection Ordinance 1954. In particular, this means that, save in accordance with a permit granted by the Governor, it is unlawful to possess, buy, sell or export an orang utan.

(Secretariat E13/3231/53II)

DISTRICT COURT (CIVIL JURISDICTION AND PROCEDURE)
ORDINANCE 1962.

(No. 22 of 1962).

**DISTRICT COURT CIVIL PROCEDURE (COSTS)
(AMENDMENT) RULES 1966.**

In exercise of the powers conferred by section 48 of the District Court (Civil Jurisdiction and Procedure) Ordinance 1962, the District Court Rules Committee has made the following rules—

1. These rules may be cited as the District Court Civil Procedure (Costs) (Amendment) Rules 1966, and shall come into operation on the day appointed for the commencement of the District Court (Civil Jurisdiction and Procedure) (Amendment) Ordinance 1966. Citation and commencement.

2. Rule 3 of the District Court Civil Procedure (Costs) Rules 1963 (hereinafter referred to as the principal rules) is amended by the deletion, in sub-paragraph (b) of paragraph (3), of "or IV" and the substitution therefor of the following— Amendment of rule 3. (L.N. 25/63).

" , IV or V".

3. Rule 14 of the principal rules is amended by the deletion, in paragraph (2), of "or IV" and the substitution therefor of the following— Amendment of rule 14.

" , IV or V".

4. The First Schedule to the principal rules is deleted and substituted by the following— Deletion and substitution of First Schedule.

"FIRST SCHEDULE.

[rule 3(1).]

Scales of Costs.

1. There shall be five Scales namely Scale I, Scale II, Scale III, Scale IV and Scale V.

2. The Scale of Costs applicable to a sum of money only shall be as follows—

Sum of money.		Scale applicable.
Exceeding \$50	but not exceeding \$200	Scale I
Exceeding \$200	but not exceeding \$500	Scale II
Exceeding \$500	but not exceeding \$2,000	Scale III
Exceeding \$2,000	but not exceeding \$5,000	Scale IV
Exceeding \$5,000		Scale V

3. Reference in the Scales to Counsel is in all cases subject to rule 13 hereof.

SCALE I.

(Actions exceeding \$50 but not exceeding \$200).

1. Instructions for claim, counterclaim or other proceedings including letter before action and preparing writ or other originating process, attending, issuing and service \$8.00
(Note: No copies for service will be allowed.)
2. Instructions to defend including drawing defence or other answer and attending and entering \$4.00
3. Substituted service—
 - (a) if service by solicitor, to include attendances, making appointments to serve summons, preparing and attending to swear and file affidavits and to obtain order, and the fees paid for oaths \$20.00
 - (b) if service by Bailiff, for attendances to request steps to be taken and to obtain order \$10.00
4. Plaintiffs' or defendants' solicitor preparing for and attending trial with or without counsel *per diem* \$25.00
(Note: Where counsel is not instructed and the judge who heard the action or matter is satisfied from the nature of the case or the conduct of the proceedings that a higher charge is justified, this item may be increased to a sum not exceeding \$50 *per diem*.)
5. Attending at court or in chambers on any application to judge in the course of or relating to the proceedings, including notice and service, and brief where counsel is instructed—
 - (a) without counsel \$4 to 25
 - (b) with counsel \$4 to 10
6. Drawing brief for counsel *per folio* 50c
7. Counsel's brief *fee per diem* \$40 to 100
8. Refresher *per diem* \$40.00
9. Attending to hear judgment \$6.00
10. Attending taxation (including all costs connected therewith) \$5.00
11. Attending to serve any notice or document other than a writ ... \$4.00
12. Drawing and engrossing notice to produce, notice to admit, summons for review or to set aside judgment, including copies, service and attending the Registry therewith \$5.00
13. Receiving any of the above notices and advising thereon \$4.00
14. Necessary disbursements for counsel fees, advertisements and certified translations —

SCALES II, III, IV AND V.

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.
<i>Taking Instructions.</i>					
1.	(1) To sue or defend; or (2) To counterclaim or oppose counterclaim; or (3) To interplead or to claim or oppose claim in interpleader proceedings; or (4) To file or oppose an originating application or petition, or third-party notice, or application to set aside a judgment or for review; or (5) To take or oppose garnishee proceedings; or (6) To appeal or oppose an appeal to a Court; or (7) For preparing any document or making or opposing any application not otherwise provided for, where in the opinion of the Registrar the document or application, and instructions therefor, were necessary	\$4 to 10	\$4 to 15	\$6 to 25	\$6 to 50
<i>Particulars of Claims, etc.</i>					
2.	Preparing particulars of claim or originating application, petition, or process for entry of appeal to the Court, or particulars of counterclaim, or third-party notice; preparing defence (to claim or counterclaim), answer or reply if ordered	\$4 to 15	\$4 to 25	\$6 to 40	\$6 to 75
(Note: This item includes copies and is only to be allowed where the document is signed by the solicitor.)					
<i>Preparation of Documents.</i>					
3.	Preparing any necessary document not otherwise provided for, and all necessary copies thereof, including instructions to counsel to settle any pleadings or other document or to advise on merits before action brought	\$2 to 4	\$3 to 6	\$4 to 6	\$4 to 10
	Per folio beyond five	75c	75c	75c	75c

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.
<i>Copies.</i>					
4.	For copies of documents (including brief) not otherwise provided for which the Registrar considers necessary:				
	Per folio	40c	40c	40c	40c
	(Note: Half the charge to be allowed for carbon copies.)				
<i>Perusing.</i>					
5.	Any document not otherwise provided for which the Registrar is satisfied justifies a charge for perusal:				
	Per folio	75c	75c	75c	75c
<i>Preparing for Trial.</i>					
6.	Preparing for trial of action or matter	\$25 to 75	\$40 to 150	Such sum as is fair and reasonable in all the circumstances, not exceeding \$300.	Such sum as is fair and reasonable in all the circumstances, not exceeding \$400.
	(Note: This item is intended to cover the work of preparing for trial not otherwise provided for, namely considering facts, evidence and law, preparation of notes of facts or argument, interviewing witnesses and taking proofs of their evidence, preparing and serving notices to produce and admit documents, and to admit facts, perusing such notices and correspondence, and, where counsel is instructed, instructions for and drawing brief, and attending counsel therewith.)				
<i>Attendances.</i>					
7.	At court on trial of action or matter for each five hour day—				
	(a) without counsel—not exceeding	\$50	\$100	\$200	\$300
	(b) with counsel—not exceeding	\$25	\$ 35	\$ 50	\$ 75
8.	At court where trial is adjourned without hearing for want of time or upon payment of the costs of the day—				
	(a) without counsel	\$15	\$ 20	\$ 30	\$ 40
	(b) with counsel	\$10	\$ 15	\$ 20	\$ 25

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.
9.	At court or in chamber on any application to judge in the course of or relating to the proceedings, including notice and service, and brief where counsel is instructed—				
	(a) without counsel	\$4 to 25	\$6 to 40	\$10 to 60	\$15 to 80
	(b) with counsel	\$4 to 10	\$6 to 15	\$10 to 20	\$15 to 25
	(Notes to items 6, 7, 8 and 9— Note 1: These items also apply to an arbitration, inquiry or reference, but item 6 may only be allowed once in the same proceedings. If the reference or inquiry was directed at the trial and the reference or inquiry began on the same day, item 7 may only be allowed once in respect of that day. Note 2: In proceedings transferred from the Supreme Court item 6 includes instructions for brief in the Supreme Court or any charge in lieu thereof.)				
10.	To lodge papers, when proceedings transferred to the Court, including preparation of all necessary documents	\$15	\$15	\$15	\$15
11.	On examination of witness under rule 9 of Order 7, rule 2 of Order 14 or rule 1 of Order 17 of the Code for each hour	\$10	\$15	\$20	\$25
12.	Where in consequence of anything done by the opposite party during the proceedings, attendance on the client is necessary to advise or receive instructions, for each attendance not otherwise provided for	\$ 5	\$6 to 10	\$6 to 15	\$6 to 20
13.	(a) To obtain or give any necessary and proper consent or admission	\$10	\$10	\$10	\$10
	(b) Upon the opposite party, for each attendance not otherwise provided for	\$10	\$10	\$10	\$10
	(c) To arrange for attendance of a witness without subpoena	\$ 5	\$ 5	\$ 5	\$ 5
	(d) On counsel in conference in chambers where counsel's fee allowed under item 28 (to include appointing conference)	\$10	\$15	\$30	\$40

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.
	(Note to items 12 and 13(a) and (b)—If the attendance is by telephone half of the charge is to be allowed. Note to item 13(c)—Only one charge is to be allowed where only one attendance is necessary to arrange for more than one witness.)				
14.	At court to hear a deferred judgment or on further consideration pursuant to rule 56 of Order 30 of the Code or on entry of judgment on award or report—				
	(a) without counsel	\$15	\$20	\$30	\$40
	(b) with counsel	\$10	\$15	\$20	\$25
15.	At court or in chambers on hearing of application for payment by instalments or for stay of execution if costs allowed by judge and for each attendance where the hearing is not concluded on the day on which it is commenced—				
	(a) without counsel	\$15	\$15	\$15	\$15
	(b) with counsel	\$10	\$10	\$10	\$10
16.	On deponent being sworn to an affidavit	\$ 5	\$ 5	\$ 5	\$ 5
	(Note: This charge may be allowed where the solicitor or his clerk is the deponent.)				
17.	To deliver any document pursuant to any District Court Rule	\$ 5	\$ 5	\$ 5	\$ 5
18.	Any attendance at the Registry, not otherwise provided for, which the Registrar is satisfied justifies a charge	\$ 5	\$ 5	\$ 5	\$ 5
	<i>Service.</i>				
19.	Of any document required to be served personally including copy	\$5 to 10	\$5 to 10	\$5 to 12	\$5 to 15
20.	Of any document authorized to be served by post, including copy (Notes to items 19 and 20— Note 1: Where any two or more documents to be served on the same party have been or could have been served together, one charge only for service is to be allowed.	\$ 2	\$ 2	\$ 2	\$ 2

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.
	Note 2: Where two or more parties have been or could have been served together, one charge only for service is to be allowed. Note 3: Where two or more defendants were served at the same address, only one charge is to be allowed under item 19. Note 4: These items are not to be allowed where item 21(a) is applicable.)				
21.	Substituted service—				
	(a) if service by solicitor, to include attendances, making appointments to serve summons, preparing and attending to swear and file affidavits and to obtain order, and the fees paid for oaths	\$20	\$20 to 50	\$25 to 75	\$40 to 100
	(b) if service by Bailiff, for attendances to request steps to be taken and to obtain order	\$10	\$10	\$10	\$10
22.	For process out of the jurisdiction, to include drawing, copying, attending to swear and file all affidavits and to obtain order, and the fees paid for oaths	Such sum as the Registrar thinks reasonable.			
	<i>Letters, etc.</i>				
23.	Letter before action	\$ 5	\$ 5	\$ 5	\$ 5
24.	Letters in lieu of attendance which could properly be allowed under items 12, 13, 17 and 18 ...	\$ 5	\$ 5	\$ 5	\$ 5
25.	Circular letters	\$ 2	\$ 2	\$ 2	\$ 2
	<i>Taxation of Costs.</i>				
26.	(a) For taxation of the costs of the action or matter, to include preparing bill, all necessary copies and notice, service, obtaining appointment to tax and attending taxation	\$15	\$20	\$25	\$35
	(b) For any other taxation, to include preparing bill, all necessary copies and notice, service, obtaining appointment to tax and attending taxation	\$10	\$10 to 15	\$15 to 20	\$30
	(c) Costs of adjournment of taxation	In the discretion of the Registrar but not exceeding \$30.			

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.
<i>Disbursements: Fees to Counsel.</i>					
27.	With brief on trial or hearing ...	\$75 to 150	\$100 to 500	\$200 to 1,000	\$300 to 1,500
28.	On conference in chambers or elsewhere, if the fee was marked on the brief when delivered, or in the opinion of the Registrar the conference was necessary	\$25	\$50	\$50	\$50
29.	And for leading counsel if case certified fit for more counsel than one	—	\$75	\$75	\$75
30.	(a) Where trial or hearing of action is not concluded on day on which it is commenced or is adjourned for want of time or on payment of the costs of the day, for each day or part of day on which it is continued.	\$70 to 100	\$70 to 150	\$100 to 175	\$150 to 350
	(b) With brief on application in the course of or relating to proceedings; with brief on an examination of witnesses under rule 9 of Order 7, rule 2 of Order 14 or rule 1 of Order 17 of the Code ...				
31.	(a) For settling any document which in the opinion of the Registrar is proper to be settled by counsel	\$50	\$50 to 75	\$75 to 100	\$75 to 150
	(b) For advising on evidence ...	\$50	\$50 to 75	\$75 to 100	\$75 to 150
	(c) For advising on merits before action brought	\$50	\$50 to 75	\$75 to 100	\$75 to 150
	<i>(Note: Items 31(b) and (c) may be allowed only if the advice is given in writing and in the opinion of the Registrar it was proper to obtain it.</i>				
	Notes to items 27, 28, 29, 30 and 31—				
	<i>Note 1: These items apply to an inquiry or reference.</i>				
	<i>Note 2: Fees to counsel are not to be allowed unless the payment of them is vouched by the signature of counsel.)</i>				
<i>Plans, photographs, etc.</i>					
32.	For plans, drawing, charts, photographs or models for use at the trial, which in the opinion of the judge or Registrar it was reasonable to obtain	The sum actually and reasonably paid.			

Item No.	Details of items.	Scale II.	Scale III.	Scale IV.	Scale V.										
<i>Miscellaneous.</i>															
33.	(a) For obtaining any documentary evidence or police reports or statements from the police which in the opinion of the judge or Registrar it was reasonably necessary to obtain for the purpose of the action or matter, and	The sum actually and reasonably paid.													
	(b) for an advertisement in pursuance of an order for substituted service by advertisement														
34.	For oaths	Sum paid, unless included in another item.													
35.	For postages, carriage and transmission of documents, a sum not exceeding	\$5	\$5	\$5	\$5										
<i>Translations.</i>															
36.	Certified translations, including attending for and obtaining certificate, per folio	\$1	\$1	\$1	\$1".										
5. The Second Schedule to the principal rules is amended—															
(a) in Table I in Part I, by the deletion of Scale IV and the substitution therefor of the following—															
	"IV	\$2,000	\$5,000	\$50	\$60	\$40	\$50								
	V	\$5,000	—	\$60	\$75	\$50	\$60";								
(b) in Part II, by the deletion of the Table and the substitution therefor of the following—															
"															
<table border="1"> <thead> <tr> <th colspan="5">Scale IV or Recovery of Property, including Land.</th> </tr> <tr> <th>Scale I.</th> <th>Scale II.</th> <th>Scale III.</th> <th>Scale IV.</th> <th>Scale V.</th> </tr> </thead> </table>						Scale IV or Recovery of Property, including Land.					Scale I.	Scale II.	Scale III.	Scale IV.	Scale V.
Scale IV or Recovery of Property, including Land.															
Scale I.	Scale II.	Scale III.	Scale IV.	Scale V.											
1.	Where judgment is entered or given—														
	(a) in default of appearance (including affidavit and attendances);														
	(b) in default of defence; or														
	(c) upon the defendants' admission or consent, or summarily	\$15	\$20	\$30	\$40	\$50									

Amendment of Second Schedule.

	Scale I.	Scale II.	Scale III.	Scale IV or Recovery of Property, including Land.	Scale V.
2. Where judgment is upon a trial <i>ex parte</i> —					
(a) where no defence has been filed ...	\$25	\$35	\$40	\$60	\$80
(b) where a defence has been filed ...	\$35	\$50	\$60	\$80	\$100

"; and

- (c) in the Table in Part III, by the deletion of the last item and the substitution therefor of the following—

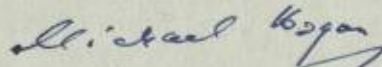
"Exceeding \$2,000 but not exceeding \$5,000	\$ 70
Exceeding \$5,000	\$100".

Amendment
of Third
Schedule.

6. The Third Schedule to the principal rules is amended by the deletion, in the Table therein, of the last item and the substitution therefor of the following—

"Scale IV (exceeding \$2,000 but not exceeding \$5,000)	\$150 to 300
Scale V (exceeding \$5,000)	\$200 to 500".

Dated the 16th day of December, 1966.



Chief Justice.

W. F. PICKERING,
District Judge.

J. T. WILLIAMS,
District Judge.

P. R. SPRINGALL,
District Judge.

N. R. WYLIE,
District Judge.

F. S. LI,
District Judge.

D. CONS,
District Judge.

W. S. COLLIER,
District Judge.

T. L. YANG,
District Judge.

J. J. SWAINE,
of the Bar Association of
Hong Kong.

R. F. G. DENNIS,
of the Incorporated Law Society of
Hong Kong.

C. M. STEVENS,
Registrar, Supreme Court.

Explanatory Note.

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

The amendments to the District Court Civil Procedure (Costs) Rules 1963 made by these rules are consequent upon the increase in the jurisdiction of the District Court effected by the District Court (Civil Jurisdiction and Procedure) (Amendment) Ordinance 1966.

(Secretariat G L/M B1940/66)

DISTRICT COURT (CIVIL JURISDICTION AND PROCEDURE)
ORDINANCE 1962.

(No. 22 of 1962).

DISTRICT COURT CIVIL PROCEDURE (FEES) (AMENDMENT)
RULES 1966.

In exercise of the powers conferred by section 48 of the District Court (Civil Jurisdiction and Procedure) Ordinance 1962, the District Court Rules Committee has made the following rules—

1. These rules may be cited as the District Court Civil Procedure (Fees) (Amendment) Rules 1966, and shall come into operation on the day appointed for the commencement of the District Court (Civil Jurisdiction and Procedure) (Amendment) Ordinance 1966. Citation and commencement.

2. The Schedule to the District Court Civil Procedure (Fees) Rules 1963 is amended— Amendment of Schedule. (L.N. 26/63).

(a) by the deletion of item 1(a) and the substitution thereof of the following—

"1. (a) Writ of summons, petition, third party notice or other originating process (including service, setting down and hearing)—	\$
where the claim does not exceed \$500 ...	2.00
where the claim exceeds \$500 but does not exceed \$2,000	5.00
where the claim exceeds \$2,000 but does not exceed \$5,000	10.00
where the claim exceeds \$5,000	15.00
for the recovery of land	10.00
in any other action or proceeding	10.00";

(b) by the deletion of item 5 and the substitution thereof of the following—

"5. (a) Any writ of execution (including service) for enforcement of a judgment debt—	
where the amount for which execution issues does not exceed \$500	3.00
where the amount exceeds \$500 but does not exceed \$2,000	5.00
where the amount exceeds \$2,000 but does not exceed \$5,000	15.00
where the amount exceeds \$5,000	20.00
(b) Any other form of execution including execution for movable and immovable property (combined)	15.00";

(c) by the deletion of item 38 and the substitution thereof of the following—

"38. (a) Transportation or conveyance expenses and overtime allowances, according to distance and time (to be paid in cash) In the discretion of the Registrar.

(b) In eviction cases, coolie hire for removal of goods, etc. (to be paid in cash) In the discretion of the Registrar; and

(d) in item 48, by the deletion, in the third column, of "\$10" and the substitution thereof of the following—
"\$20.00".

Dated the 16th day of December, 1966.

Michael Ho

Chief Justice.

W. F. PICKERING,
District Judge.

J. T. WILLIAMS,
District Judge.

P. R. SPRINGALL,
District Judge.

N. R. WYLIE,
District Judge.

F. S. LI,
District Judge.

D. CONS,
District Judge.

W. S. COLLIER,
District Judge.

T. L. YANG,
District Judge.

J. J. SWAINE,
*of the Bar Association of
Hong Kong.*

R. F. G. DENNIS,
*of the Incorporated Law Society of
Hong Kong.*

C. M. STEVENS,
Registrar, Supreme Court.

Explanatory Note.

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

The amendments to the District Court Civil Procedure (Fees) Rules 1963 made by these rules are consequent upon the increase in the jurisdiction of the District Court effected by the District Court (Civil Jurisdiction and Procedure) (Amendment) Ordinance 1966.

(Secretariat G L/M B1940/66)

PROCLAMATION.

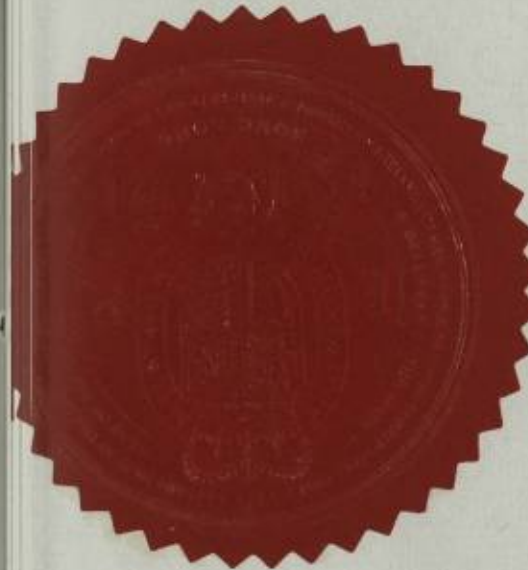
No. 6 of 1966.

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

WHEREAS by section 1 of the District Court (Civil Jurisdiction and Procedure) (Amendment) Ordinance 1966 (No. 35 of 1966), it is provided that the said Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that the said Ordinance shall come into operation on the 12th day of January, 1967.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 16th day of December, 1966.



David Clive Crosbie Trench

Governor.

GOD SAVE THE QUEEN.

(Secretariat GR20/3231/5211)

PROCLAMATION.

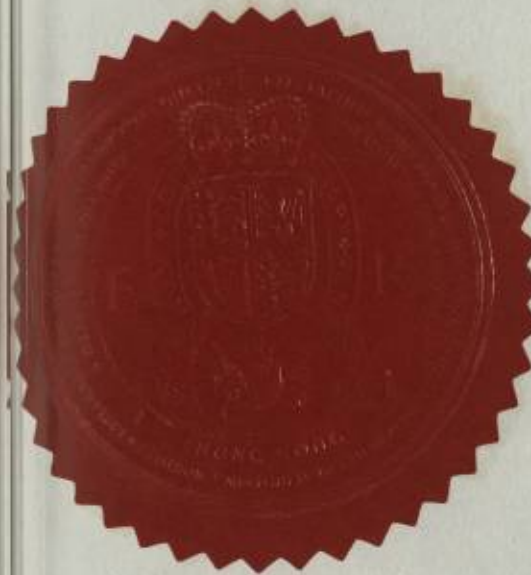
No. 7 of 1966.

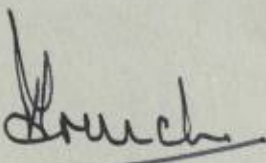
BY HIS EXCELLENCY SIR DAVID CLIVE CROSBIE TRENCH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Decoration of the Military Cross, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of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

WHEREAS by section 1 of the Interpretation and General Clauses Ordinance 1966 (No. 31 of 1966), it is provided that the said Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that the said Ordinance shall come into operation on the 31st day of December, 1966.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 16th day of December, 1966.




Governor.

GOD SAVE THE QUEEN.

(Secretariat GR85/3231/47III)

LEGAL AID REGULATIONS 1966.

ARRANGEMENT OF REGULATIONS.

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

LEGAL AID REGULATIONS 1966.

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

Citation and commencement.

1. These regulations may be cited as the Legal Aid Regulations 1966, and shall come into operation on the day appointed for the commencement of the Legal Aid Ordinance 1966.

Interpretation.

2. In these regulations, unless the context otherwise requires—
“certificate” means a certificate or emergency certificate issued in accordance with these regulations, entitling a person to legal aid under the Ordinance.

Application for certificate.
Form I.

3. (1) Any person desiring legal aid in a civil action may apply for legal aid in the Form I set out in the Schedule.

(2) Every application for legal aid shall contain such information and shall be accompanied by such documents as may be requisite to enable the Director to determine—

- (a) the nature of the proceedings in relation to which legal aid is sought and the circumstances in which legal aid is required;
- (b) the question whether it is reasonable that a certificate should be granted; and
- (c) the disposable income and disposable capital of the applicant.

Applications on behalf of infants.
Form II.

4. (1) An application for legal aid for an infant shall be made by a person of full age and capacity on his behalf and shall be in the Form II set out in the Schedule, and where the application relates to proceedings which are required by rule of court to be brought or defended by the next friend or guardian *ad litem*, that person shall be the next friend or guardian *ad litem* or, where proceedings have not actually begun, the person intending to act as next friend or guardian *ad litem*.

(2) Every application for legal aid for an infant shall contain such information and shall be accompanied by such documents as may be requisite to enable the Director to determine—

- (a) the nature of the proceedings in relation to which legal aid is sought and the circumstances in which legal aid is required;
- (b) the question whether it is reasonable that a certificate should be granted; and
- (c) the disposable income and disposable capital of the applicant.

(3) The Director shall not issue a certificate applied for by a person on behalf of an infant unless that person has signed an under-

taking to pay to the Director (if called upon to do so) any sum which, by virtue of any provision of the Ordinance, the Director may require an aided person of full age and capacity to pay upon the issue or during the currency or upon discharge or revocation of the certificate.

(4) Any certificate issued by virtue of this regulation shall be in the name of the infant, stating the name of the person by whom he has applied.

(5) In any matter relating to the issue, amendment, revocation or discharge of a certificate issued by virtue of this regulation, and in any other matter which may arise as between an aided person and the Director, the person by whom the infant has applied for a certificate shall be treated for all purposes (including the receipt of notices) as the agent of the infant.

5. (1) A certificate may be issued in respect of the whole or a part of—

- (a) proceedings in a court of first instance; or
- (b) proceedings in an appellate court.

No certificate shall relate to proceedings (other than interlocutory appeals) both in a court of first instance and in an appellate court.

(2) A certificate shall not relate to more than one action, cause or matter, but may include proceedings for the enforcement of any such order or agreement as is referred to in paragraph (2) of regulation 14.

(3) In assessing the amount of contribution, if any, payable in respect of any proceedings, the Director shall have regard to their probable cost and, save as is hereinafter provided, shall not assess an amount in excess of any maximum amount of contribution provided for by the Ordinance. Where the probable cost of the proceedings exceeds the maximum amount of contribution, the Director shall save as aforesaid assess that maximum as the amount of contribution payable in respect of the proceedings.

(4) Where an application is approved relating to—

- (a) proceedings (other than interlocutory proceedings) in an appellate court in any action, cause or matter, in which the applicant was an aided person in the court below; or
- (b) proceedings by way of a new trial ordered by an appellate court before whom the applicant was an aided person,

the Director shall not redetermine the applicant's disposable income and disposable capital, but shall save as hereinafter provided assess the amount of contribution, if any, payable in respect of the proceedings at an amount not greater than the maximum contribution determined by the Director in relation to the previous proceedings less any amount assessed by him in respect of those proceedings:

Issue of certificate.

Provided that, if, since the last determination by the Director of the disposable income and disposable capital of the applicant, his circumstances have altered otherwise than as a result of the payment of a contribution in respect of the previous proceedings the Director shall redetermine his disposable income and disposable capital and shall take into account any increase or decrease in the amount of his disposable income by an amount greater than fifty dollars a month and any increase in the amount of his disposable capital by an amount greater than five hundred dollars.

(5) In fixing the method by which any contribution shall be paid, the Director shall have regard to all the circumstances, including the probable length of time which any certificate issued as a result of the application will be in force, and may order the contribution to be paid in instalments or the whole or a part of it to be paid before a certificate is issued.

(6) After the Director has approved an application for a certificate he shall notify the applicant—

- (a) of the maximum amount of his contribution as determined by him; and
- (b) of the terms upon which a certificate will be issued to him.

(7) An applicant who wishes a certificate to be issued to him on the terms notified to him by the Director shall, within fourteen days of being so notified, signify his acceptance of those terms in the Form III set out in the Schedule and shall lodge it with the Director.

Form III.

(8) If those terms require a contribution to be paid, the applicant shall lodge with the Director an undertaking to pay the contribution by the method stated in the terms and, if the contribution or any part of it is required to be paid before the certificate is issued, shall make that payment accordingly.

(9) When an applicant has complied with such of the provisions of paragraphs (7) and (8) as are relevant to his case, the Director shall issue a certificate in the Form IV set out in the Schedule.

Form IV.

Amendment
of certificate.

6. The Director may amend a certificate—

- (a) where it appears to him that there has been some error or mistake in the certificate; or
- (b) when, in his opinion, it has become desirable either for the certificate to extend to other proceedings, being part of the same action, cause or matter to which the certificate relates, or proceedings for the enforcement of any such order or agreement as is referred to in paragraph (2) of regulation 14, or for the certificate not to extend to certain of the proceedings in respect of which it was issued; or
- (c) when an aided person desires to change his counsel or solicitor or counsel or solicitor gives up an aided person's case.

7. (1) Any person who desires legal aid as a matter of urgency may apply for an emergency certificate in the Form V set out in the Schedule. Emergency
certificate.
Form V.

(2) An application for an emergency certificate shall give such information as may be requisite to enable the Director to determine whether—

- (a) the applicant is likely to fulfil the conditions under which legal aid may be granted under the Ordinance; and
- (b) it is in the interests of justice that the applicant should, as a matter of urgency, be granted legal aid,

and shall furnish such additional information and documents (if any) as may be sufficient to constitute an application for a legal aid certificate under the Ordinance:

Provided that, if it appears to the Director that the applicant cannot at the time of the application reasonably furnish that information, or any part of it, the Director shall nevertheless have power to issue an emergency certificate subject to such conditions as to the furnishing of additional information as he thinks reasonable.

(3) An emergency certificate shall be in the Form VI set out in the Schedule. Form VI.

(4) An emergency certificate shall have the same effect in all respects as a legal aid certificate.

(5) An emergency certificate shall remain in force for a period of six weeks, or such longer period not exceeding three months as the Director may allow, and unless within that period a legal aid certificate is issued in respect of the proceedings to which the emergency certificate relates it shall at the end of that period be deemed to have been revoked:

Provided that if within that period he decides to refuse the application for a legal aid certificate in respect of proceedings to which the emergency certificate relates, the Director shall forthwith revoke the emergency certificate.

(6) Upon an emergency certificate being extended or being deemed to be revoked under the provisions of paragraph (5), the Director shall forthwith issue a notification to all parties to that effect.

8. (1) A certificate may be either discharged or revoked by the Director in the circumstances specified in this rule. Discharge
and revoca-
tion of
certificates.

(2) The Director may discharge a certificate—

- (a) at any time at the request of the person to whom it is issued;
- (b) where an aided person has been required to make a contribution and any payment in respect thereof is more than thirty days in arrears;

- (c) if he is satisfied that the proceedings to which the certificate relates have been disposed of;
- (d) where he is satisfied that the aided person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Director or has required unreasonably that the proceedings be continued:

Provided that a certificate shall not be discharged under this sub-paragraph until the aided person has been given an opportunity to show cause why the certificate should not be discharged;

- (e) if he is satisfied—
 - (i) that the aided person has died; or
 - (ii) that the aided person has had a receiving order made against him.
- (3) The Director shall discharge a certificate if—
 - (a) as a result of a further determination he is satisfied that—
 - (i) the disposable income of an aided person exceeds five hundred dollars per month or such other amount as may have been substituted therefor by resolution under subsection (2) of section 7 of the Ordinance; or
 - (ii) the disposable capital of an aided person exceeds three thousand dollars or such other amount as may have been substituted therefor by resolution under subsection (2) of section 7 of the Ordinance;
 - (b) as a result of any information coming to his knowledge he considers that the aided person no longer has reasonable grounds for taking, defending or being a party to the proceedings or, as the case may be, that it is unreasonable in the particular circumstances for him to continue to receive legal aid:

Provided that a certificate shall not be discharged under this paragraph until the aided person has been given an opportunity to show cause why the certificate should not be discharged.

(4) Where the Director is satisfied that an aided person has wilfully failed to comply with any regulations as to information to be furnished by him, or, in furnishing any such information has knowingly made a false statement or false representation, he may if he thinks fit—

- (a) where such omission or act occurred prior to the issue of a certificate, revoke the certificate; or

- (b) where such omission or act occurred after the issue of the certificate, discharge the certificate from the date upon which such omission or act occurred.

(5) At any time during the hearing of any proceedings to which an aided person is a party the court may, upon application by or on behalf of any other party to the proceedings or by the Director, consider whether the aided person—

- (a) has wilfully failed to comply with any regulation as to the information to be furnished by him; or
- (b) in furnishing any such information has knowingly made a false statement or false representation;

and on any such application the court may make an order revoking the certificate or discharging it from such date as may be appropriate and the court's decision shall be final:

Provided that no order shall be made under this paragraph until the aided person has been given an opportunity to show cause why the certificate should not be revoked, or, as the case may be, discharged.

(6) When the Director revokes or discharges an aided person's certificate he shall forthwith issue a notice of discharge or revocation to the aided person.

(7) Where the certificate so revoked or discharged has been filed in the registry of any court, the Director shall forthwith file a notification in the Form VII set out in the Schedule with the registry of such court. Form VII.

(8) When the court makes an order revoking or discharging an aided person's certificate, the officer of the court shall forthwith inform the Director.

9. (1) Subject to the provisions of this regulation, a person whose certificate is revoked shall be deemed never to have been an aided person in the proceedings to which the certificate related, and a person whose certificate is discharged shall, from the date of discharge, cease to be an aided person in these proceedings. Effect of discharge and revocation.

(2) Upon receipt by him of notice of revocation or discharge of a certificate by the Director or upon revocation or discharge of a certificate by the court, the retainer of any solicitor and counsel acting for the aided person in proceedings to which the certificate relates shall forthwith determine.

(3) Upon determination of proceedings under this regulation—

- (a) the costs of the proceedings to which the certificate related, incurred by or on behalf of the person to whom it was issued, shall, as soon as practicable thereafter, be taxed or, as the

case may be, assessed in accordance with the provisions of these regulations;

(b) the Director shall remain liable for the payment of any costs so taxed or assessed.

(4) Where a certificate has been revoked or discharged, any provision of the Ordinance, which provides for a charge upon property recovered or preserved for an aided person shall apply to any property recovered or preserved as a result of the person whose certificate has been revoked or discharged continuing to take, defend or be a party to the proceedings to which the certificate related.

(5) Where a certificate has been revoked—

(a) the Director shall have the right to recover from the person to whom the certificate was issued the costs paid or payable under sub-paragraph (b) of paragraph (3) less any amount received from him by way of contribution; and

(b) the Director or solicitor who has acted in the proceedings shall have the right to recover from that person the difference between the amount paid or payable by the Director and the full amount of the costs of the Director and his solicitor and own client costs as taxed or agreed.

(6) Where a certificate has been discharged the person to whom the certificate was issued shall remain liable for the payment of his maximum contribution, if any, as determined by the Director up to the amount paid or payable by the Director under sub-paragraph (b) of paragraph (3), and where he continues to take, defend or be a party to the proceedings to which the certificate related—

(a) the provisions of the Ordinance which relate to sums recovered by virtue of an agreement relating to costs made in favour of an aided person shall apply in so far as the costs were incurred while he was an aided person; and

(b) the provisions of the Ordinance which relate to an aided person's liability by virtue of an order for costs made against him shall apply in so far as the costs were incurred while he was an aided person.

(7) Where a notification in Form VII is filed in the registry of the court, all proceedings in the litigation shall, unless the court otherwise orders, be stayed for a period of fourteen days and during such period time fixed by or under any law or otherwise for the doing of any act or the taking of any step in the proceedings shall not run.

(8) The time during which proceedings are stayed by virtue of paragraph (7) may be reduced or extended by order of a judge of the court in which the litigation is pending.

10. (1) Where, after proceedings have been instituted in any court, any party becomes an aided person in regard to those proceedings, the Director shall only be liable to pay so much of the costs of the proceedings as are incurred while a certificate is in force.

Legal aid after commencement of proceedings.

(2) Any solicitor who has acted in the proceedings on behalf of the aided person before the date of the certificate, and any solicitor who has by law a lien on any documents necessary for the proceedings to which the certificate relates and who has delivered them up subject to his lien, may give notice of the fact to the Director.

(3) If damages or costs are recovered for the aided person in the proceedings, the Director shall pay to such solicitor out of the sum so recovered the costs to which he would have been entitled on a taxation between solicitor and own client:

Provided that in any case where the sums so recovered are insufficient to pay these costs in full in accordance with this paragraph and also to meet the net liability of the Director on the aided person's account the sum recovered in the proceedings shall be divided between the Director and the solicitor in proportion to the amount owing to each, and the first charge for the benefit of the Director imposed by virtue of the Ordinance on property recovered or preserved in the proceedings shall take effect accordingly.

(4) In any case where there has been no order for taxation, the amount of the costs shall be fixed by the Director.

11. (1) Where a person has applied for and has been refused a certificate on more than four occasions and it appears to the Director that his conduct has amounted to an abuse of the facilities provided by the Ordinance, the Director may order that no consideration shall be given to any future application by that person for a certificate with regard to any particular matter.

Repeated refusal of certificates.

(2) No such direction shall—

(a) apply to any application by that person on behalf of an infant; or

(b) remain in force for a period longer than three years.

12. (1) Every set of papers, whether delivered by the Director to a solicitor or by a solicitor to counsel, shall be marked "Legal Aid", and no fees shall be marked thereon.

Conduct of proceedings by solicitors.

(2) Where it appears to the aided person's solicitor necessary for the proper conduct of the proceedings to take or to apply to the court for leave to take any one or more of the following steps, namely—

(a) to add any further party to the proceedings; or

(b) to bespeak any transcript of shorthand notes of any proceedings; or

- (c) to lodge any interlocutory appeal; or
- (d) to instruct more than one counsel; or
- (e) to set up or set off any right or claim having the same effect as a cross-action (other than a counter-claim or set-off arising out of the same transaction and capable of being pleaded as a defence), or to reply to any right or claim so set up or so set off by any other party,

he shall (unless the certificate provides for the act in question to be done) apply to the Director for authority so to do, and no payment shall be allowed on taxation for any such step taken without the approval of the Director.

(3) The Director may give general authority to solicitors acting for aided persons in any particular class of case to obtain experts' opinion and to tender expert evidence, and if so he shall state the maximum fee to be paid for any report or opinion or expert witness.

(4) Where it appears to an aided person's solicitor necessary for the proper conduct of the proceedings either—

- (a) to obtain a report or opinion of one or more experts or to tender expert evidence in a case of a class not included in any general authority under paragraph (3); or
- (b) in a case of a class so included, to pay a higher fee than that stated by the Director or to obtain more reports or opinions or to tender more experts as witnesses than have been authorized,

he may apply to the Director for authority so to do and if the Director gives authority he shall state the maximum number of reports or opinions that may be obtained or the maximum number of persons who may be tendered to give expert evidence and the maximum total fee to be paid therefor.

(5) Save as provided by this regulation, no payment shall be made for the report or opinion of an expert or for expert's evidence tendered by or on behalf of an aided person.

(6) Where it appears to the aided person's solicitor necessary for the proper conduct of the proceedings for an act to be done, but that act is either unusual in its nature or involves unusually large expenditure, he may request the Director's prior approval of the act, and, where such prior approval has been obtained, no question as to the propriety of the act shall be raised on taxation as between solicitor and client.

(7) Without prejudice to the right of solicitor or counsel to give up a case for good reason, any solicitor or counsel may give up an aided person's case if, in his opinion, the aided person has required

the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Director or has required unreasonably that the proceedings be continued.

(8) Where any solicitor or counsel exercises the right to give up an aided person's case—

- (a) under the provisions of paragraph (7); or
- (b) on the ground that the aided person has wilfully failed to provide the information to be furnished by him or in furnishing such information has knowingly made a false representation,

the solicitor or counsel shall make a report to the Director of the circumstances in which that right was exercised.

(9) An aided person's solicitor shall give the Director such information regarding the progress and disposal of proceedings to which the certificate relates as the Director may from time to time require for the purpose of performing his functions under the Ordinance and without prejudice to the generality of the preceding words, a solicitor who has acted or is acting for an aided person, on being satisfied that the aided person has died or has had a receiving order made against him, shall report the facts to the Director.

(10) A solicitor shall not be precluded, by reason of any privilege arising out of the relationship between solicitor and client from disclosing to the Director any information or from giving any opinion which may enable the Director to perform his functions under the Ordinance.

13. (1) Any notice or notification required to be served under any provision of the Ordinance shall be served either personally or by registered post to the last known address of the person required to be served. Service of notices.

(2) Whenever an aided person becomes a party to proceedings, or a party to proceedings becomes an aided person, the Director shall forthwith serve all other parties with a notice in the Form VIII set out in the Schedule and shall if at any time thereafter any other person becomes a party to the proceedings, forthwith serve similar notice upon such person. Form VIII.

(3) The Director shall forthwith serve copies of any legal aid certificate or emergency certificate issued by him on all parties to the proceedings.

(4) Copies of notices referred to in this rule shall be filed in the appropriate court office or registry and shall form part of the papers for the use of the judge at the trial.

Property recovered for and costs awarded to aided person.

14. (1) All moneys payable to an aided person—

- (a) by virtue of any agreement or order made in connexion with the action, cause or matter to which his certificate relates, whether such agreement be made before or after proceedings are actually begun; or
- (b) being moneys paid into court by him or on his behalf and ordered to be repaid to him; or
- (c) being moneys standing in a court to the credit of any proceedings to which his certificate relates,

shall be paid or repaid, as the case may be, to the Director and no other person shall be capable of giving a good discharge for moneys so payable.

(2) Where in any proceedings to which an aided person is a party—

- (a) an order or agreement is made providing for the recovery or preservation of property for the benefit of the aided person and, by virtue of the Ordinance, there is a first charge on the property for the benefit of the Director; or
- (b) an order or agreement is made for the payment of costs to the aided person,

the aided person shall, subject to the provisions of paragraph (3), take such proceedings, being proceedings which may be taken under section 5 of the Ordinance, as may be necessary to enforce or give effect to such order or agreement.

(3) Any aided person may apply to the Director for a direction that paragraph (2) shall not apply to him on the ground that, having regard to the probable cost of any proceedings referred to or to the likelihood of their being successful, it would be unreasonable to take them and, if the Director agrees, he shall direct that the proceedings be not taken and shall amend the aided person's certificate so as to exclude such proceedings therefrom.

The power conferred on the Director by this paragraph may be exercised without an application being made by an aided person.

(4) Where the Director, having directed that proceedings be not taken by the aided person, is of the opinion that it is expedient so to do he may enforce any order for the payment of money in his name.

(5) Upon receipt of moneys paid to him by virtue of this regulation the Director shall retain—

- (a) any sum paid by virtue of an order or agreement for costs made in the aided person's favour;

- (b) a sum equal to the amount (if any) by which any property recovered or preserved is charged for the benefit of the Director by virtue of subsection (2) of section 18 of the Ordinance; and
- (c) any costs of proceedings taken by the Director under the provisions of paragraph (4) in so far as such costs have not been recovered from the person against whom the proceedings have been taken,

and shall pay the balance to the aided person.

15. (1) Where in any proceedings to which an aided person is a party— Miscellaneous provisions.

- (a) judgment is signed in default of appearance or defence, the judgment shall contain a direction that the costs of the aided person shall be taxed;
- (b) the court gives judgment or makes a final order in the proceedings, the judgment shall contain a direction (in addition to any other direction as to taxation contained in the judgment or order) that the costs of any aided person shall be so taxed.

(2) Where in any proceedings to which an aided person is a party—

- (a) the proceedings are, or have been, brought to an end without a direction having been given, whether under sub-paragraph (a) or (b) of paragraph (1) or otherwise, as to the aided person's costs being taxed; or
- (b) a judgment or order in favour of an opposite party, that included a direction that the aided person's costs be taxed has not been drawn up or as the case may be entered by him,

an order that the aided person's costs be taxed shall be made on *ex parte* application to the Registrar by his solicitor or the Director and the costs of the application and taxation shall be deemed to be costs in the proceedings to which the certificate relates or related.

16. Save as is otherwise provided by these regulations, in any proceedings in any court to which an aided person is party the procedure shall be regulated by the rules of procedure for that court. Procedure.

17. (1) The Director shall maintain separate panels, containing the names of counsel willing to act for aided persons in proceedings— Lists of counsel and solicitors.

- (a) in the Full Court;
- (b) in the Supreme Court;
- (c) in the District Court.

(2) The Director shall maintain separate panels, containing the names of solicitors willing to act for aided persons in proceedings—

- (a) in the Full Court;
- (b) in the Supreme Court;
- (c) in the District Court.

(3) The Director shall maintain separate panels, containing the names of—

- (a) counsel and solicitors willing to make a report or give an opinion under section 9 of the Ordinance;
- (b) counsel willing to consider whether or not a certificate should be issued under section 16 of the Ordinance.

(4) Where the name of counsel or solicitor is entered in any of the panels maintained in accordance with paragraphs (1) and (2), the presence of his name on the list shall carry with it the obligation on such counsel or solicitor also to act for an aided person—

- (a) in any appeal from the court in which he has so acted; and
- (b) in any proceedings before any person to whom the proceedings are referred by the court in which he has so acted.

(5) The Director shall enter on the appropriate panel any limitation as to the number of proceedings *per annum* in which counsel or solicitor is prepared to act for aided persons and shall give effect to such limitation.

(6) For the removal of doubt, it is hereby declared that where any solicitor is assigned for the purpose of any proceedings any other solicitor in the same firm may act for the aided person therein.

Transitional provisions.
(Vol. VII, p. 44).

18. (1) Where on the commencement of the Ordinance an application for admission as a pauper under the Code of Civil Procedure is pending the application shall be passed to the Director, and thereupon the applicant shall be deemed to have applied for and may be granted legal aid in proceedings other than any of the proceedings mentioned in Part II of the Schedule to the Ordinance.

(2) Where a person would, in the opinion of the Director, have been admitted as a pauper under the Code of Civil Procedure, if he had applied to be so admitted before such commencement, he may apply for and may be granted legal aid.

(3) An applicant under paragraph (1) or (2) may be granted legal aid notwithstanding that the application relates to a cause of action which arose before the commencement of the Ordinance.

(4) Where on the commencement of the Ordinance a person has been admitted as a pauper under the Code of Civil Procedure to take, defend or be a party to any of the proceedings mentioned in Part II of

the Schedule to the Ordinance, he may continue to proceed under the Code and the Code shall continue to apply for the purposes of those proceedings.

(5) Where on the commencement of the Ordinance a person has been admitted as a pauper under the Code of Civil Procedure to take, defend or be a party to any proceedings other than those referred to in paragraph (4)—

- (a) the Director shall be deemed to have determined his disposable income to be less than five hundred dollars a month and his disposable capital to be less than three thousand dollars;
- (b) he shall be deemed to have been issued with a certificate issued under the provisions of these regulations, and these regulations shall, so far as is applicable, thereupon apply to that person as if he were an aided person; and
- (c) his solicitor and counsel retained for the purposes of the proceedings shall be deemed to be members of the panel, acting for him in accordance with the Ordinance.

SCHEDULE.

FORM I.

[r. 3(1).]

LEGAL AID ORDINANCE 1966.

(No. 36 of 1966).

APPLICATION BY PERSON APPLYING ON HIS OWN BEHALF.

APPLICATION FOR LEGAL AID.

- | | |
|---|--|
| <p>1. I, ⁽¹⁾</p> <p>of ⁽²⁾</p> <p>hereby apply for legal aid under the Legal Aid Ordinance 1966.</p> <p>My Hong Kong Identity Card Number is</p> <p>2. Legal aid under the said Ordinance is sought for the purpose of—</p> <p>*^(a) taking or continuing proceedings against ⁽³⁾</p> <p>.....</p> <p>*^(b) defending or continuing to defend proceedings instituted or to be instituted by ⁽⁴⁾</p> <p>.....</p> <p>*^(c) being or continuing as a party to proceedings ⁽⁵⁾</p> <p>.....</p> | <p>(1) Name of applicant in Block Letters. State Mr., Mrs., Miss, etc.</p> <p>(2) Address, occupation and nationality.</p> <p>* Strike out unnecessary paragraph.</p> <p>(3) Name and address of person against whom proceedings are to be taken or continued.</p> <p>(4) Name and address of person instituting proceedings.</p> <p>(5) Name of proceedings and names and addresses of all parties.</p> |
|---|--|

3. The grounds of my application are—

(6) State shortly the grounds relied upon for taking, defending, continuing or being a party to the proceedings.

(6)

4. The following persons can give evidence in support of my case—

(7) Give names and addresses. (8) In most cases it will be in your own interests to supply statements if at all possible. The statements should show how far each person can, from his own knowledge of the facts confirm your own statement.

(7) and (8)

5. I attach with this form the following documents—

(9) You should supply with this form any documents (such as letters, contracts, agreements, deeds, copies of will, etc.) which are relevant to your case, and supply a list of such documents. If the space provided is insufficient, attach the list on a separate sheet of paper.

(9)

(10) If the Director does not act for you, you are entitled to select your own solicitor and counsel. If you do not so select, the Director may assign a solicitor or counsel for you.

6. The solicitor and counsel (if counsel is assigned) whom I wish to act for me in the proceedings are (10)

7. I understand that if my application is approved I shall be informed of the terms on which the Director is prepared to issue a Certificate, that those terms may include the payment by me of a contribution towards my costs of the proceedings, and I shall have the opportunity of accepting or refusing any offer of a certificate so made to me.

8. I understand that I may be required by the Director to supply further information in connexion with my application.

9. I have completed the statutory declaration herein.

Date

Signature of Applicant.

SPECIAL NOTICE TO APPLICANTS.

Section 23(1) of the Legal Aid Ordinance 1966 provides as follows—

“Any person seeking or receiving legal aid who—

(a) wilfully fails to comply with any regulations as to the information to be supplied by him; or

(b) in furnishing any information required by such regulations knowingly makes any false statement or false representation,

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

STATUTORY DECLARATION BY APPLICANT.

I, (a) (a) Name in full. of (b) (b) Address and occupation.

being the applicant in the within application do solemnly and sincerely declare that the replies to the undermentioned questions are true and correct to the best of my knowledge and belief.

A. State particulars and value of all property of which you are possessed or to which you are entitled, exclusive of the subject matter of the proceedings referred to in the within application, your wearing apparel, your tools of trade, and the household furniture used by you in your home.

A. A. INCLUDE land, houses and other buildings, mortgages, moneys in hand or in banks, building societies or other financial institutions; moneys loaned to or held by any other person; money or debts due from any person or estate or any interest not yet payable under any will, trust, settlement, etc.; the present value of any life or other assurance policy; shares in any company, bonds of any kind; cattle, horses, vehicles, motor cars, or goods or chattels of any kind whatsoever. DO NOT INCLUDE the dwelling-house in which you reside. Particulars of that should be given under paragraph C below.

B. "Other financial liabilities" include such liabilities as moneys owing upon any account or under any contract.

C. (ii) Improved capital value to be stated.

Net value to be stated, e.g., where subject to mortgage or where applicant's interest is less than freehold.

Where applicant is part owner only, state whether the mortgage or charge is over the whole or only over the applicant's share or interest.

D. State whether single, married, widow or widower, divorced, married but living apart under decree or order of Court or under a deed of separation, or such other particulars as may be appropriate.

E. State separately the total amount of the income of the applicant and of the spouse.

F. State all sources of income, e.g. salary or wages; rents of properties let; interest on mortgages, etc.; income from conduct of farm or business; income from taking in boarders or letting rooms; pensions, etc., etc.

B. Give particulars of any mortgages, bills of sale or other charges existing in connexion with the property referred to in paragraph A above, and any other financial liabilities to which you are subject.

C. (i) Do you own the dwelling-house used by you as your home?

(ii) If so—

What is the value of such dwelling-house?

What is the value of your interest in such dwelling-house?

Give particulars of mortgages, charges and other interests affecting such dwelling-house.

D. (i) What is your marital status?
(ii) Is any person totally dependent on you? Give full particulars, including ages of children.

E. What was the amount of your income and (if married) the income of your spouse from all sources during the period of twelve months preceding the making of the within application?

F. (i) From what sources was such income derived?
(ii) If derived from employment, set out the names and addresses of the various employers during the period referred to above.

B.
.....
.....
.....

C. (i)
(ii)

D. (i)
(ii)

E.
.....
.....
.....

F. (i)
(ii)

G. (i) Have you parted with any real or personal property during the past twelve months? If so, give particulars.

(ii) Have you ever been bankrupt or assigned your estate in any way? If so, give particulars.

G. (i)
.....
.....
(ii)
.....
.....

G. See note to paragraph A above as to "property".

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

.....
Signature.

Declared at Hong Kong this day of, 19 ..

Before me,

.....
Commissioner for Oaths.

Alternative Form of Declaration.

to be used by person who does not understand the English language.

Declared at Hong Kong the day of, 19 .. through the interpretation of (a) of (b) the said (a) having also first declared that he had truly, distinctly and audibly interpreted the contents of this document to the declarant, and that he would truly and faithfully interpret the declaration about to be administered to him.

(a) Name of interpreter in full.
(b) Address of interpreter.

Before me,

.....
Commissioner for Oaths.

Declaration by Interpreter.

I (a) do solemnly and sincerely declare that I well understand the English and (c) and that I have truly, distinctly and audibly interpreted the contents of this document to the declarant (d) and that I will truly and faithfully interpret the declaration about to be administered to him.

(c) Insert name of other language.
(d) Name of applicant.

Signature of Interpreter.

Declared at Hong Kong this day of, 19

Before me,

Commissioner for Oaths.

FORM II

[r. 4(1)]

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

APPLICATION BY NEXT FRIEND OR GUARDIAN AD LITEM ON BEHALF OF INFANT.

APPLICATION FOR LEGAL AID.

1. I, (1) of (2) and (3) hereby apply for legal aid under the Legal Aid Ordinance 1966.

(1) Name of applicant.
(2) Address.
(3) Occupation and nationality.

This application is made by me as next friend or guardian ad litem of (4) an infant aged years of (2) and (3)

(4) Name of infant.

My Hong Kong Identity Card Number is

2. Legal aid under the said Ordinance is sought for the purpose of—

- * (a) taking or continuing proceedings against (5)
*(b) defending or continuing to defend proceedings instituted or to be instituted by (6)
*(c) being or continuing as a party to proceedings (7)

* Strike out unnecessary paragraphs.
(5) Name and address of person against whom proceedings are to be taken or continued.
(6) Name and address of person instituting proceedings.
(7) Nature of proceedings and names and addresses of all parties.
[Note: Where the proceedings referred to in paragraph (a), (b) or (c) have been commenced, state in what Court.]

3. The grounds of my application are (8)

(8) State shortly the grounds relied upon for taking, defending, continuing or being a party to the proceedings.

4. The following persons can give evidence in support of my case—

- (9) and (10)

(9) Give names and addresses.
(10) In most cases it will be in your own interests to supply statements if at all possible. The statements should show how far each person can, from his own knowledge confirm your own statement.

5. I attach with this form the following documents—

- (11)

(11) You should supply with this form any documents (such as letters, contracts, agreements, deeds, copies of will, etc.) which are relevant to your case, and supply a list of such documents. If the space provided is insufficient, attach the list on a separate sheet of paper.

(12) If the Director does not act for you, you are entitled to select your own solicitor and counsel. If you do not so select, the Director may assign a solicitor or counsel for you.

6. The solicitor and counsel (if counsel is assigned) whom I wish to act for me in the proceedings are (12)

7. I understand that if my application is approved I shall be informed of the terms on which the Director is prepared to issue a Certificate, that those terms may include the payment by me of a contribution towards my costs of the proceedings, and I shall have the opportunity of accepting or refusing any offer of a certificate so made to me.

8. I understand that I may be required by the Director to supply further information in connexion with my application.

9. I have completed the statutory declaration herein.

.....
Signature of Applicant.

Date

SPECIAL NOTICE TO APPLICANTS.

Section 23(1) of the Legal Aid Ordinance 1966 provides as follows—

"Any person seeking or receiving legal aid who—

- (a) wilfully fails to comply with any regulations as to the information to be supplied by him; or
(b) in furnishing any information required by such regulations knowingly makes any false statement or false representation,

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

STATUTORY DECLARATION BY APPLICANT.

(a) Name in full.
(b) Address.
(c) Occupation.

I, (a)
of (b) and (c)

being the applicant in the within application do solemnly and sincerely declare that the replies to the undermentioned questions are true and correct to the best of my knowledge and belief.

A. State particulars and value of all property of which you are possessed or to which you are entitled exclusive of the subject matter of the proceedings referred to in the within application, your wearing apparel, your tools of trade, and the household furniture used by you in your home.

A.
.....
.....
.....
.....

A. INCLUDE land, houses and other buildings, mortgages, moneys in hand or in banks, building societies or other financial institutions; moneys loaned to or held by any other person; money or debts due from any person or estate or any interest not yet payable under any will, trust, settlement, etc.; the present value of any life or other assurance policy; shares in any company, bonds of any kind; cattle, horses, vehicles, motor cars, or goods or chattels of any kind whatsoever.

DO NOT INCLUDE the dwelling-house in which you reside. Particulars of that should be given under paragraph C below.

B. Give particulars of any mortgages, bills of sale or other charges existing in connexion with the property referred to in paragraph A above, and any other financial liabilities to which you are subject.

B.
.....
.....
.....

B. "Other financial liabilities" include such liabilities as moneys owing upon any account or under any contract.

C. (i) Do you own the dwelling-house used by you as your home?

C. (i)

(ii) If so—

(ii)

What is the value of such dwelling-house?

.....
.....

C. (ii) Improved capital value to be stated.

What is the value of your interest in such dwelling-house?

.....
.....

Net value to be stated, e.g. where subject to mortgage or where applicant's interest is less than freehold.

Give particulars of mortgages, charges and other interests affecting such dwelling-house.

.....
.....
.....

Where applicant is part owner only, state whether the mortgage or charge is over the whole or only over the applicant's share or interest.

D. State whether single, married, widow or widower, divorced, married but living apart under decree or order of Court or under a deed of separation, or such other particulars as may be appropriate.

E. State separately the total amount of the income of the applicant and of the spouse.

F. State all sources of income, e.g. salary or wages; rents of properties let; interest on mortgages, etc.; income from conduct of farm or business; income from taking in boarders or letting rooms; pensions, etc., etc.

G. See note to paragraph A above as to "property".

H. Indicate whether parent, guardian, etc.

I. See note to paragraph A above.

J. See note to paragraph B above.

D. (i) What is your marital status?
(ii) Is any person totally dependent on you? Give full particulars including ages of children.

E. What was the amount of your income and (if married) the income of your spouse from all sources during the period of twelve months preceding the making of the within application?

F. (i) From what sources was such income derived?
(ii) If derived from employment, set out the names and addresses of the various employers during the period referred to above.

G. (i) Have you parted with any real or personal property during the past twelve months? If so, give particulars.
(ii) Have you ever been bankrupt or assigned your estate in any way? If so, give particulars.

H. What is your relationship to the infant on whose behalf you make the within application?

I. State particulars and value of all property of which such infant is possessed or to which he is entitled exclusive of the subject matter of the proceedings referred to in the application, the wearing apparel and tools of trade of the infant and the household furniture used by the infant in his home.

J. Give particulars of any mortgages, bills of sale or other charges existing in connexion with the property referred to in paragraph I above, and of any other financial liability to which the infant is subject.

D. (i)
(ii)

E.

F. (i)
(ii)

G. (i)
(ii)

H.

I.

J.

K. (i) Does the infant own the dwelling-house used by him as his home?
(ii) If so—
What is the value of such dwelling-house?

What is the value of his interest in such dwelling-house?

Give particulars of mortgages, charges and other interests affecting such dwelling-house.

L. (i) What is the marital status of the infant?

(ii) Is any person totally dependent upon him? Give full particulars, including ages of children.

M. What was the amount of the income of the infant and (if married) of his spouse from all sources during the period of twelve months preceding the making of the within application?

N. (i) From what source was such income derived?

(ii) If derived from employment, set out the names and addresses of the various employers during the period referred to above.

O. (i) Has the infant parted with any real or personal property during the past twelve months? If so, give particulars.

(ii) Has the infant ever been bankrupt or assigned his estate in any way? If so, give particulars.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature.

Declared at Hong Kong this day of, 19 ..

Before me,

Commissioner for Oaths.

K. (i)
(ii)

L. (i)
(ii)

M.

N. (i)
(ii)

O. (i)
(ii)

K. See note to paragraph C above.

L. See note to paragraph D above.

M. See note to paragraph E above.

N. See note to paragraph F above.

O. See note to paragraph G above.

Alternative Form of Declaration.

to be used by person who does not understand the English language.

(a) Name of interpreter in full.

(b) Address of interpreter.

Declared at Hong Kong the ... day of ... 19 ... through the interpretation of (a) ... of (b) ... the said (a) ... having also first declared that he had truly, distinctly and audibly interpreted the contents of this document to the declarant, and that he would truly and faithfully interpret the declaration about to be administered to him.

Before me,

Commissioner for Oaths.

Declaration by Interpreter.

(c) Insert name of other language.

(d) Name of applicant.

I (a) ... do solemnly and sincerely declare that I well understand the English and (c) ... and that I have truly, distinctly and audibly interpreted the contents of this document to the declarant (d) ... and that I will truly and faithfully interpret the declaration about to be administered to him.

Signature of Interpreter.

Declared at Hong Kong this ... day of ... 19 ...

Before me,

Commissioner for Oaths.

FORM III.

[r. 5(7).]

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

ACCEPTANCE OF OFFER OF LEGAL AID CERTIFICATE.

I, (a) ... (a) Name and address of applicant.

understand that the Director of Legal Aid is prepared to issue to me a legal aid certificate upon my accepting the terms and conditions set out below. I enclose \$... as required by paragraph 3 of the terms and conditions.

Signature.

Date

To: The Director of Legal Aid, Hong Kong.

TERMS AND CONDITIONS.

1. My certificate shall relate to the following proceedings—

2. The Director has determined that my maximum contribution is \$...

3. The contribution which I have to make towards my costs of the proceedings is \$... payable— [by a first instalment of \$...] [and thereafter by ... further (monthly) payments of \$...] [and each falling due ... (monthly) after the previous payment fell due.]

4. If while my legal aid certificate is in force my means change in either an increase or decrease of my income or capital I am immediately to disclose such alteration to the Director and this may lead to a change in the amount of my maximum contribution, the amount which I am required to pay under condition 3 above, or to the discharge of my legal aid certificate.

5. If my costs of the proceedings to which my legal aid certificate relates are or are likely to be greater than the contribution mentioned in condition 3 above, I will pay such further sum as the Director may require but so that in all (including the sum mentioned in condition 3 above) I shall not, unless I have recovered damages or property, have to pay more than my maximum contribution.

6. If I recover damages or property or preserve any property and the Director pays out a sum in excess of any costs recovered from the other side and the contribution I have paid, then I understand that he will charge any such excess against any damages or property recovered or preserved.

7. [Special conditions, if any.]

.....
Signature.

FORM IV.

[r. 5(9).]

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

LEGAL AID CERTIFICATE.

UPON considering the application made by
..... of
to be granted legal aid under the Legal Aid Ordinance 1966, I CERTIFY that
the said
is entitled to legal aid under the said Ordinance.

Legal aid has been granted for the purpose of

Dated at Hong Kong, this day of 19

.....
Director of Legal Aid.

Endorsement.

I have assigned Mr.
of
to act as solicitor and Mr.
of
to act as counsel for the aided person referred to in the above certificate.

Dated at Hong Kong, this day of 19

.....
Director of Legal Aid.

FORM V.

[r. 7(1).]

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

APPLICATION FOR EMERGENCY CERTIFICATE.

PART I.

I (a)
declare as follows—

(a) Full name in block letters. State whether Mr., Mrs., Miss, etc.

1. The address at which I am at present living is (b)

(b) Full postal address in block letters.

2. I was born on the day of, 19.....

3. I apply for an emergency certificate to enable me to (c)

(c) State what you wish to do: e.g., "defend proceedings for breach of contract".

4. The following are the reasons why my application is specially urgent and which make it necessary for me to have an emergency certificate—

(d)
.....
.....
.....
.....

(d) Set out reasons.

5. The person[s] [against whom I wish to take proceedings] [taking proceedings against me] [is] [are] (e)(f)

(e) State name(s) and address(es).

(f) Strike out the words in square brackets which do not apply.

6. The solicitor and counsel (if counsel is assigned) whom I wish to act for me in the proceedings are (g)

(g) If the Director does not act for you, you are entitled to select your own solicitor and counsel. If you do not so select, the Director may assign a solicitor or counsel for you.

7. My income is \$ and my savings, capital and other property amount to \$ I therefore believe that my means are such as to entitle me to Legal Aid.

8A. [I attach completed application for a Legal Aid Certificate.]

8B. [I am unable for the reasons set out in Part II to submit a completed form of application for a Legal Aid Certificate, but undertake to do so as soon as possible.] [I have also set out in Part III the facts of my case.] (h)

FORM VII.

[r. 8(7).]

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

In the Court.
Between Plaintiff/Petitioner/Appellant
And
..... Defendant/Respondent

TAKE NOTICE that a Legal Aid Certificate [dated the day of 19..... has been issued in respect of the proceedings hitherto covered by an emergency certificate] [dated the day of 19..... issued to the above named] has on the day of 19..... been [discharged] [revoked].

Dated this day of 19.....

.....
Director of Legal Aid.

FORM VIII.

[r. 13(2).]

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

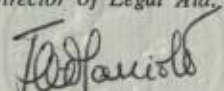
In the Court. No.
Between Plaintiff/Petitioner/Appellant
And
..... Defendant/Respondent

TAKE NOTICE that [an Emergency] [a Legal Aid] Certificate dated the day of 19..... has been issued to in connexion with the above proceedings.

TAKE FURTHER NOTICE that, in consequence thereof, the in these proceedings is and has been from that date an aided person.

Dated this day of 19.....

.....
Director of Legal Aid.


Clerk of Councils.

COUNCIL CHAMBER,
20th December, 1966.

Explanatory Note.

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

These regulations deal with the administration of the scheme for legal aid in civil cases established by the Legal Aid Ordinance 1966.

2. Under regulation 3, applications by persons seeking legal aid must be made on Form I set out in the Schedule. The information required in this Form is needed in order to enable the Director of Legal Aid to determine whether or not a certificate should be granted to the applicant and to assist him to assess the applicant's disposable income and disposable capital. A similar Form II has to be filled in when application is made on behalf of an infant (regulation 4).

3. A legal aid certificate may be issued in respect of the whole or part of proceedings in a trial court or an appellate court. Different certificates are required for a trial and an appeal in the same proceedings. An aided person may be required to make a further contribution in relation to the appeal only to the extent to which his contribution towards the trial was less than his maximum contribution.

4. The Director shall re-assess the disposable capital and disposable income of an aided person who seeks a certificate for an appeal if the latter's circumstances have changed. If the Director finds an increase of over \$50 a month in disposable income or over \$500 in disposable capital, he will re-assess the aided person's contribution (regulation 5).

5. The Director may amend a certificate of legal aid, in case of error in it, to extend its application and where counsel and solicitor are changed (regulation 6).

6. Emergency certificates may be issued where legal aid is sought as a matter of urgency (regulation 7). An emergency certificate remains in force for six weeks (or up to three months if the Director so allows) and then lapses.

7. The Director may discharge a certificate in various circumstances, among them that the aided person has sought to conduct proceedings unreasonably. The Director is obliged to discharge the certificate if he is satisfied that the applicant's disposable capital or income exceeds the limits which allow legal aid to be granted (regulation 8). The Director may revoke a certificate if an aided person wilfully fails to comply with regulations governing information to be supplied by him and makes false statements. The effect of discharge or revocation of a certificate is dealt with in regulation 9.

8. The Director will only pay costs incurred after the issue of a certificate, save that he may pay certain costs to a solicitor who represented the aided person before the issue of a certificate in the circumstances set out in regulation 10.

9. Regulation 12 deals with the conduct of proceedings by solicitors and specifies those matters for which the issue of certificate is adequate authority and those for which the solicitor should seek specific authority from the Director. The regulation also deals with the right of solicitor and counsel to give up an aided person's case.

10. Property or money payable to an aided person must be paid to the Director who will then deal with it in the appropriate manner, as prescribed in regulation 14.

11. Lists of counsel and solicitors willing to act for aided persons are to be kept by the Director. Different lists will be kept for the Full Court, Supreme Court and District Court and of those willing to give opinions under sections 9

and 16 of the Ordinance. The Director may enter on any of the lists a limitation of the number of proceedings a year in which counsel or solicitor is willing to appear and will give effect to this limitation so far as this will not prejudice the interests of aided persons (regulation 17).

12. Persons admitted as poor persons will become aided persons (regulation 18).

(Secretariat GR9/3221/49II)

LEGAL AID ORDINANCE 1966.

(No. 36 of 1966).

**LEGAL AID (ASSESSMENT OF CONTRIBUTIONS)
REGULATIONS 1966.**

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

1. These regulations may be cited as the Legal Aid (Assessment of Contributions) Regulations 1966, and shall come into operation on the day appointed for the commencement of the Legal Aid Ordinance 1966. Citation and commencement.
2. In these regulations, unless the context otherwise requires— Interpretation.
“disposable capital” means capital as assessed in accordance with the provisions of regulation 4;
“disposable income” means income as assessed in accordance with the provisions of regulation 5.
3. The maximum contribution of an aided person shall be— Contributions from legally aided persons.
 - (a) a contribution in respect of disposable income in accordance with the First Schedule; and First Schedule.
 - (b) a contribution in respect of disposable capital in accordance with the Second Schedule. Second Schedule.
4. (1) Subject to the provisions of paragraph (3), there shall be included in the computation of the disposable capital of a person seeking or receiving legal aid, the amount or value of every resource ascertained as on the date of application for legal aid or on such other date as the Director may decide. Computing disposable capital.
(2) So far as any resource does not consist of money, the value shall be taken to be the amount which it would realize on sale in the open market.
(3) There shall not be taken into account in computing the disposable capital of a person seeking or receiving legal aid—
 - (a) the amount of any debt, other than a secured debt, owed to him unless, in the opinion of the Director, the debt is readily realizable;
 - (b) the first twenty thousand dollars of the value of his interest in his dwelling house after deduction of encumbrances thereon;
 - (c) the value of household furniture and effects, personal clothing, tools and implements of trade;

(d) an amount of fifteen hundred dollars in respect of a spouse whose resources are required to be aggregated to his, and a further fifteen hundred dollars in respect of each dependent child and each other dependent relative wholly maintained by him.

Computing disposable income.

5. (1) Subject to the provisions of paragraph (3), there shall be included in the computation of the disposable income of a person seeking or receiving legal assistance the total income from all sources which he may reasonably expect to receive during the period of computation.

(2) The period of computation shall be the period of twelve months next after the date of application for legal assistance, or such other period of twelve months as the Director may consider appropriate in the particular circumstances of any case.

(3) There shall not be taken into account in computing the disposable income of a person seeking or receiving legal aid—

- (a) the amount of rent and rates payable in respect of his dwelling house;
- (b) an amount of twenty-five dollars a month in respect of a spouse living with him, and a further such sum in respect of each dependent child and of each other dependent relative wholly maintained by him.

Husband and wife.

6. Any resources of a person's husband or wife shall be treated, for the purposes of these regulations, as that person's resources, unless that person is legally separated from the husband or wife.

Infants.

7. In the case of an infant who is unmarried and whose guardian is a near relative, as defined in section 8 of the Ordinance, the resources of the guardian and the infant shall be related, for the purpose of these regulations, as the resources of the infant, but in every other case the resources of the infant alone shall be so taken into account.

Director to determine capital and income.

8. (1) The capital and income of a person and the extent of his liability to contribute in respect of any proceedings shall be determined by the Director.

(2) Any public officer may act on behalf of the Director under this regulation.

Recovery of contributions.

9. (1) If the total contribution made by a person in respect of any proceedings is more than the net liability of the Director on his account, the excess shall be repaid to him.

(2) Any sums remaining unpaid on account of a person's contribution in respect of any proceedings and, if the total contribution is less than the net liability of the Director on his account, a sum equal to the

deficiency shall be a first charge on any property (wherever situate) which is recovered or preserved for that person in the proceedings.

(3) The reference in paragraph (2) to property recovered or preserved for any person shall include his rights under any settlement or compromise arrived at to avoid or bring to an end the proceedings and any sums recovered by virtue of an order for costs made in his favour in the proceedings.

(4) The charge created by paragraph (2) on any damages or costs shall not prevent a court allowing them to be set off against other damages or costs in any case where a solicitor's lien for costs would not prevent it.

FIRST SCHEDULE.

[reg. 3(a).]

1. The maximum contribution of an aided person in respect of disposable income shall be based on his monthly disposable income, as assessed under the regulations and on the following calculations—

- (a) if the aided person's monthly disposable income does not exceed two hundred dollars, his contribution will be nil;
- (b) if the aided person's monthly disposable income exceeds two hundred dollars but does not exceed two hundred and fifty dollars, his maximum contribution will be ten *per cent* of twelve times the excess of his monthly disposable income over two hundred dollars;
- (c) if the aided person's monthly disposable income exceeds two hundred and fifty dollars but does not exceed three hundred dollars, his maximum contribution will be fifteen *per cent* of twelve times the excess of his monthly disposable income over two hundred and fifty dollars plus his contribution under (b);
- (d) if the aided person's monthly disposable income exceeds three hundred dollars but does not exceed three hundred and fifty dollars, his maximum contribution will be twenty *per cent* of twelve times the excess of his monthly disposable income over three hundred dollars plus his contributions under (b) and (c);
- (e) if the aided person's monthly disposable income exceeds three hundred and fifty dollars but does not exceed four hundred dollars, his maximum contribution will be thirty *per cent* of twelve times the excess of his monthly disposable income over three hundred and fifty dollars plus his contributions under (b), (c) and (d);
- (f) if the aided person's monthly disposable income exceeds four hundred dollars but does not exceed four hundred and fifty dollars, his maximum contribution will be forty *per cent* of twelve times the excess of his monthly disposable income over four hundred dollars plus his contributions under (b), (c), (d) and (e);
- (g) if the aided person's monthly disposable income exceeds four hundred and fifty dollars but does not exceed five hundred dollars, his maximum contribution will be fifty *per cent* of twelve times the excess of his monthly disposable income over four hundred and fifty dollars plus his contributions under (b), (c), (d), (e) and (f).

2. The maximum possible contribution payable in respect of disposable income by an aided person would thus be nine hundred and ninety dollars. There may, in addition, be a liability to contribute in respect of disposable capital, up to a maximum of seven hundred dollars.

3. Example. X's monthly disposable income is assessed at four hundred and eighty dollars. His maximum contribution in respect of disposable income will be—

	\$ 60 under paragraph 1(b) above.
	\$ 90 under paragraph 1(c) above.
	\$120 under paragraph 1(d) above.
	\$180 under paragraph 1(e) above.
	\$240 under paragraph 1(f) above.
	\$180 under paragraph 1(g) above.
Total	<u>\$870</u>

SECOND SCHEDULE.

[reg. 3(b).]

1. The maximum contribution of an aided person in respect of disposable capital will be based on his disposable capital, as assessed under the regulations and on the following calculations—

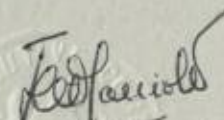
- if the aided person's disposable capital does not exceed one thousand dollars, his contribution will be nil;
- if the aided person's disposable capital exceeds one thousand dollars, but does not exceed one thousand five hundred dollars, his maximum contribution will be twenty *per cent* of the amount by which his disposable capital exceeds one thousand dollars;
- if the aided person's disposable capital exceeds one thousand five hundred dollars but does not exceed two thousand dollars, his maximum contribution will be thirty *per cent* of the amount by which his disposable capital exceeds one thousand five hundred dollars plus his contribution under (b);
- if the aided person's disposable capital exceeds two thousand dollars but does not exceed two thousand five hundred dollars, his maximum contribution will be forty *per cent* of the amount by which his disposable capital exceeds two thousand dollars plus his contributions under (b) and (c);
- if the aided person's disposable capital exceeds two thousand five hundred dollars, but does not exceed three thousand dollars, his maximum contribution will be fifty *per cent* of the amount by which his disposable capital exceeds two thousand five hundred dollars plus his contributions under (b), (c) and (d).

2. The maximum possible contribution payable in respect of disposable capital by an aided person would thus be seven hundred dollars. There may, in addition, be a liability to contribute in respect of disposable income, up to a maximum of nine hundred and ninety dollars.

3. Example. X's disposable capital is assessed at two thousand seven hundred dollars. His maximum contribution in respect of capital will be—

	\$100 under paragraph 1(b) above.
	\$150 under paragraph 1(c) above.
	\$200 under paragraph 1(d) above.
	\$100 under paragraph 1(e) above.
Total	<u>\$550</u>

COUNCIL CHAMBER,
20th December, 1966.


Clerk of Councils.

Explanatory Note.

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

These regulations prescribe the manner in which the disposable capital and disposable income of an aided person or a person seeking legal aid are assessed.

2. The general principle is that the gross amounts of an applicant's capital and income are first assessed and then various deductions are made, thus giving a net figure called "disposable capital" and "disposable income".

3. The deductions which are made from gross capital are set out in regulation 4 and include debts, up to \$20,000 in respect of an interest in a dwelling house, allowances for a spouse and dependants and the value of household effects and clothing.

4. In computing disposable income, there will be deducted from the estimated gross income of the applicant during the twelve months following the application, the amount of rent and rates paid by the applicant and twenty-five dollars a month for a spouse and for each dependant.

5. The resources of husband and wife are both taken into account if either is an applicant for legal aid. The resources of parents are taken into account if the applicant is an infant (regulations 6 and 7).

6. Assessment of contributions is made by the Director, who may appoint any other public officer to act for him in this matter (regulation 8).

7. The maximum contributions which the Director may require an aided person to make are based on a sliding scale set out in the Schedules. If an aided person's disposable income does not exceed \$200 his contribution in respect of income will be nil. If his disposable income exceeds this figure he may be required to contribute up to \$990.

8. An aided person may also be required to contribute in respect of disposable capital if this exceeds \$1,000 on a sliding scale, up to a maximum of \$700. The maximum total contribution, in respect of capital and income, which may be required of an aided person is \$1,690.

(Secretariat GR9/3221/49II)

LEGAL AID ORDINANCE 1966.

(No. 36 of 1966).

LEGAL AID (SCALE OF FEES) REGULATIONS 1966.

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

1. These regulations may be cited as the Legal Aid (Scale of Fees) Regulations 1966, and shall come into operation on the day appointed for the commencement of the Legal Aid Ordinance 1966. Citation and commencement.
2. The fee payable by the Director to counsel or solicitor making a report or giving an opinion under section 9 of the Ordinance shall be such sum as the Director may decide, being not less than one hundred and fifty dollars nor more than eight hundred dollars. Fee payable for report or opinion under section 9.
3. The fee payable by the Director to counsel for issuing, or refusing to issue, a certificate under section 16 of the Ordinance shall be such sum as the Director may decide, being not less than one hundred and fifty dollars nor more than five hundred dollars. Fee payable for certificate under section 16.
4. The fees payable by the Director to counsel acting for an aided person shall be such as may be allowed on taxation or, in default of taxation, as may be fixed by the Director, not exceeding such amount as in the opinion of the Director would have been allowed if there had been taxation. Fees payable to counsel generally.
5. The amount payable by the Director to a solicitor acting for an aided person shall be— Fees and costs payable to solicitor.
 - (a) the full amount allowed on taxation on account of disbursements; and
 - (b) eighty *per centum* of the amount allowed on taxation on account of profit costs,or, in default of taxation, such amount as may be fixed by the Director, not exceeding such amount as in the opinion of the Director would have been allowed if there had been taxation.
6. If a case, in respect of which legal aid has been granted, is referred to any person by a court, there shall be payable to counsel and solicitor the same fees and costs as would have been payable if the reference had been a proceeding in the court by which it was referred, and all proceedings in connexion with such reference shall be taxed by the court which referred them as if they were proceedings in the court. Fees and costs in referred cases.

Basis of
taxation.

7. Costs shall be taxed for the purposes of these regulations according to the ordinary rules applicable on a taxation as between solicitor and client where the costs are to be paid out of a common fund in which the client and others are interested.


Clerk of Councils.

COUNCIL CHAMBER,
20th December, 1966.

Explanatory Note.

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

These regulations govern the fees to be paid to solicitors and counsel for work undertaken by them under the legal aid scheme.

2. Regulations 2 and 3 prescribe fees of between \$150 and \$800 for reports under sections 9 and 16 of the Ordinance.

3. Under regulation 4, counsel will receive taxed fees. By regulation 5 a solicitor will receive the full amount of disbursements and 80 per cent of his taxed costs.

(Secretariat GR9/3221/49II)

PUBLIC SERVICES COMMISSION ORDINANCE.

(Chapter 93).

PUBLIC SERVICES COMMISSION (AMENDMENT)
REGULATIONS 1966.

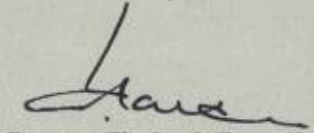
In exercise of the powers conferred by section 14 of the Public Services Commission Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Public Services Commission (Amendment) Regulations 1966. Citation.
2. Regulation 2 of the Public Services Commission Regulations (hereinafter referred to as the principal regulations) is amended by the deletion of the definition "efficiency bar", "probation bar", "promotion bar" and "promotion step", and by the substitution therefor of the following— Amendment of regulation 2. (Vol. IX, p. 31).
 - "efficiency bar", "incremental date", "probation bar", "promotion bar" and "promotion step" have the same meanings as in the Regulations of the Government of Hong Kong;"
3. Paragraph (2) of regulation 3 of the principal regulations is amended— Amendment of regulation 3.
 - (a) in sub-paragraph (a), by the deletion of "nine hundred and thirty dollars" and the substitution therefor of the following—
"one thousand and seventy dollars"; and
 - (b) in sub-paragraph (b), by the deletion of "six hundred and ninety dollars" and the substitution therefor of the following—
"eight hundred dollars".
4. Paragraph (2) of regulation 4 of the principal regulations is amended by— Amendment of regulation 4.
 - (a) the deletion of "immediately" and the substitution therefor of the following—
"on the next incremental date";
 - (b) the deletion in sub-paragraph (a) of "nine hundred and thirty dollars" and the substitution therefor of the following—
"one thousand and seventy dollars"; and
 - (c) the deletion in sub-paragraph (b) of "six hundred and ninety dollars" and the substitution therefor of the following—
"eight hundred dollars".

**DEFENCE REGULATIONS (CONTINUATION)
ORDINANCE 1958.
(No. 37 of 1958).**

Resolution made and passed by the Legislative Council under section 6 of the Defence Regulations (Continuation) Ordinance 1958, on the 21st day of December, 1966.

Resolved, pursuant to section 6 of the Defence Regulations (Continuation) Ordinance 1958, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January, 1967.



Deputy Clerk of Councils.

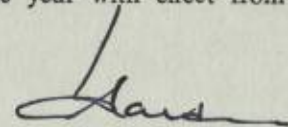
COUNCIL CHAMBER,
21st December, 1966.
(Secretariat SCR7568/45)

ILLEGAL STRIKES AND LOCK-OUTS ORDINANCE.

(Chapter 61).

Resolution made and passed by the Legislative Council under section 8 of the Illegal Strikes and Lock-outs Ordinance, Chapter 61, on the 21st day of December, 1966.

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 1st January, 1967.



Deputy Clerk of Councils.

COUNCIL CHAMBER,

21st December, 1966.

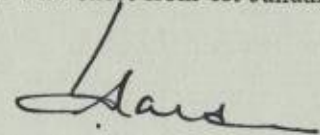
(Secretariat TS29/3231/49)

SOCIETIES ORDINANCE.

(Chapter 151).

Resolution made and passed by the Legislative Council under section 26 of the Societies Ordinance, Chapter 151, on the 21st day of December, 1966.

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 1st January, 1967.



Deputy Clerk of Councils.

COUNCIL CHAMBER,
21st December, 1966.

(Secretariat CR37/3231/47)

INTERPRETATION AND GENERAL CLAUSES
ORDINANCE 1966.

(No. 31 of 1966).

DEFINITION OF "BRITISH TERRITORY".

In exercise of the powers conferred by subsection (3) of section 4 of the Interpretation and General Clauses Ordinance 1966, the Governor hereby orders that the following states and territories shall be states and territories specified for the purposes of subsection (2) of section 4 of the said Ordinance—

Barbados
Canada
Ceylon
Commonwealth of Australia (and its dependencies)
Guyana
Jamaica
Malta
New Zealand (and its dependencies)
Sierra Leone
The Gambia
Trinidad and Tobago

Channel Islands
Isle of Man

Aden and the Protectorate of Southern Arabia
Antigua
Bahamas
Bermuda
British Antarctic Territory
British Honduras
British Indian Ocean Territory
British Solomon Islands
British Virgin Islands
Brunei
Cayman Islands
Central and Southern Line Islands
Dominica

Falkland Islands (and its dependencies)
 Fiji
 Gibraltar
 Gilbert and Ellice Islands
 Grenada
 Hong Kong
 Mauritius
 Montserrat
 New Hebrides
 Pitcairn
 St. Christopher, Nevis and Anguilla
 St. Helena (with Ascension Island and Tristan da Cunha)
 St. Lucia
 St. Vincent
 Seychelles
 Southern Rhodesia
 Swaziland
 Tonga
 Turks and Caicos Islands

By Command,

N. D. King-Cross
 Colonial Secretary.

17th December, 1966.

INTERPRETATION AND GENERAL CLAUSES
 ORDINANCE 1966.

(No. 31 of 1966).

DEFINITION OF "COMMONWEALTH".

In exercise of the powers conferred by subsection (3) of section 4 of the Interpretation and General Clauses Ordinance 1966, the Governor hereby orders that the following states and territories shall be states and territories specified for the purposes of paragraph (c) of subsection (1) of section 4 of the said Ordinance—

Botswana
 Cyprus
 Ghana
 India
 Kenya
 Lesotho
 Malawi
 Malaysia
 Federation of Nigeria
 Pakistan
 State of Singapore
 United Republic of Tanzania
 Uganda
 Zambia

By Command,

N. D. King-Cross
 Colonial Secretary.

17th December, 1966.

INTERPRETATION AND GENERAL CLAUSES
ORDINANCE 1966.

(No. 31 of 1966).

FEEES FOR OFFICIAL SIGNATURES.

(Under section 97 of the Ordinance).

In exercise of the powers conferred by section 97 of the Interpretation and General Clauses Ordinance 1966, the Governor hereby prescribes the following fees to be charged for the matters specified below—

(i) Fees for signatures of the Governor and public officers—

The Governor	\$20.00
The Colonial Secretary	\$10.00
The Financial Secretary	\$10.00
Any other public officer	\$ 5.00

(ii) For issuing a duplicate of any documents by a public officer

\$ 5.00

(iii) For any alteration, transfer, endorsement or addition to a document by a public officer

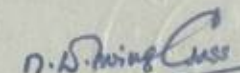
\$ 5.00

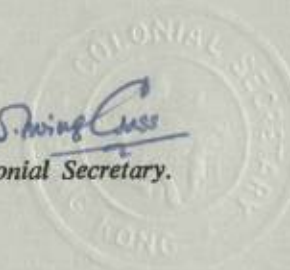
(iv) For certifying a true extract of any document, book, record or instrument by a public officer

\$ 5.00


2. The Financial Secretary may, in any case or class of cases, reduce, waive or refund the whole or any part of any fee payable under this notice.

By Command,


Colonial Secretary.



17th December, 1966.



STAMP ORDINANCE.

(Chapter 117).

STAMP (BANK AUTHORIZATION) (NO. 2) ORDER 1966.

In exercise of the power vested in me by section 15 of the Stamp Ordinance, I hereby make the following Order—

ORDER.

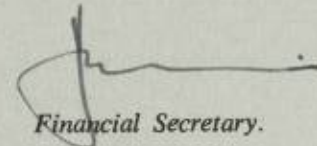
1. This Order may be cited as the Stamp (Bank Authorization) Citation. (No. 2) Order 1966.

2. The bank specified in the Schedule to this Order is hereby authorized to compound for the payment of duty on unstamped cheques subject to the conditions stated in paragraphs (a), (b) and (c) of subsection (1) of section 15 of the Ordinance.

Specified bank authorized to compound for the payment of certain duty.

SCHEDULE.

The Bank of Korea.


Financial Secretary.

19th December, 1966.

(Secretariat ECON18/2321/49)



DANGEROUS DRUGS ORDINANCE.

(Cap. 134).

1. In exercise of the powers conferred by regulation 20 of the regulations made under the Dangerous Drugs Ordinance, the Director of Medical and Health Services hereby exempts from the operation of the said regulations the institutions in the First Schedule subject to the observance by the said institutions of the Conditions in the Second Schedule.

2. Gazette Notifications No. 18 dated the 6th January, 1939, No. A 308 dated the 17th December, 1948 and No. A 64 dated the 6th April, 1951 are hereby cancelled.

G.N.A. 18/39.
G.N.A.
308/48.
G.N.A. 64/51.

FIRST SCHEDULE.

1. The Adventist Sanatorium & Hospitals.
2. The Alice Ho Miu Ling Nethersole Hospital.
3. The Baptist Hospital.
4. The Canossa Hospital.
5. The Caritas Medical Centre.
6. The Castle Peak Hospital.
7. The Children's Convalescent Home, Cheung Chau.
8. The Evangelical Medical Centre.
9. The Fanling Hospital.
10. The Grantham Hospital.
11. The Haven of Hope Sanatorium.
12. The Hei Ling Chau Leprosarium.
13. The Ruttonjee Sanatorium.
14. The Hong Kong Central Hospital.
15. The Hong Kong Psychiatric Clinic & Day Hospital.
16. The Hong Kong Sanatorium and Hospital.
17. The Hong Kong Society for Rehabilitation Kwun Tong Rehabilitation Centre.
18. The Kowloon Hospital.
19. The Kwong Wah Hospital.
20. The Lai Chi Kok Hospital.
21. The Matilda and War Memorial Hospital.
22. The Maryknoll Mission Hospital.
23. The Pok Oi Hospital.
24. The Precious Blood Hospital.
25. The Prison Hospital (Stanley).
26. The Prison Hospital (Lai Chi Kok Female Prison).
27. The Prison Hospital (Tai Lam Chung Prison).
28. The Prison Hospital (Victoria Remand Prison).
29. The Queen Elizabeth Hospital.
30. The Queen Mary Hospital.
31. The Sai Ying Pun Hospital.
32. The Sandy Bay Convalescent Home.

33. The South Lantau Hospital.
34. The St. John Hospital.
35. The St. Paul's Hospital.
36. The St. Teresa's Hospital.
37. The Tsan Yuk Hospital.
38. The Tung Wah Hospital.
39. The Tung Wah Eastern Hospital.
40. The Tung Wah Hospital Sandy Bay Infirmary.
41. The Tung Wah Hospital Wong Tai Sin Infirmary.
42. The Wan Chai Hospital.
43. All Government Out-Patient Clinics and Health Centres.

SECOND SCHEDULE.

CONDITIONS.

1. Dangerous Drugs shall be supplied to the above institutions only on the signed order of the registered pharmacist or the medical officer-in-charge of the institution.

2. Dangerous Drugs shall be kept by the registered pharmacist, or the dispenser approved by the Director of Medical and Health Services under regulation 22 of the Pharmacy and Poisons Regulations or by the matron, and shall be stored in a locked cupboard of which, he or she as the case may be, only shall have the key.

3. Dangerous Drugs in wards and departments of institutions shall be kept under lock and key, and the sister-in-charge or the medical officer-in-charge, as the case may be, shall be responsible for the security thereof.

4. All receipts and issues of Dangerous Drugs shall be recorded in a book kept solely for that purpose in the dispensary, or in the ward or department of the institution in which the drugs are kept.

5. No Dangerous Drugs shall be dispensed or issued except

- (a) in accordance with a prescription of a registered medical practitioner or a registered dentist attached to the institution *or*
- (b) in accordance with instructions given in writing by a medical officer attached to the institution for the treatment of a patient in the institution on that patient's treatment sheet, *or*
- (c) in the case of issues to wards or other departments of the institution, against the signed order of the sister-in-charge or the medical officer-in-charge, as the case may be.

6. Every prescription for Dangerous Drugs shall

- (a) state the name and address of the patient for whom the drug is intended,
- (b) be dated and signed with the usual signature of the prescriber,
- (c) be written in ink, and
- (d) state the number of times, not exceeding three, that it may be dispensed.

7. (a) At the time of dispensing or supplying any Dangerous Drugs the prescription or order shall be indelibly stamped or marked showing that it has been dispensed or supplied, and records of such prescriptions or orders shall be entered in a book kept solely for that purpose.

(b) All prescriptions for Dangerous Drugs and all orders from wards and departments of an institution shall be retained by the person dispensing or

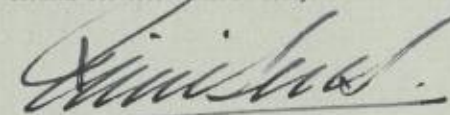
supplying the drugs, and a copy of all orders from wards or departments shall be retained by the sister-in-charge of the ward or the medical officer-in-charge of the department as the case may be.

8. All records shall be kept in English, and must be completed on the day on which the Dangerous Drugs were received or issued.

9. Prescriptions and other documents relating to Dangerous Drugs shall be kept for not less than two years from the date thereon, and books in which records of Dangerous Drugs are kept, for not less than two years after the date of the last entry therein.

10. All books, prescriptions and documents relating to the receipt and supply of Dangerous Drugs, and all storage facilities for Dangerous Drugs shall be open to inspection by any public officer authorized in writing by the Director of Medical and Health Services under the Dangerous Drugs Ordinance.

11. All stocks of Dangerous Drugs kept in an institution shall be checked at least once every month, by a person appointed by the medical officer-in-charge, and a record shall be kept of such inspections. All discrepancies shall be reported to the Director of Medical and Health Services without delay.



Director of Medical and Health Services.

23rd December, 1966.

(Secretariat GR89/3231/48)

LEGAL OFFICERS ORDINANCE.

(Chapter 87).

**LEGAL OFFICERS ORDINANCE (AMENDMENT OF
SCHEDULE) ORDER 1966.**

In exercise of the powers conferred by section 11 of the Legal Officers Ordinance, the Governor has made the following order—

1. This order may be cited as the Legal Officers Ordinance (Amendment of Schedule) Order 1966.

Citation.

2. The Schedule to the Legal Officers Ordinance is deleted and replaced by the following—

Replacement
of Schedule.
(Cap. 87).

SCHEDULE.

[ss. 2, 3 & 11.]

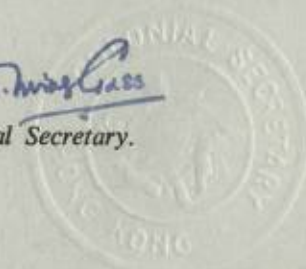
Attorney General.
Solicitor General.
Principal Crown Counsel.
Director of Public Prosecutions.
Law Draftsman.
Crown Solicitor.
Assistant to the Law Officers.
Assistant Principal Crown Counsel.
Senior Crown Counsel.
Crown Counsel.
Assistant Crown Counsel.

By Command,

N. W. King-Cross
Colonial Secretary.

22nd December, 1966.

(Secretariat GR42/3231/49)



INTERPRETATION AND GENERAL CLAUSES
ORDINANCE 1966.
(No. 31 of 1966).

SPECIFICATION OF PUBLIC OFFICES.

In exercise of the powers conferred on him by section 43 of the Interpretation and General Clauses Ordinance 1966, the Governor hereby specifies the public offices mentioned in the first column of the Schedule hereto for the purposes of the particular Ordinance (or sections thereof) mentioned opposite such public office in the second column of the Schedule hereto.

SCHEDULE.

Public Office	Ordinance or section of Ordinance for which specified
Colonial Secretary	City Hall Ordinance, No. 12 of 1961, section 6.
Colonial Secretary	Entertainment Tax Ordinance, Cap. 110, Resolution made and passed by the Legislative Council under section 3 on the 18th day of December, 1957.
Colonial Secretary	Colony Armorial Bearings (Protection) Ordinance, No. 38 of 1959, section 3.
Financial Secretary	Probate and Administration Ordinance, Chapter 10, section 61(3).
Financial Secretary	Telephone Ordinance, No. 18 of 1951, section 7(3)(a)(ii).

By Command,

N. D. ...
Colonial Secretary.

28th December, 1966.

(Secretariat GR3/3281/66)



PUBLIC RECORDS OFFICE
OF HONG KONG

H.K.R.S. No. **31**

29.30