



**IMPORTATION AND EXPORTATION ORDINANCE.**

**(Chapter 50).**

**EXPORTATION (CERTIFICATES OF ORIGIN AND COMMONWEALTH PREFERENCE CERTIFICATES) REGULATIONS, 1961.**

In exercise of the powers conferred by section 4 of the Importation and Exportation Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Exportation (Certificates of Origin and Commonwealth Preference Certificates) Regulations, 1961.

Citation.

2. In these regulations, unless the context otherwise requires—  
“approved accountant” means any person appointed by the Director under regulation 3(2);

Interpretation.

“authorized officer” means any public officer appointed by the Director under regulation 3(1);

“certificate” means any Certificate of Origin, Commonwealth Preference Certificate, letter of support or other certificate or letter and any material or thing securely attached thereto issued under regulation 6 on the application or request of a manufacturer, processor, producer or exporter of goods specified in the certificate;

“Commonwealth or Hong Kong content” means that proportion or percentage of manufacturing costs of any article or articles attributable to Commonwealth or Hong Kong expenditure calculated according to the methods and principles laid down in Notice No. 27A of the Commissioners of Customs and Excise in London on Commonwealth Preference regarding goods imported into the United Kingdom as varied or extended by the Director from time to time.

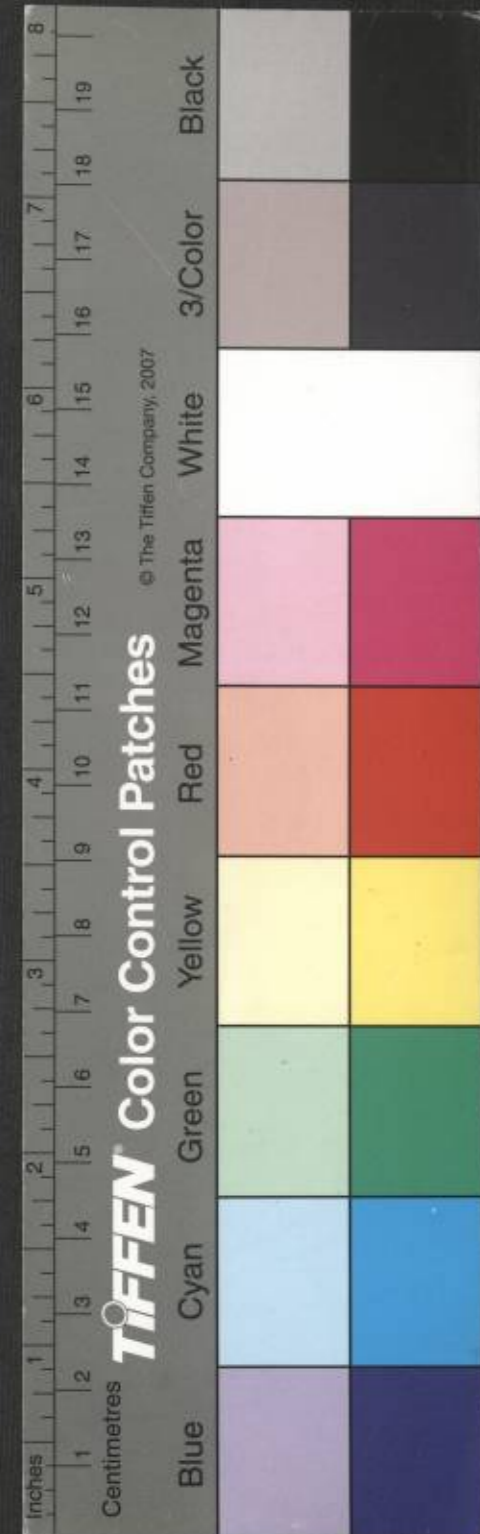
“to issue” includes to endorse and to countersign;

“to use a certificate” means to do or to cause to be done any act which by itself or together with other acts is calculated to lead to the belief that a certificate relates to any article manufactured, processed or produced in the Colony or exported or to be exported from the Colony.

3. (1) The Director may appoint in writing any number of public officers to be authorized officers for the purposes of these regulations.

Power to appoint authorized officers and approved accountants.

(2) The Director may, in his absolute discretion, appoint, in writing, any person whose name is entered in the authorized list kept



(Cap. 32).

in accordance with the provisions of section 131 of the Companies Ordinance to be an approved accountant for the purpose of these regulations.

Revocation of appointment of approved accountant.

4. The Director may revoke the appointment of any person to be an approved accountant—

- (a) where he is satisfied that such person has not, for a period of three years or more than three years, engaged in the work of an approved accountant for the purposes of these regulations or in work for the purposes of any claim for Commonwealth Preference rates of duty:

Provided that the period during which the appointment of any person as an approved accountant has been suspended under the provisions of paragraph (1) of regulation 5 shall not be taken into account in determining for the purposes of this paragraph whether or not the appointment of such person to be an approved accountant shall be revoked;

- (b) where the name of such person has been removed from the authorized list kept in accordance with the provisions of section 131 of the Companies Ordinance; or
- (c) at the request of such person.

(Cap. 32).

Suspension of appointment of approved accountant.

5. (1) Where he is satisfied that the work of any approved accountant is not satisfactory either for the purposes of these regulations or for the purposes of any claim for Commonwealth Preference rates of duty, the Director may suspend the appointment of such accountant:

Provided that, notwithstanding the suspension of his appointment, the Director may accept any information or document prepared and certified by such accountant if such information or document relates to work which such accountant had commenced before the suspension of his appointment.

(2) Every such suspension shall be for a period of three years from the day on which such appointment was suspended.

(3) Where, under the provisions of paragraph (1), the appointment of an approved accountant has been suspended, the Director shall forthwith send to such accountant by registered post a notice in writing of such suspension, specifying the date on which his appointment was suspended.

(4) Any person whose appointment to be an approved accountant has been suspended under the provisions of paragraph (1) may, within fourteen days of the day on which his appointment was suspended, appeal by way of petition to the Governor in Council against the decision of the Director to suspend his appointment.

(5) The decision of the Governor in Council upon any such appeal shall be final.

6. (1) The Director and any authorized officer may issue a certificate in respect of any article manufactured, processed or produced in the Colony which has been or is to be exported from the Colony.

Power to issue certificates.

(2) Such certificate may specify or contain—

- (a) the manner in which such article has been manufactured, processed or produced;
- (b) particulars of the persons concerned in the manufacture, processing, production or exportation of such article;
- (c) particulars prepared by an approved accountant and certified by him as being correct regarding the manner in which such article has been manufactured, processed or produced and/or the Commonwealth or Hong Kong content present in the article to which the certificate relates;
- (d) such other particulars as regards origin or Commonwealth or Hong Kong content of the article to which the certificate relates or of the materials or parts of which the article is composed or which were used during the manufacture, processing or production of the article, the method of shipment and such other details as may identify the article or in the case of a Certificate of Origin may generally facilitate its importation into any country or in the case of a Commonwealth Preference Certificate as may be necessary in order that preferential duties of customs may be claimed or obtained in the Commonwealth in respect of articles exported or to be exported from the Colony,

and such certificate shall be in such form as the Director may prescribe and shall be subject to such conditions as may be endorsed therein.

7. (1) The Director shall have power to maintain a register or registers in such form and manner as he may decide containing the names and addresses of such persons as he may approve or may have approved as eligible to receive certificates under these regulations. The maintenance of such a register and the inclusion or exclusion of any name therein or therefrom shall not affect the absolute discretion of the Director or an authorized officer under regulation 10.

Power to maintain register.

(2) The Director in his discretion may require application to be made to him for such registration as a condition precedent to the issue of a certificate under regulation 6.

(3) The Director in his absolute discretion and without assigning any reason therefor may register or refuse to register or delete from or

restore to the register the name of any person for such period or periods as he may decide.

(4) The Director may publish or cause or allow publication of the name and address of any person or groups of persons whose name or names are entered in or deleted from such register as he in his absolute discretion may think fit.

Method of making application and power to call for evidence in support.

8. (1) Any person or group of persons who wish to be entered upon the register maintained under the provisions of regulation 7 or who wish to be issued with a certificate shall apply to the Director in such manner and in such form as the Director may prescribe.

(2) For the purposes of registration or continuation of registration or the issue of a certificate, the Director or an authorized officer may require an applicant to maintain or to furnish in such form as he may provide such records or information as he may specify relating to the manufacture, processing or production and sale of goods by such applicant whether or not such goods have been exported or are to be exported and whether or not such goods are included or have been included or are to be included on any certificate under these regulations and may further require any information so furnished to be prepared or certified or both prepared and certified by an approved accountant.

(3) As a condition precedent to registration and as a condition of continuation of registration the Director may require an applicant to give such undertaking as to the conduct of his business as the Director may require.

Publication of information.

9. The Director or an authorized officer may publish or cause or allow publication of any information obtained by him under regulation 8:

Provided that no information relating to or identifiable with any person or to or with goods manufactured, processed, produced and sold or exported by him may be published without the consent in writing of such person first having been obtained.

Power to issue, etc.

10. The Director or an authorized officer may in his absolute discretion and without assigning any reason therefor—

- (a) issue or refuse to issue a certificate;
- (b) impose such conditions on the issue of any certificate or type of certificate or in respect of any class or type of goods for which a certificate may be issued as he may decide; and
- (c) revoke any certificate issued under regulation 6.

Offences.

11. (1) Any person who without lawful authority—

- (a) uses a certificate in respect of an article other than an article of the origin, description, quality or Commonwealth or Hong Kong content specified in such certificate;
- (b) exports an article which is the subject matter of a certificate to a place or in a manner other than specified in the application pursuant to which such certificate has been issued;
- (c) makes or causes to be made to any certificate issued under these regulations any alteration whether by addition, insertion, obliteration, erasure, removal or otherwise;
- (d) substitutes or permits, suffers, or allows any other person to substitute any article whatsoever for any other article in respect of which a certificate has been issued under these regulations,

shall be guilty of an offence and upon summary conviction shall be liable to a fine of one hundred thousand dollars and to imprisonment for one year.

(2) Any person who—

- (a) with intent to deceive makes or gives or causes to be made or given any false or incorrect statement in any declaration or any information whatsoever whether verbal or in writing required by the Director or an authorized officer under these regulations;
- (b) with intent to deceive makes or gives or causes to be made or given any false or incorrect information in any document which he knows or has reason to believe may be used in support of an application for registration or for the issue of a certificate made under the provisions of regulation 8;
- (c) is in breach of any undertaking or part thereof given under the provisions of regulation 8,

shall be guilty of an offence and upon summary conviction shall be liable to a fine of fifty thousand dollars and to imprisonment for one year.

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

12. Any person who authorizes another person (hereinafter referred to as the agent) to act for him in relation to anything required to be done under any of these regulations shall be liable for the acts and omissions of the agent, and may accordingly be prosecuted for any offence committed by the agent with respect to any such act or omission


Liability of principals.

in the same manner as if he had himself committed the offence, but shall not be sentenced to imprisonment unless he actually consented to the commission of the offence:

Provided that nothing herein shall relieve the agent from liability to prosecution.

Revocation.  
(G.N.A.  
100/56).  
(G.N.A.  
4/53).

13. The Exportation (Imperial Preference Certificates) Regulations, 1956, and the Exportation (Certificate of Origin) Regulations, 1953, are revoked.

  
Clerk of Councils.

COUNCIL CHAMBER,  
10th January, 1961.

(Secretariat CR1/3231/53)

## REGISTRATION OF PERSONS ORDINANCE, 1960.

(No. 18 of 1960).

### REGISTRATION OF PERSONS (RE-REGISTRATION) ORDER, 1962.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) Order, 1962.

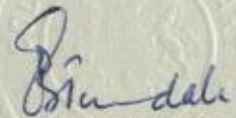
2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

Category  
of persons  
required to  
re-register.  
(18 of 1960).

#### SCHEDULE.

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 350,001 to 360,000 and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

  
Acting Colonial Secretary.

3rd January, 1962.

(Secretariat D/RPO)

**REGISTRATION OF PERSONS ORDINANCE, 1960.**

**(No. 18 of 1960).**

**REGISTRATION OF PERSONS (RE-REGISTRATION) ORDER, 1961.**

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor's Deputy has made the following Order—

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) Order, 1961.

2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

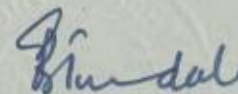
Category  
of persons  
required  
to re-register.  
(18 of 1960).

**SCHEDULE.**

Every person being resident in Hong Kong, Kowloon or Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 135,001 to 155,000, and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,



*Deputy Colonial Secretary.*

*5th January, 1961.*

(Secretariat D/RPO)



**ROYAL HONG KONG DEFENCE FORCE ORDINANCE, 1951.**

**(No. 25 of 1951).**

**ROYAL HONG KONG DEFENCE FORCE (AMENDMENT) REGULATIONS, 1961.**

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

1. These regulations may be cited as the Royal Hong Kong Defence Force (Amendment) Regulations, 1961. Citation.

2. The Royal Hong Kong Defence Force Regulations are amended by the addition after regulation 20 of the following new regulation—

**“Pay and allowances.**

**20A.** (1) Payment of pay and allowances to officers and members while on active service or under training shall be subject to the following conditions—

- (a) no officer or member shall be deemed to be locally domiciled;
  - (b) every officer and member shall be deemed to have attained the age of twenty-five years;
  - (c) the pay and allowances specified in subsection (1) of section 17 of the Ordinance shall comprise only basic pay, marriage allowance and local allowance.
- (2) Every officer and member who is on active service shall be entitled to one day's pay in respect of each day or part of a day during which he is on active service.
- (3) Every officer and member who is under training shall be entitled—
- (a) for every period of continuous attendance for a period exceeding six hours but not exceeding twenty-four hours, whether wholly in one day or partly in one day and partly in another day, to one day's pay; and
  - (b) for every period of continuous attendance for a period exceeding twenty-four hours, to one day's pay for each day during which he attends for a period exceeding six hours;


*Addition of new regulation 20A. (Vol. X, p. 428).*

Provided that an officer or member shall be deemed to be under training from the time when he reports for duty until the time when he is dismissed from duty.

(4) No instruction allowance shall be payable in respect of any day in respect of which payment is made in accordance with the provisions of paragraph (2) or (3)."

Revocation.  
(G.N.A.  
132/52).

3. The Royal Hong Kong Defence Force (Pay and Allowances) Regulations, 1952, are revoked.

  
Clerk of Councils.

COUNCIL CHAMBER,  
20th January, 1961.

*Explanatory Note.*

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

These regulations amend the Royal Hong Kong Defence Force Regulations by the addition of a new regulation 20A, replacing the Royal Hong Kong Defence Force (Pay and Allowances) Regulations, 1952, and making amended provision for the detailed calculations of pay and allowances for officers and members of the Royal Hong Kong Defence Force.

(Secretariat CR7/1486/59II)

**ESSENTIAL SERVICES CORPS ORDINANCE.**

**(Chapter 197).**

ESSENTIAL SERVICES CORPS (GENERAL) (AMENDMENT)  
REGULATIONS, 1961.

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

1. These regulations may be cited as the Essential Services Corps Citation. (General) (Amendment) Regulations, 1961. Citation.
2. Regulation 2 of the Essential Services Corps (General) Regulations (hereinafter referred to as the principal regulations) is amended— Amendment of regulation 2. (Vol. X, p. 414).
  - (a) by the deletion of the definitions "Corps" and "Corps Pay and Pensions Code";
  - (b) by the addition after the definition "Commissioner" of the following—  
"day" means a period of twenty-four consecutive hours counted from midnight to midnight;";
  - (c) by the deletion of the definition "instruction" and the substitution therefor of the following—  
"instruction" means any period of attendance, not being a period when called out and not exceeding six hours in duration, performed at such time and at such place as ordered by the Commissioner or by a Unit Controller;";
  - (d) by the deletion in the definition "instruction allowances" of the figures and symbols "18(2)" and the substitution therefor of the following—  
"18A"; and
  - (e) by the deletion of the definition "training" and the substitution therefor of the following—  
"training" means a period of consecutive attendance, not being a period when called out, which exceeds six hours in duration in any one day and is performed at such time and place as ordered by the Commissioner or by a Unit Controller;".
3. Regulation 6 of the principal regulations is amended by the deletion of the word "six" and the substitution therefor of the following— Amendment of regulation 6.  
"seven".

Amendment  
of regulation  
8A.

4. Regulation 8A of the principal regulations is amended—
- (a) by the insertion in paragraph (3), after the words “without completing” of the following—  
“with diligence”,  
and by the deletion in that paragraph of the words—  
“has been reasonably diligent in his training”;
- (b) by the addition in sub-paragraph (a) of paragraph (4) after the words “the performance” in the first place where they occur of the following—  
“with diligence”; and
- (c) by the deletion in sub-paragraph (b) of paragraph (4) of the words “the minimum” and the substitution therefor of the following—  
“any”.

Revocation  
and replace-  
ment of  
regulation  
10.

5. Regulation 10 of the principal regulations is revoked and replaced by the following—

“Absence  
from the  
Colony and  
change of  
address.

10. A member shall report to the Commissioner any change of particulars provided upon enrolment or his intention to be absent from the Colony for any period exceeding seven days or any illness of a nature preventing the performance of actual service.”.

Revocation  
and replace-  
ment of  
regulation  
18.

6. Regulation 18 of the principal regulations is revoked and replaced by the following—

“Pay and  
allowances.

18. (1) Payment of pay and allowances to members while called out or under training shall be subject to the following conditions—

First  
Schedule

- (a) the grades of members shall be deemed to correspond to the ranks of the Army or the Women's Royal Army Corps, as the case may be, in the manner specified in the First Schedule;
- (b) no member shall be deemed to be locally domiciled;
- (c) every member shall be deemed to have attained the age of twenty-five years;
- (d) the pay and allowances specified in subsection (1) of section 10A of the Ordinance shall comprise only the basic pay, marriage allowance and local allowance.

(2) Every member who is called out shall be entitled to one day's pay in respect of each day or part of a day during which he is called out.

(3) Every member who is under training shall be entitled—

- (a) for every period of continuous attendance for a period exceeding six hours but not exceeding twenty-four hours, whether wholly in one day or partly in one day and partly in another day, to one day's pay; and
- (b) for every period of continuous attendance for a period exceeding twenty-four hours, to one day's pay for each day during which he attends for a period exceeding six hours:

Provided that a member shall be deemed to be under training from the time when he reports for duty until the time when he is dismissed from duty.

(4) No instruction allowance shall be payable in respect of any day in respect of which payment is made in accordance with the provisions of paragraph (2) or (3).

18A. (1) A member when under instruction shall be entitled to receive an instruction allowance in respect of such periods of instruction in accordance with rates shown in the following table—

Instruction  
allowance  
and bounty.

Grade of member.	Allowance in respect of each instruction period.	Maximum amount payable in respect of any one day's instruction.
	\$	\$
I	.70	4.20
II	.90	5.40
III	1.10	6.60
IV	1.30	7.80
V	1.30	7.80
VI	1.30	7.80
VII	1.30	7.80

(2) No instruction allowance shall be paid for attendance for instruction in any day in respect of which payment is made in accordance with the provisions of paragraph (2) of regulation 18.

(3) A member who is deemed by his Unit Controller to be efficient in the performance of his duties and has performed with diligence not less than—

- (a) 70 instruction periods during the course of the year shall be entitled to receive a bounty of \$50; or

- (b) 90 instruction periods during the year shall be entitled to receive a bounty of \$200 in substitution for the bounty of \$50 referred to in subparagraph (a)."

Revocation and replacement of regulation 19.

7. Regulation 19 of the principal regulations is revoked and replaced by the following—

"Rations.

19. A member when on active service or under training shall be entitled to free rations as supplied by the Corps or, if directed by the Commissioner, such allowance in lieu thereof as the Governor may determine."

Amendment of First Schedule.

8. The First Schedule to the principal regulations is amended—  
(a) by the deletion of the figure "2" and the substitution thereof of the following—

"18"; and


(b) by the deletion of the words "Corps Pay Code".

Amendment of Second Schedule.

9. The Second Schedule to the principal regulations is amended—

(a) by the deletion of Form III; and

(b) by the deletion in Form IV and V of the words "my wife, child or other" and the substitution thereof of the following—  
"any".

  
Clerk of Councils.

COUNCIL CHAMBER,  
20th January, 1961.

*Explanatory Note.*

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

The purpose of these regulations is, by regulations 2 and 6, to make amended provision for the detailed calculation of pay and allowances payable to members of the Essential Services Corps while under instruction, under training and on active service, by the amendment of section 2 of the Essential Services Corps (General) Regulations (the principal regulations) and by the revocation and replacement of regulation 18 thereof and by the addition of a new regulation 18A.

The opportunity has been taken to make a number of minor amendments. By regulation 3, an error in regulation 6 of the principal regulations is corrected. By regulation 4, regulation 8A of the principal Ordinance is amended by the insertion throughout of the qualification of diligence in undergoing instruction and training. By regulation 7, regulation 19 of the principal regulations is replaced by a new regulation, making provision for the payment of ration allowance in lieu of rations, in certain events. By regulation 5, regulation 10 of the principal regulations is replaced by a new regulation, providing that notification of change of particulars shall be directly to the Commissioner, in every case. By regulations 8 and 9, minor amendments are made respectively to the First and Second Schedules.

(Secretariat CR7/1486/59II)

**DANGEROUS GOODS ORDINANCE, 1956.**

(No. 38 of 1956).

**DANGEROUS GOODS (AMENDMENT) REGULATIONS, 1961.**

In exercise of the powers conferred by section 4 of the Dangerous Goods Ordinance, 1956, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Dangerous Goods (Amendment) Regulations, 1961. Citation.

2. Regulation 3 of the Dangerous Goods Regulations, 1940 (hereinafter referred to as the principal regulations) is amended in Class 2 of Category 2 by the insertion after the words "Nitrous oxide" of the following—  
"oxygen". Amendment of regulation 3. (G.N. 236/40).

3. The principal regulations are amended by the addition after regulation 81 of the following new regulation—  
Addition of new regulation 81A.

"Carriage of liquid oxygen in road tankers.

81A. Every tank waggon used for the carriage by road of liquid oxygen in bulk shall conform to the following requirements—

- (i) the waggon shall be of such size as the licensing authority shall approve;
- (ii) the tank shall be constructed to the satisfaction of the licensing authority and shall be of sufficient strength to withstand the extremes of temperature involved in the carriage of liquid oxygen and shall be maintained at all times in good condition;
- (iii) unless adequately protected by the chassis or bodywork of the waggon, any filling or discharging equipment attached to the waggon shall be shielded against accidental damage in such manner as the licensing authority may approve;
- (iv) the tank shall be provided with automatic safety devices to prevent excessive pressure developing inside the tank;
- (v) the following words shall be prominently displayed in the English and Chinese languages on the front and rear of the waggon and on each side of the tank—

"Caution—Liquid Oxygen";

- (vi) the waggon shall while conveying, loading or unloading liquid oxygen be attended at all times by not less than one person having special experience of the handling of liquid oxygen;
- (vii) no smoking and no light (other than electric light) or fire of any kind shall be permitted on or near the waggon while conveying, loading or discharging liquid oxygen;
- (viii) the waggon shall at all times be provided with fire extinguishing apparatus to the satisfaction of the Chief Officer of the Fire Brigade;
- (ix) the waggon shall carry no passengers other than the driver and one attendant while conveying liquid oxygen;
- (x) the waggon shall be provided with such number of protective goggles, gloves and suits of clothing for use by persons operating the waggon as the licensing authority may require;
- (xi) a copy of this regulation together with a translation thereof in the Chinese language shall be at all times carried in the waggon in a place readily accessible to the driver and the attendant."



Clerk of Councils.

COUNCIL CHAMBER,  
17th January, 1961.

*Explanatory Note.*

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

The purpose of these regulations is to make provision for necessary safety precautions in the case of the carriage of liquid oxygen in bulk by road.

(Secretariat GR11/3231/51II)

**DANGEROUS GOODS ORDINANCE, 1956.**

**(No. 38 of 1956).**

**DANGEROUS GOODS (SHIPPING) (AMENDMENT) REGULATIONS, 1961.**

In exercise of the powers conferred by section 4 of the Dangerous Goods Ordinance, 1956, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Dangerous Goods Citation. (Shipping) (Amendment) Regulations, 1961.

2. Regulation 44 of the Dangerous Goods (Shipping) Regulations, 1956, is amended in Table E by the insertion after the words "Oxygen, in cylinders" and "10 cubic feet on any one vehicle" appearing respectively in Column I and Column II of the following—

Amendment  
of regula-  
tion 44.  
(G.N.A.  
125/56).

*in Column I*

"Oxygen, liquid"

*in Column II*

"Unlimited in tank waggons—

Provided each waggon is—

(i) approved by the licensing authority;

(ii) berthed in either the first or last vehicle berth on the ferry; and

(iii) is carried subject to being jettisoned into the sea in emergency at the discretion of any officer of the Fire Brigade, Police Force, Marine Department or of the ferrying company without liability to such officer or his employer."



COUNCIL CHAMBER,  
17th January, 1961.

Clerk of Councils.

*Explanatory Note.*

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

The purpose of these regulations is to permit the conveyance in vehicular ferries of liquid oxygen contained in tank waggons subject to the condition specified in the regulations.

(Secretariat GR11/3231/51II)

**PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.**

**(No. 30 of 1960).**

**PUBLIC MARKET (AMENDMENT) BY-LAWS, 1961.**

In exercise of the powers conferred by section 80 of the Public Health and Urban Services Ordinance, 1960, the Urban Council has made the following by-laws—

1. These by-laws may be cited as the Public Market (Amendment) By-laws, 1961. Citation.

2. By-law 7 of the Public Market By-laws, 1960 (hereinafter referred to as the principal by-laws) is revoked and replaced by the following— Revocation and replacement of by-law 7.

"Electric equipment.

7. (1) Save with the permission in writing of the Council, no person shall, in any market, install, add to, alter or remove any electrical fitting or appliance, whether belonging to the Government or to any other person. (G.N.A. 107/60).

(2) Where, under the provisions of paragraph (1), the Council has permitted the installation, alteration or removal of any electrical fitting or appliance or has permitted the making of any addition to any such fitting or appliance—

- (a) the installation of any main electric cable which may be necessary shall be carried out only by the Director of Public Works or, under the direction of the Director of Public Works, by an electrical contractor approved by the Director of Public Works; and
- (b) all other works for and in connexion with such installation, alteration, removal or addition shall be carried out only by an electrical contractor approved by the Director of Public Works.

(3) Where, in any market, any electrical fitting or appliance has been installed, altered, or removed, or any addition has been made to any such fitting or appliance, without the permission in writing of the Council, the Director of Public Works may carry out or cause to be carried out such work as may be necessary to remove such fitting or appliance or to restore it to the condition in which it was prior to such alteration, removal or addition,



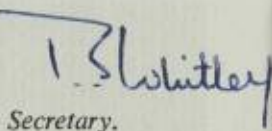
as the case may be, and may recover the cost of such work from the tenant of the stall for which such fitting or appliance is or was provided.”.

Amendment  
of by-law 14.

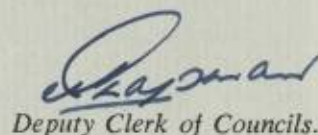
3. By-law 14 of the principal by-laws is amended by the addition at the end thereof of the following—

“(3) When any work for or in connexion with the installation, alteration or removal of any electrical fitting or appliance in any stall is carried out otherwise than in accordance with the provision of paragraph (2) of by-law 7, the tenant of the stall shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars.”.

Made by the Urban Council this 3rd day of January, 1961.

  
Secretary.

Approved by the Legislative Council this 18th day of January, 1961.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
18th January, 1961.

*Explanatory Note.*

*(This Note is not part of the by-laws, but is intended to indicate their general purport).*

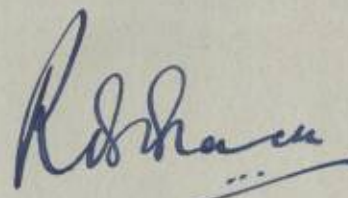
The purpose of these by-laws is to replace by-law 7 of the Public Market By-laws, 1960, by a new by-law, making more detailed provision for the installation of electrical fittings and appliances in market stalls, providing that such installation shall only be done by an electrical contractor approved by the Director of Public Works and empowering the Director of Public Works to carry out such works as may be necessitated by the unauthorized installation, etc., of any fitting or appliance and to recover the cost of such work.

(Secretariat GR5/3231/60)

**PROCLAMATION**

**No. 1 of 1961.**





Governor.

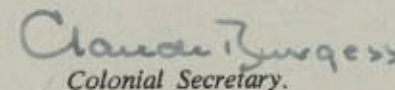
BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by section 1 of the Lifts and Escalators (Safety) Ordinance, 1960 (No. 44 of 1960), 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, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Ordinance shall come into operation on the 1st day of February, 1961.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 23rd day of January, 1961.

Published by His Excellency's Command,

  
Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR3244/57)



**CENSUS ORDINANCE, 1960.**

**(No. 2 of 1960).**

**CENSUS REGULATIONS, 1961.**

In exercise of the powers conferred by section 23 of the Census Ordinance, 1960, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Census Regulations, Citation, 1961.

2. Every person employed as a census officer before taking part in the conduct of any census shall make and sign a declaration either in Form I or Form II contained in the Schedule. Declarations by census officers.

**SCHEDULE.**

**FORM I.**

*Form of declaration.*

I, ....., do solemnly and sincerely declare that I will carry out my duty as a census officer to the best of my ability and will faithfully record on any census schedule completed by me on behalf of any person all particulars reported to me by such person and will deliver such schedule to my superior officer and will not otherwise disclose to any person, whether in Her Majesty's service or not, any information of which I have become aware in the course of my duty as a census officer.

(Signed) .....

Date .....

**FORM II.**

我(姓名)

清心宣誓：願為香港戶口統計，忠誠服務，對於市民個人事項，絕對保守秘密，倘有洩漏，甘受法律嚴重處分，此誓。

*Clerk of Councils.*

COUNCIL CHAMBER,

24th January, 1961.

(Secretariat GR15/3231/59)

**PROCLAMATION**

**No. 2 of 1961.**



*Governor.*

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, 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 Drug Addicts Treatment and Rehabilitation Ordinance, 1960 (No. 34 of 1960), 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, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Ordinance shall come into operation on the 3rd day of February, 1961.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 27th day of January, 1961.

Published by His Excellency's Command,

*Colonial Secretary.*

GOD SAVE THE QUEEN.

(Secretariat GR4/3231/60)





**ROYAL HONG KONG DEFENCE FORCE ORDINANCE, 1951.**

**(No. 25 of 1951).**

**HONG KONG REGIMENT (AMENDMENT) REGULATIONS, 1961.**

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

1. These regulations may be cited as the Hong Kong Regiment (Amendment) Regulations, 1961.

2. The Hong Kong Regiment Regulations (hereinafter referred to as the principal regulations) are amended by the addition after regulation 3 of the following—

Addition of  
regulation  
3A.  
(Vol. X,  
p. 436).

3A. In the application of these regulations to that part of the Hong Kong Regiment known as the Hong Kong Home Guard the following modifications thereto shall be made—

"Application  
of regulations  
to Hong  
Kong Home  
Guard.

(a) paragraphs (1) and (2) of regulation 11, paragraph (1) of regulation 15 and paragraph (1) of regulation 17 shall not apply to the Hong Kong Home Guard;

(b) no person who is not between the age of forty-five and sixty years shall be eligible for service with the Hong Kong Home Guard unless the Commandant, in his discretion, considers that the service of a person not of that age is desirable."

3. Regulation 12 of the principal regulations is revoked and replaced by the following—

Revocation  
and replace-  
ment of  
regulation 12.

12. (1) Officers and members, other than officers and members of the Hong Kong Home Guard, shall carry out training and instructions laid down in the First Schedule.

First  
Schedule.

(2) Officers and members of the Hong Kong Home Guard shall carry out training and instructions laid down in the Second Schedule."

Second  
Schedule.

Amendment  
of Schedule.

4. The Schedule to the principal regulations is amended by the deletion of the words "SCHEDULE. Rules for Training and Instruction." and the substitution therefor of the following—

"FIRST SCHEDULE. [reg. 12(1).]

*Rules for Training and Instructions of Officers and Members other than of the Hong Kong Home Guard."*


Addition  
of Second  
Schedule.

5. The principal regulations are amended by the addition at the end thereof of the following—

"SECOND SCHEDULE. [reg. 12(2).]

*Rules for Training and Instructions of Officers and Members of the Hong Kong Home Guard.*

1. Every officer and member shall—
  - (a) attend not less than thirty instruction periods annually which may be reduced at the discretion of the Commanding Officer;
  - (b) fire the annual range classification course as prescribed;
2. The Commanding Officer may at his discretion exempt any officer or member from his training or obligations or any part thereof.
3. The Commanding Officer shall fix the times and places of parades.
4. No officer or member shall be deemed efficient in any given year until he has undergone the annual training prescribed in this Schedule and until he has passed such tests of efficiency as may from time to time be laid down by the Commanding Officer and approved by the Service Commander. The Service Commander may, in special circumstances, exempt an officer or member from the provision of this rule."

  
Clerk of Councils.

COUNCIL CHAMBER,  
31st January, 1961.

*Explanatory Note.*

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

Prior to the determination of the Governor dated 23rd January, 1961, the Hong Kong Home Guard was a separate unit of the Royal Hong Kong Defence Force. By this determination this unit was made part of the Hong Kong Regiment and, accordingly, the Hong Kong Regiment Regulations were applied thereto. It is considered desirable to modify the application of those regulations to the Hong Kong Home Guard in order to maintain their previous terms of service. These regulations seek to achieve that purpose.

(Secretariat GR88/1486/59)

**DANGEROUS DRUGS ORDINANCE.**  
**(Chapter 134).**

**DANGEROUS DRUGS (AMENDMENT) REGULATIONS, 1961.**

In exercise of the powers conferred by section 11 of the Dangerous Drugs Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Dangerous Drugs Citation. (Amendment) Regulations, 1961.

2. Paragraph (1) of regulation 3 of the Dangerous Drugs Regulations is amended—

(a) in sub-paragraph (i)—

(i) by the deletion of the word "fifty" and the substitution therefor of the following—

"one hundred";

(ii) by the deletion of the words "ten years" and the substitution therefor of the following—

"life";

(b) in sub-paragraph (ii)—


(i) by the deletion of the word "ten" and the substitution therefor of the following—

"fifty";

(ii) by the deletion of the words "twelve months" and the substitution therefor of the following—

"three years".

Amendment  
of regula-  
tion 3.  
(Vol. X,  
p. 31).

  
Clerk of Councils.

COUNCIL CHAMBER,  
31st January, 1961.

*Explanatory Note.*

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

These regulations amend regulation 3 of the Dangerous Drugs Regulations increasing the penalties which can be imposed on a person found guilty of manufacturing any dangerous drug specified in the First Schedule to the Dangerous Drugs Ordinance, Chapter 134.

(Secretariat GR5/3281/51)

**ROYAL HONG KONG DEFENCE FORCE ORDINANCE, 1951.**  
**(No. 25 of 1951).**

**HONG KONG HOME GUARD (REVOCATION) REGULATIONS, 1961.**

In exercise of the powers conferred by section 15 of the Royal Hong Kong Defence Force Ordinance, 1951, the Commander, British Forces, as Service Commander of the Hong Kong Home Guard, with the approval of the Governor, has made the following regulations—

1. These regulations may be cited as the Hong Kong Home Guard (Revocation) Regulations, 1961. Citation.
2. The Hong Kong Home Guard Regulations, 1951, are revoked. Revocation.

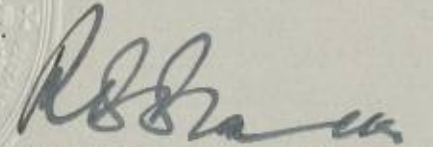
(G.N.A.  
161/51).

R. W. McLEOD,

*Lieutenant-General,  
Commander, British Forces,  
Hong Kong.*

30th January, 1961.

Approved this 1st day of February, 1961.

  
Governor.

*Explanatory Note.*

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

By determination of the Governor dated the 23rd day of January, 1961, the Hong Kong Home Guard became part of the Hong Kong Regiment and not a separate unit and, accordingly, the Hong Kong Regiment Regulations apply thereto. These regulations, therefore, revoke the Hong Kong Home Guard Regulations, 1951, which are no longer applicable.

(Secretariat GR88/1486/59)



MERCHANT SHIPPING (LIFE SAVING APPLIANCES)  
REGULATIONS, 1961.

(Table 10).

ARRANGEMENT OF REGULATIONS.



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**MERCHANT SHIPPING ORDINANCE, 1953.**  
**(No. 14 of 1953).**

TABLE 10.  
MERCHANT SHIPPING (LIFE SAVING APPLIANCES)  
REGULATIONS, 1961.

In exercise of the powers conferred by section 37 of the Merchant Shipping Ordinance, 1953, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Merchant Shipping (Life Saving Appliances) Regulations, 1961, and referred to as Table 10, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*.

2. (1) For the purposes of these regulations, unless the context otherwise requires—

“approved” in relation to life saving appliances of any kind referred to in these regulations means approved by the Director;

“pilgrim trade” means the conveyance to or from any port in the Red Sea of Mohammedan pilgrims going to or returning from the Hedjaz;

“River Trade Limits” means—

(a) the waters in the vicinity of the Colony within the following boundaries—

- (i) to the East, meridian 114° 30' East;
- (ii) to the South, parallel 22° 9' North;
- (iii) to the West, meridian 113° 31' East; and

(b) all inland waterways in the provinces of Kwangtung and Kwangsi on the mainland of China to which access can be obtained by water from the area defined in paragraph (a);

“Rules” means the Merchant Shipping (Life Saving Appliances) Rules, 1958, made by the Minister of Transport and Civil Aviation, in the United Kingdom, in exercise of powers conferred by section 427 of the Merchant Shipping Act, 1894, as substituted by section 2 of the Merchant Shipping (Safety Convention) Act, 1949, and all other powers enabling him in that behalf, and any such rules amending the same;

“Simla Rule ship” means a passenger steamer which is engaged or about to be engaged on any international voyage involving the carriage at any one time of more than fifty unberthed passengers—

(a) in the pilgrim trade to or from any country which for the time being accedes to the Simla Rules, 1931, made pursuant to the

Citation and commencement.

Interpretation, application and construction.

provisions of the International Convention for the Safety of Life at Sea, 1929, from or to any port in the Red Sea; or

(b) in any trade other than the pilgrim trade, to or from any such country,

provided that the keel of such ship was laid after the 1st day of January, 1933, or that such ship was certified to carry more than fifty unberthed passengers at any one time in any trade referred to in this definition during a period of two years prior to that date; and the expression “existing Simla Rule ship” means a ship the keel of which was laid within such period and which was, within such period, certified to carry such passengers;

“specified area” means any area specified in the Third Schedule;

“specified sheltered waters” means the waters contained in any area specified in the Fifth Schedule.

(2) Otherwise than as provided in paragraph (1), words and expressions used in these regulations and in the Rules or the Ordinance shall have the same meaning as is assigned thereto in the Rules or the Ordinance as the case may be.

(3) Subject to the specific provisions of these regulations and to such consequential modifications as may be required to give effect to such specific provisions, the Rules shall apply in the case of ships to which these regulations apply in the manner hereinafter specified and such Rules shall be construed as one with these regulations:

Provided that in case of existing Simla Rule ships which do not already comply with the Rules as modified by these regulations, compliance shall be deemed sufficient if such improvements as are practicable and reasonable are made with a view to providing substantial compliance with the general principles of the Rules as so modified.

(4) In so far as the Rules are applied to ships to which these regulations apply, references to the Minister shall be construed as references to the Director.

(5) Paragraphs (2) to (7) inclusive of Rule 48 of the Rules shall not apply in the case of any ship to which these regulations apply.

3. (1) For the purposes of these regulations the ships to which the regulations apply shall be arranged in the following classes—

*Simla Rule ships—not engaged in the pilgrim trade.*

*Class A.* Simla Rule ships, not being engaged in the pilgrim trade, plying on long international voyages.

*Class B.* Simla Rule ships, not being engaged in the pilgrim trade, plying on long international voyages in specified areas.

Third Schedule.

Fifth Schedule.

Classification of ships.

*Class C.* Simla Rule ships, not being engaged in the pilgrim trade, plying on short international voyages.

*Class D.* Simla Rule ships, not being engaged in the pilgrim trade, plying on short international voyages in specified areas.

*Simla Rule ships—engaged in the pilgrim trade.*

*Class E.* Simla Rule ships, being engaged in the pilgrim trade, plying on long international voyages.

*Class F.* Simla Rule ships, being engaged in the pilgrim trade, plying on short international voyages.

*Other ships.*

*Class G.* Ships certified to carry passengers within River Trade Limits.

*Class H.* Ships plying within River Trade Limits or on short international voyages not being certified to carry passengers.

*Class J.* Tugs, tenders, lighters, barges and hoppers which proceed to sea within a range not exceeding six hundred miles from the Colony.

*Class K.* Trawlers.

*Class L.* Ships operating exclusively within the waters of the Colony.

*Class M.* Sailing ships of European design (other than fishing boats or ships of Class N) which proceed to sea.

*Class N.* Pleasure yachts (other than ships of Class I to VIA inclusive of the Rules) exceeding 15 tons burden.

(2) In any case of doubt as to which class, if any, is applicable for the registration of a ship under these regulations the decision of the Director shall be final.

Ships of  
Class A.

4. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class A in the same manner as they apply to ships of Class I.

(2) Rule 3 of the Rules shall apply to ships of Class A subject to the following modifications—

(a) The following provisions are substituted for the provisions contained in paragraph (2) of Rule 3 of the Rules—

Every ship to which this Rule applies shall, subject to the provisions of section 115 of the Ordinance and Rule 48 of the Rules (as modified by regulation 2 of these regulations), be

(14 of 1953).

fitted, in accordance with its length, with the number of sets of davits determined in accordance with column (A) of the table set out in the First Schedule to these regulations:

First  
Schedule.

Provided that—

(i) if in the opinion of the Director it is not practicable to place on any particular ship the number of davits specified in such column (A) and the total capacity of the lifeboats carried in such ship is not less than the minimum aggregate capacity determined in accordance with column (D) of such table, then the Director may authorize, if in all the circumstances he is satisfied that it is safe and expedient, such lesser number of sets of davits, not being less than the minimum number determined in accordance with column (B) of the table, as he may think fit; and

(ii) no ship shall be required to be fitted with a number of sets of davits greater than the number of lifeboats required to accommodate the total number of persons which the ship is certified to carry.

(b) The following provisions are substituted for the provisions contained in paragraph (5) of Rule 3 of the Rules—

Where the lifeboats carried in compliance with the provisions of Rule 3 of the Rules (as modified by this regulation) do not provide accommodation for the total number of persons which the ship is certified to carry or the minimum aggregate capacity determined in accordance with column (D) of the table set out in the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted as far as is practicable in the circumstances to make up the deficiency in such accommodation. If in the opinion of the Director it is impracticable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other approved buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats carried in compliance with paragraph (4) of Rule 3 of the Rules.

First  
Schedule.

(c) The following provisions are substituted for the provisions contained in paragraph (13) of Rule 3 of the Rules—

Every ship to which this Rule applies shall carry at least the number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations.

Second  
Schedule.

(d) The provisions of paragraph (12) of Rule 3 of the Rules shall not apply to ships of Class A.

(3) Rule 33 of the Rules shall apply to lifeboats carried in ships of Class A in the same manner as such Rule applies to lifeboats carried in ships of Class I subject to the following modification, namely, that the Director may in his discretion authorize a reduction, not exceeding one half, in the quantity of condensed milk required to be carried by such lifeboats.

Ships of  
Class B.

5. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class B in the same manner as they apply to ships of Class I.

(2) Rule 3 of the Rules shall apply to ships of Class B subject to the following modifications—

(a) The following provisions are substituted for the provisions contained in paragraph (2) of Rule 3 of the Rules—

(14 of 1953).

Every ship to which this Rule applies shall, subject to the provisions of section 115 of the Ordinance and Rule 48 of the Rules (as modified by regulation 2 of these regulations), be fitted, in accordance with its length, with the number of sets of davits specified in column (A) of the table set out in the First Schedule to these regulations:

First  
Schedule.

Provided that—

(i) if in the opinion of the Director it is not practicable to place on any particular ship the number of davits specified in such column (A) and the total capacity of the lifeboats carried in such ship is not less than the minimum aggregate capacity specified in column (F) of such table, then the Director may authorize, if in all the circumstances he is satisfied that it is safe and expedient, such lesser number of sets of davits, not being less than the number specified in column (B) of the table, as he may think fit; and

(ii) no ship shall be required to be fitted with a number of sets of davits greater than the number of lifeboats required to accommodate the total number of persons which the ship is certified to carry.

(b) The following provisions are substituted for the provisions contained in paragraph (5) of Rule 3 of the Rules—

(i) Where the lifeboats carried in compliance with the foregoing provisions of this Rule (as modified by this regulation) do not provide accommodation for the total number of persons which the ship is certified to carry or the minimum cubic capacity specified in column (F) of the table set out in the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted

First  
Schedule.

so far as is practicable in the circumstances to make up the deficiency in such accommodation. If in the opinion of the Director it is not practicable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other approved buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats carried in compliance with paragraph (4) of this Rule.

(ii) In the case of ships of Class B engaged on voyages in Area B specified in the Third Schedule to these regulations where the lifeboats carried in compliance with the foregoing provisions of this Rule (as modified by this regulation) do not accommodate eighty per cent of the total number of persons which the ship is certified to carry, or the minimum cubic capacity specified in column (F) of the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted so far as is practicable in the circumstances to make up the deficiency in such accommodation. If in the opinion of the Director it is not practicable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats required to be carried in compliance with paragraph (4) of this Rule.

Third  
Schedule.

First  
Schedule.

(c) The following provisions are substituted for the provisions contained in paragraph (13) of Rule 3 of the Rules—

Every ship to which this Rule applies shall carry at least the number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations.

Second  
Schedule.

(d) The provisions of paragraph (12) of Rule 3 of the Rules shall not apply to ships of Class B.

(3) Rule 33 of the Rules shall apply to lifeboats carried in ships of Class B in the same manner as such Rule applies to lifeboats carried in ships of Class I subject to the following modifications—

(a) the Director may in his discretion authorize a reduction, not exceeding one half, in the quantity of condensed milk required to be carried in such lifeboats; and

Third  
Schedule.

- (b) in the case of ships of Class B engaged on voyages in Area B specified in the Third Schedule to these regulations, no condensed milk need be carried in such lifeboats.

Ships of  
Class C.

6. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class C in the same manner as they apply to ships of Class II.

(2) Rule 4 of the Rules shall apply to ships of Class C subject to the following modifications—

- (a) The following provisions are substituted for the provisions contained in paragraph (2) of Rule 4 of the Rules—

(14 of 1953).

Every ship to which this Rule applies shall, subject to the provisions of section 115 of the Ordinance and of Rule 48 of the Rules (as modified by regulation 2 of these regulations), be fitted, in accordance with its length, with the number of sets of davits determined in accordance with column (A) of the table set out in the First Schedule to these regulations:

First  
Schedule.

Provided that—

(i) if in the opinion of the Director it is not practicable to place on any particular ship the number of davits specified in such column (A) and the total capacity of the lifeboats carried in such ship is not less than the minimum aggregate capacity specified in column (E) of such table, then the Director may authorize, if in all the circumstances he is satisfied that it is safe and expedient, such lesser number of sets of davits, not being less than the number specified in column (B) of the table, as he may think fit; and

(ii) no ship shall be required to be fitted with a number of sets of davits greater than the number of lifeboats required to accommodate the total number of persons which the ship is certified to carry.

- (b) The following provisions are substituted for the provisions contained in paragraph (3) of Rule 4 of the Rules—

A lifeboat shall be attached to every set of davits.

- (c) The following provisions are substituted for the provisions contained in paragraph (5) of Rule 4 of the Rules—

Where the lifeboats carried in compliance with this Rule (as modified by this regulation) do not provide accommodation for eighty per cent of the total number of persons which the ship is certified to carry or the minimum cubic capacity specified in column (E) of the table set out in the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted so far as is practicable in the circumstances to make up the deficiency

First  
Schedule.

in such accommodation. If in the opinion of the Director it is not practicable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other approved buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats carried in compliance with paragraph (4) of this Rule.

- (d) The following provisions are substituted for the provisions contained in paragraph (11) of Rule 4 of the Rules—

Where the number of lifeboats carried in compliance with this Rule (as modified by these regulations) is thirteen or less and the ship is fitted with the minimum number of sets of davits determined in accordance with column (B) of the table set out in the First Schedule to these regulations, one of such lifeboats shall be a Class A motor lifeboat or a Class B motor lifeboat or a mechanically propelled lifeboat.

First  
Schedule.

- (e) The following provisions are substituted for the provisions contained in paragraph (16) of Rule 4 of the Rules—

Every ship to which this Rule applies shall carry at least the number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations.

Second  
Schedule.

- (f) The provisions of paragraphs (6), (7), (12) and (15) of Rule 4 of the Rules shall not apply to ships of Class C.

(3) Rule 33 of the Rules shall apply to lifeboats carried in ships of Class C in the same manner as such Rule applies to lifeboats carried in ships of Class I subject to the following modification, namely, that the Director may in his discretion authorize the omission of biscuits and condensed milk from the rations to be carried in such boats.

7. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class D in the same manner as they apply to ships of Class II.

Ships of  
Class D.

(2) Rule 4 of the Rules shall apply to ships of Class D subject to the following modifications—

- (a) The following provisions are substituted for the provisions contained in paragraph (2) of Rule 4 of the Rules—

Every ship to which this Rule applies shall, subject to the provisions of section 115 of the Ordinance and of Rule 48 of the Rules (as modified by regulation 2 of these regulations), be fitted, in accordance with its length, with the number of

(14 of 1953).

sets of davits specified in column (A) of the table set out in the First Schedule to these regulations:

Provided that—

(i) if in the opinion of the Director it is not practicable to place on any particular ship the number of davits specified in such column (A) and the total capacity of the lifeboats carried in such ship is not less than the minimum aggregate capacity specified in column (E) of such table, then the Director may authorize, if in all the circumstances he is satisfied that it is safe and expedient, such lesser number of sets of davits, not being less than the number specified in column (B) of the table, as he may think fit; and

(ii) no ship shall be required to be fitted with a number of sets of davits greater than the number of lifeboats required to accommodate the number of persons which the ship is certified to carry.

- (b) The following provisions are substituted for the provisions contained in paragraph (3) of Rule 4 of the Rules—

A lifeboat shall be attached to every set of davits.

- (c) The following provisions are substituted for the provisions contained in paragraph (5) of Rule 4 of the Rules—

Where the lifeboats carried in compliance with this Rule (as modified by this regulation) do not provide accommodation for sixty per cent of the total number of persons which the ship is certified to carry or the minimum cubic capacity specified in column (E) of the table set out in the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted so far as is practicable in the circumstances to make up the deficiency in such accommodation. If in the opinion of the Director it is not practicable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other approved buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats carried in compliance with paragraph (4) of this Rule.

- (d) The following provisions are substituted for the provisions contained in paragraph (11) of Rule 4 of the Rules—

Where the number of lifeboats carried in compliance with this Rule (as modified by this regulation) is thirteen or less and the ship is fitted with the minimum number of sets of

davits determined in accordance with column (B) of the table set out in the First Schedule to these regulations, one of such lifeboats shall be a class A motor lifeboat or a Class B motor lifeboat or a mechanically propelled lifeboat.

- (e) The following provisions are substituted for the provisions contained in paragraph (16) of Rule 4 of the Rules—

Every ship to which this Rule applies shall carry at least the number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations.

- (f) The provisions of paragraphs (6), (7), (12) and (15) of Rule 4 of the Rules shall not apply to ships of Class D.

(3) Rule 33 of the Rules shall apply to lifeboats carried in ships of Class D in the same manner as such Rule applies to lifeboats carried in ships of Class I subject to the following modification, namely, that the Director may in his discretion authorize the omission of biscuits and condensed milk from the rations to be carried by such boats.

(4) In the case of any ship of Class D engaged on short international voyages in Area D specified in the Third Schedule to these regulations between ports of a British possession within the meaning of section 735 of the Merchant Shipping Act, 1894, or any place outside Her Majesty's dominions in which Her Majesty has jurisdiction within the meaning of section 737 of that Act, the Director may, if in all the circumstances he finds it safe and expedient, accept lifeboats of Class C in lieu of lifeboats of Class A provided that he is satisfied that as many lifeboats of Class A are carried as the circumstances of the particular trade upon which such ship is engaged permit.

8. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class E in the same manner as they apply to ships of Class I.

(2) Rule 3 of the Rules shall apply to ships of Class E subject to the following modifications—

- (a) The following provisions are substituted for the provisions contained in paragraph (2) of Rule 3 of the Rules—

Every ship to which this Rule applies shall, subject to the provisions of section 115 of the Ordinance and of Rule 48 of the Rules (as modified by regulation 2 of these regulations), be fitted, in accordance with its length, with the number of sets of davits determined—

(i) in the case of ships certified to carry more than twelve berthed passengers, in accordance with column (A) of the table set out in the First Schedule to these regulations; and

(ii) in the case of ships certified to carry twelve berthed passengers or less, in accordance with column (C) of such table:

Provided that—

(i) if in the opinion of the Director it is not practicable to place on any particular ship the number of sets of davits determined in accordance with such column (A) in the case of any ship certified to carry more than twelve berthed passengers and the total capacity of the lifeboats carried in such ship is not less than the minimum aggregate capacity determined in accordance with column (F) of the table, then the Director may authorize, if in all circumstances he is satisfied that it is safe and expedient, such lesser number of sets of davits, not being less than the minimum number determined in accordance with column (B) of the table, as he may think fit; and

(ii) no ship shall be required to be fitted with a number of sets of davits greater than the number of lifeboats required to accommodate the total number of persons which the ship is certified to carry.

(b) The following provisions are substituted for the provisions contained in paragraph (5) of Rule 3 of the Rules—

Where the lifeboats carried in compliance with the foregoing provisions of this Rule (as modified by this regulation) do not provide accommodation for the total number of persons which the ship is certified to carry or the minimum aggregate capacity determined in accordance with column (F) of the table set out in the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted as far as is practicable in the circumstances to make up the deficiency in such accommodation. If in the opinion of the Director it is not practicable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other approved buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats carried in compliance with paragraph (4) of this Rule.

(c) The following provisions are substituted for the provisions contained in paragraph (13) of Rule 3 of the Rules—

Every ship to which this Rule applies shall carry not less than the number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations.

First  
Schedule.

Second  
Schedule.

(d) The provisions of paragraph (12) of the Rules shall not apply to ships of Class E.

(3) Rule 33 of the Rules shall apply to lifeboats carried in ships of Class E in the same manner as it applies to lifeboats carried in ships of Class I subject to the following modification, namely, that the Director may in his discretion authorize a reduction, not exceeding one half, in the quantity of condensed milk required to be carried by such lifeboats.

9. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class F in the same manner as they apply to ships of Class II. Ships of  
Class F.

(2) Rule 4 of the Rules shall apply to ships of Class F subject to the following modifications—

(a) The following provisions are substituted for the provisions contained in paragraph (2) of Rule 4 of the Rules—

Every ship to which this Rule applies shall, subject to the provisions of section 115 of the Ordinance and of Rule 48 of the Rules (as modified by regulation 2 of these regulations), be fitted, in accordance with its length, with the number of sets of davits determined— (14 of 1953).

(i) in the case of ships certified to carry more than twelve berthed passengers, in accordance with column (A) of the table set out in the First Schedule to these regulations; and

(ii) in the case of ships certified to carry twelve berthed passengers or less, in accordance with column (C) of such table: First  
Schedule.

Provided that—

(i) if in the opinion of the Director it is not practicable to place on any particular ship the number of sets of davits determined in accordance with such column (A) in the case of any ship certified to carry more than twelve berthed passengers and the total capacity of the lifeboats carried in such ship is not less than the minimum aggregate capacity determined in accordance with column (E) of the table, then the Director may authorize, if in all the circumstances he is satisfied that it is safe and expedient, such lesser number of sets of davits, not being less than the minimum number determined in accordance with column (B) of the table, as he may think fit; and

(ii) no ship shall be required to be fitted with a number of davits greater than the number of lifeboats required to accommodate the total number of persons which the ship is certified to carry.

- (b) The following provisions are substituted for the provisions contained in paragraph (3) of Rule 4 of the Rules—

A lifeboat shall be attached to every set of davits.

- (c) The following provisions are substituted for the provisions contained in paragraph (5) of Rule 4 of the Rules—

Where the lifeboats carried in compliance with the foregoing provisions of this Rule (as modified by this regulation) do not provide accommodation for eighty per cent of the total number of persons which the ship is certified to carry or the minimum aggregate capacity determined in accordance with column (E) of the table set out in the First Schedule to these regulations, whichever is the less, additional sets of davits with lifeboats attached shall be fitted so far as is practicable in the circumstances to make up the deficiency in such accommodation. If in the opinion of the Director it is not practicable to fit such additional sets of davits, additional lifeboats or, in the discretion of the Director, such approved liferafts or other approved buoyant apparatus as he may think fit to make up the deficiency shall be carried, such additional lifeboats or such liferafts or buoyant apparatus being stowed in such manner as the Director may determine but not so as to impede the efficient operation of the two emergency boats carried in compliance with paragraph (4) of this Rule.

- (d) The following provisions are substituted for the provisions contained in paragraph (11) of Rule 4 of the Rules—

Where the number of lifeboats carried in compliance with this Rule (as modified by this regulation) is thirteen or less and the ship is fitted with the minimum number of sets of davits determined in accordance with column (B) of the table set out in the First Schedule to these regulations, one of such lifeboats shall be a Class A motor lifeboat or a Class B motor lifeboat or a mechanically propelled lifeboat.

- (e) The following provisions shall be substituted for the provisions contained in paragraph (16) of Rule 4 of the Rules—

Every ship to which this Rule applies shall carry at least the number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations.

- (f) The provisions of paragraphs (6), (7), (12) and (15) of Rule 4 of the Rules shall not apply to ships of Class F.

(3) Rule 33 of the Rules shall apply to lifeboats carried in ships of Class F in the same manner as such Rule applies to lifeboats carried in ships of Class I subject to the following modification, namely, that the Director may in his discretion authorize the omission of biscuits and condensed milk from the rations to be carried in such boats.

First  
Schedule.

First  
Schedule.

Second  
Schedule.

10. (1) Except as otherwise specified in this regulation the Rules shall not apply to ships of Class G. Ships of  
Class G.

(2) Every ship of Class G shall be provided with a number of sets of davits determined in accordance with column 2 of the table set out in the Fourth Schedule to these regulations to which shall be attached lifeboats which shall comply with the provisions relating to Class C lifeboats contained in the Rules and shall be of not less than the minimum aggregate capacity determined in accordance with column 3 of that table. Fourth  
Schedule.

(3) Where in the case of any ship of Class G the lifeboats required to be carried in accordance with paragraph (2) do not provide accommodation for forty per cent of the total number of persons which the ship is certified to carry, such ship shall carry such additional lifeboats, corresponding to such Class C, or inflatable liferafts or buoyant apparatus, which shall comply with the provisions relating to inflatable liferafts or buoyant apparatus, as the case may be, contained in the Rules, as will, together with the boats required to be carried in accordance with paragraph (2), provide accommodation for not less than forty per cent of such persons.

(4) Every ship of Class G shall carry not less than a number of lifebuoys determined in accordance with column 2 of Part I of the table set out in the Second Schedule to these regulations not less than two of such lifebuoys situated one on each side of the ship being provided with self-igniting lights which cannot be extinguished in water. Second  
Schedule.

(5) Every ship of Class G shall carry one lifejacket which shall comply with the provisions relating to lifejackets contained in the Rules, for each person the ship is certified to carry.

(6) Every ship of Class G shall carry a line throwing appliance which shall comply with the provisions relating to line throwing appliances contained in the Rules.

(7) Every ship of Class G shall be provided with not less than twelve pyrotechnic distress signals which shall be either parachute distress rocket signals of a type complying with the provisions of the Rules relating to such signals or red hand flares capable of emitting five red stars into the air to a height of not less than one hundred and fifty feet.

11. The Rules shall apply to ships of Class H in the same manner as they apply to ships of Class VIII. Ships of  
Class H.

12. (1) Subject to the provisions of this regulation, the Rules shall apply to ships of Class J in the same manner as they apply to ships of Class IX. Ships of  
Class J.

(2) In the case of any ship of Class J which is carrying a salvage party additional inflatable liferafts or buoyant apparatus shall be provided sufficient to accommodate the additional persons so carried.

Ships of  
Class K.

**13.** (1) Except as otherwise specified in this regulation, the Rules shall not apply to ships of Class K.

(2) Every ship of Class K shall carry—

- (a) not less than one lifeboat which shall comply with the provisions relating to Class C lifeboats contained in the Rules and shall be attached to davits and of which the capacity, or if more than one such boat is carried the aggregate capacity, shall be sufficient to accommodate the total number of persons on board the ship; and
- (b) not less than two inflatable liferafts or buoyant apparatus, which shall comply with the provisions relating to inflatable liferafts or buoyant apparatus as the case may be contained in the Rules, of aggregate capacity sufficient to accommodate the total number of persons on board the ship and so stowed that they can readily be placed in the water on either side of the ship:

Provided that in the case of any ship of Class K of less than one hundred and twenty feet in length, if the aggregate capacity of the inflatable liferafts or buoyant apparatus carried is sufficient to accommodate twice the total number of persons on board the ship, no such lifeboat need be carried.

(3) Every ship of Class K shall carry not less than four lifebuoys, which shall comply with the provisions relating to lifebuoys contained in the Rules, two of which shall be provided with a self-igniting light which cannot be extinguished in water.

(4) Every ship of Class K shall carry one lifejacket, which shall comply with the provisions relating to lifejackets contained in the Rules, for each person on board the ship.

(5) Every ship of Class K shall be provided with a line throwing appliance which shall comply with the provisions relating to line throwing appliances contained in the Rules.

(6) Every ship of Class K shall be provided with not less than twelve pyrotechnic distress signals which shall be either parachute distress rocket signals of a type complying with the provisions of the Rules relating to such signals or red hand flares capable of emitting five red stars into the air to a height of not less than one hundred and fifty feet.

Ships of  
Class L.

**14.** (1) Except as otherwise specified in this regulation, the Rules shall not apply to ships of Class L.

(2) Every ship of Class L plying exclusively within the waters of the Colony on voyages which do not extend beyond the limits of any specified sheltered waters shall be provided with not less than—

- (a) lifebuoys, which shall comply with the provisions relating to lifebuoys contained in the Rules, on a scale determined in accordance with column 2 of Part II of the table set out in the Second Schedule to these regulations; and
- (b) sufficient inflatable liferafts or buoyant apparatus, which shall respectively comply with the provisions relating to inflatable liferafts or buoyant apparatus contained in the Rules, to accommodate sixty per cent of the total number of persons on board the ship; and
- (c) if the appliances provided in accordance with sub-paragraphs (a) and (b) are insufficient to accommodate the total number of persons on board the ship, such additional lifebuoys, inflatable liferafts or buoyant apparatus, or lifejackets which shall comply with the provisions relating to lifejackets contained in the Rules as shall together with such aforesaid appliances provide floatation for the total number of persons on board the ship.

Second  
Schedule.

(3) Every ship of Class L plying within the waters of the Colony on voyages which may extend beyond the limits of any specified sheltered water shall, in addition to the requirements of paragraph (2), be provided with either—

- (a) not less than a number of sets of davits determined in accordance with column 2 of the table set out in the Fourth Schedule to these regulations to which shall be attached lifeboats which shall comply with the provisions relating to Class C lifeboats contained in the Rules and shall be of an aggregate minimum capacity determined in accordance with column 3 of that table; or
- (b) inflatable liferafts or buoyant apparatus which shall comply respectively with the provisions relating to inflatable liferafts or buoyant apparatus contained in the Rules, of not less than a minimum aggregate capacity determined in accordance with column 4 of that table.

Fourth  
Schedule.

**15.** The Rules shall apply to ships of Class M in the same manner as they apply to ships of Class XI.

Ships of  
Class M.

**16.** The Rules shall apply to ships of Class N in the same manner as they apply to ships of Class XII.

Ships of  
Class N.

**17.** The Merchant Shipping (Life-Saving Appliances) Regulations, 1935, are revoked.

Revocation  
of previous  
regulations.  
(Fraser Vol. 1,  
p. 224).

## FIRST SCHEDULE. [regs. 4, 5, 6, 7, 8 &amp; 9.]

Table of Davits and Capacity of Boats (generally).

Registered length of ship in feet.	(A)	(B)	(C)	Minimum aggregate capacity of lifeboats in cubic feet.		
	Number of sets of davits.	Minimum number of sets of davits.	Number of sets of davits for ships carrying not more than 12 unberthed passengers.	(D) For long international voyages.	(E) For short international voyages.	(F) For ships in specified areas and pilgrim trade.
100 and under	120	2	2	784	320	400
120 "	140	2	2	975	420	525
140 "	160	2	2	1,240	610	762
160 "	175	3	2	1,500	780	975
175 "	190	3	2	1,910	930	1,162
190 "	205	4	4	2,200	1,080	1,350
205 "	220	4	4	2,660	1,300	1,625
220 "	230	5	4	3,120	1,475	1,840
230 "	245	5	4	3,650	1,640	2,050
245 "	255	6	4	4,080	1,840	2,300
255 "	270	6	4	4,510	2,030	2,530
270 "	285	7	4	4,950	2,420	3,025
285 "	300	7	6	5,540	2,840	3,550
300 "	315	8	6	6,040	3,300	4,125
315 "	330	8	6	6,630	3,700	4,625
330 "	350	9	6	7,200	4,100	5,125
350 "	370	9	6	7,700	4,400	5,500
370 "	390	10	6	8,520	4,700	5,875
390 "	410	10	8	9,360	5,100	6,375
410 "	435	12	8	10,450	5,500	6,875
435 "	460	12	10	11,540	6,000	7,500
460 "	490	14	10	12,740	6,550	8,180
490 "	520	14	10	13,850	7,100	8,875
520 "	550	16	10	14,980	7,650	9,560
550 "	580	16	12	16,280	—	—
580 "	610	18	12	17,520	—	—
610 "	640	18	12	18,960	—	—
640 "	670	20	14	20,280	—	—
670 "	700	20	14	21,640	—	—

Note: The number of sets of davits and the capacity of boats not provided for in the above table shall be determined by the Director.

## SECOND SCHEDULE. [regs. 4, 5, 6, 7, 8, 9, 10 &amp; 14.]

Table of Lifebuoys.

## PART I.

Number of lifebuoys to be carried by ships of Class A to F inclusive.

1. Length of ship in feet.	2. Minimum No. of lifebuoys.
Under 200	8
200 and under 400	12
400 " " 600	18
600 " " 800	24
800 and over	30

## PART II.

Number of lifebuoys to be carried by ships of Class L.

1. Length of ship in feet.	2. Minimum No. of lifebuoys.
Under 32	4
32 and under 40	5
40 " " 48	6
48 " " 56	8
56 " " 64	9
64 " " 72	11
72 " " 80	13
80 " " 88	14
88 " " 96	16
96 " " 104	17
104 " " 112	19
112 " " 120	20
120 " " 128	22
128 and over	24

## THIRD SCHEDULE. [regs. 2, 5 &amp; 7.]

## Specified Areas.

Area A: Simla Rule ships engaged on voyages between Hong Kong and the Caroline Islands, Ladrone or Mariana Islands, Ellice Islands, Gilbert Islands, Guam, Marshall Islands and Pelew Islands shall be deemed to be voyaging within Area A.

*Area B:* Simla Rule ships engaged on voyages in the area of the Bay of Bengal and the Andaman Sea to the northward of a line drawn from Point Calimere (India) to Achin Head (Sumatra) and thence to Penang shall be deemed to be voyaging within Area B.

*Area C:* Simla Rule ships engaged on voyages in the area bounded by the following lines; from a point on the west side of the Malay Peninsula in latitude 10° North along the coast of Asia to a point in Cochin China in latitude 11° North; thence to latitude 8° North, longitude 110° East; thence to latitude 8° North, longitude 125° East; thence to latitude 0°, longitude 140° East; thence to latitude 0°, longitude 160° East; thence to latitude 11° South, longitude 170° East; thence to latitude 23½° South, longitude 170° East; thence to latitude 23½° South, longitude 160° East; thence to the east side of Cape York at latitude 11° South; from the west side of Cape York in latitude 11° South to Cape Wessel and Wessel Island; thence along the Australian coast to Port Darwin (Cape Charles); thence to latitude 10° South, longitude 109° East; thence to Christmas Island; thence to latitude 2° North, longitude 94° East; thence to latitude 6½° North, longitude 94° East; and thence to the starting point but excluding ports and places under the jurisdiction of Australia, shall be deemed to be voyaging within Area C.

*Area D:* An area bounded by a line drawn through the following points:—

6° 30' N.	Saigon	0°
94° E.		141° E.
10° 30' S.	10° 30' S.	11° 30' S.
141° E.	128° E.	128° E.
9° 30' S.	2° N.	6° 30' N.
105° E.	94° E.	94° E.

#### FOURTH SCHEDULE.

[reg. 10 & 14.]

Table relating to davits and the capacity of lifeboats and inflatable liferafts carried in ships of Classes G and L.

1.	2.	3.	4.
Length of ship in feet.	Minimum No. of sets of davits.	Minimum aggregate capacity of boats in cubic feet.	Minimum aggregate No. of persons to be accommodated in inflatable liferafts or buoyant apparatus.
80 and under	85	1	61
85 "	90	1	74
90 "	95	1	88
95 "	100	1	104
100 "	105	1	127
105 "	110	2	148
110 "	115	2	176
115 "	120	2	208
120 "	140	2	254

1.	2.	3.	4.
Length of ship in feet.	Minimum No. of sets of davits.	Minimum aggregate capacity of boats in cubic feet.	Minimum aggregate No. of persons to be accommodated in inflatable liferafts or buoyant apparatus.
140 "	160	2	286
160 "	175	2	324
175 "	190	2	364
190 "	205	2	420
205 "	230	2	476

Note: The number of sets of davits and the capacities of boats and inflatable liferafts not provided for in the above table shall be determined by the Director.

#### FIFTH SCHEDULE.

[reg. 2.]

##### Specified Sheltered Waters.

##### Victoria Harbour Area.

The waters contained within the Harbour boundaries are defined in the Third Schedule to the Interpretation Ordinance, and in addition, the waters bounded by the mainland foreshore to a point of land west of Tsuen Wan in position 22° 22' 10" North Latitude 114° 05' 42" East Longitude, thence by a straight line across to a point on the foreshore of Tsing Yi Island in position 22° 21' 50" North Latitude 114° 05' 51" East Longitude thence along the foreshore of Tsing Yi Island to a point of land in position 22° 20' 57" North Latitude 114° 06' 32" East Longitude thence by a straight line drawn to the westernmost point of Stonecutters Island.

##### Aberdeen Area.

The waters contained within Aberdeen Harbour and Aberdeen Channel bounded on the western entrance by a straight line drawn from the westernmost point on Ap Lei Chau Island, Fo Yo Kok, true north to the foreshore of Hong Kong Island, and bounded on the south-east entrance by a straight line drawn from the eastern foreshore of Ap Lei Chau true east across to the foreshore of Hong Kong Island in position 22° 14' 16" North Latitude 114° 09' 46" East Longitude.

##### Junk Bay Area.

The waters of Junk Bay to the northward of a straight line drawn from Lei Yue Mun point across to the northernmost point of Fat Tau Chau (Junk Island), the northern shore of Fat Tau Chau, and a straight line drawn from the easternmost point of Fat Tau Chau to a point of land on the mainland shore in position 22° 16' 48" North Latitude 114° 16' 30" East Longitude.


##### Port Shelter Area.

The waters of Port Shelter and Rocky Harbour bounded on the north and west by the mainland shore and on the south and east by a straight line drawn from La Tau Ko point to the southernmost point of Ngau Tau Island (off Shelter Island) thence by a straight line to the southernmost point of Tiu Chung Chau (Jim Island), thence by a straight line to the southern extremity of Leung

Shuen Wan Chau (High Island), thence by the western and northern shore of Leung Shuen Wan Chau to its eastern extremity, thence by a straight line drawn true north to the mainland shore.

*Tolo Harbour Area.*

The waters of Tide Cove, Tolo Harbour and Plover Cove within an area bounded by the mainland shore, by a straight line drawn from the western extremity of U Kwai Tsui to the south-western extremity of Pak Sha Tau Chau (Harbour Island), thence by the northern shore of Pak Sha Tau Chau to its eastern extremity, thence by a straight line across to the point of land on the mainland shore in position 22° 27' 42" North Latitude 114° 15' 26" East Longitude.

  
Clerk of Councils.

COUNCIL CHAMBER,  
7th February, 1961.

*Explanatory Note.*

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

These regulations replace subject to amendment the Merchant Shipping (Life-Saving Appliances) Regulations, 1935.

2. The purpose of this measure is to bring the regulations relating to life saving appliances more closely into line with the Merchant Shipping (Life-Saving Appliances) Rules, 1958, made by the Minister of Transport and Civil Aviation in the United Kingdom. Those rules amend and consolidate previous Rules and arrange ships into classes and provide for life saving appliances to be carried by ships of each class. They include such requirements as appear to the Minister of Transport and Civil Aviation to implement the provisions of the International Convention for the Safety of Life at Sea, 1948, relating to life saving appliances and are applicable to the Colony in respect of certain classes of ships by virtue of section 37 of the Merchant Shipping Ordinance, 1953, but they do not provide for ships which are subject to the provisions of the Simla Rules, 1931, (to which Hong Kong is a party) made pursuant to the International Convention for the Safety of Life at Sea, 1929, nor do they provide for certain kinds of local craft.

3. The Simla Rules are designed to meet the special needs of ships plying in Asiatic waters and carrying large numbers of unberthed passengers, in the pilgrim and other trades, which require certain modifications in respect of the requirements relating to the carriage by ships of life saving appliances generally accepted by international agreement, which is also the case in respect of certain kinds of local craft. These regulations therefore arrange ships to which the Simla Rules apply and such local craft into classes comparable with those to which the Merchant Shipping (Life-Saving Appliances) Rules, 1958, of the United Kingdom apply, and are designed to be read as one with those Rules. The effect is to apply to such ships and craft the provisions of those Rules subject to such modifications, embodied in these regulations, as appear to the Governor in Council to implement the requirements of the Simla Rules, 1931, and the requirements of local craft.

4. The principal amendments, other than as to form, to the regulations previously in force are—

- (a) All reference to ships of Group 1 Classes 1, 2, 7 and 11 under the previous regulations has been omitted from these regulations because the Merchant Shipping (Life-Saving Appliances) Rules, 1958, apply

without modification to such ships of Group 1 Classes 1, 2 and 11, and the previous special class, Group 1 Class 7 (ships plying locally on international coasting voyages), is no longer considered necessary and has been dropped from the regulations.

- (b) Ships of Group 1 Classes 3, 4 and 9 under the previous regulations are referred to as ships of Classes A, B and E respectively under these regulations and equated to ships of Class 1 under the Merchant Shipping (Life-Saving Appliances) Rules, 1958, modified by these regulations to meet the requirements of the Simla Rules, 1931. The effect is to leave the requirements relating to the carriage of life saving appliances by those ships unaltered.
- (c) Ships of Group 1 Classes 5, 6 10 and 12 under the previous regulations are referred to as ships of Classes C, D, F and J respectively under these regulations and are equated respectively to ships classed under the Merchant Shipping (Life-Saving Appliances) Rules, 1958, Classes C, D and F being equated to Class II and Class J being equated to Class IX. In the case of ships of Classes C, D and F the provisions of the Merchant Shipping (Life-Saving Appliances) Rules, 1958, are modified by these regulations in order to retain the scale of life saving appliances applicable under the Simla Rules, 1931, but in other respects bring the requirements for life saving appliances applicable to those ships into line with the requirements for life saving appliances applicable to ships of Class II under the Merchant Shipping (Life-Saving Appliances) Rules, 1958. In the case of ships of Classes H and J the provisions of the Merchant Shipping (Life-Saving Appliances) Rules, 1958, are applied respectively without modification, except in the case of ships of Class J carrying salvage parties where provision is made for the carriage of additional inflatable liferafts or buoyant apparatus to provide floatation for the extra persons carried on board.
- (d) Ships of Group 1 Class 8 under the previous regulations are referred to as ships of Class G under these regulations and are not equated to any corresponding class of ship under the Merchant Shipping (Life-Saving Appliances) Rules, 1958. These regulations substantially reproduce the scale of life saving appliances to be carried by such ships under the previous regulations.
- (e) Ships of Group 1 Class 13 and Group II Class 4 under the previous regulations are referred as ships of Class H under these regulations and are equated to ships of Class VIII under the Merchant Shipping (Life-Saving Appliances) Rules, 1958, and those Rules are applied without modification.
- (f) These regulations introduce a special Class K for local deep sea trawlers. Previously there were no local regulations applicable to such craft and provision for life saving appliances was made in respect of them by agreement between the owners and the Marine Department the requirements being based upon a considerably modified form of the Rules from time to time applicable to trawlers operating from the United Kingdom. These regulations in so far as they apply to ships of Class K are therefore based upon the scale previously adopted voluntarily by the majority of local trawler owners and the provisions of the Merchant Shipping (Life-Saving Appliances) Rules, 1958, as to such scales are not applied.
- (g) Ships of Group II Classes 1, 2 and 3 (ships plying exclusively within the waters of the Colony) under the previous regulations are all classed together and referred to as ships of Class L under these regulations and special scales of life saving appliances applied to them by these regulations unrelated to the Merchant Shipping (Life-Saving Appliances) Rules, 1958. These scales reproduce in substance the scales applicable to such ships as contained in the previous regulations subject to certain modifications to ensure floatation for the total number of persons carried in a ship at any one time.

- (h) These regulations introduce two new Classes namely Class M and Class N applicable to sailing ships of European design and pleasure yachts and equate these two classes to Class XI and Class XII respectively under the Merchant Shipping (Life-Saving Appliances) Rules, 1958, without modification. Previously there were no regulations applicable to such ships relating to the carriage of life saving appliances.

(Secretariat GR10/5061/58)


**CENSUS ORDINANCE, 1960.**

**(No. 2 of 1960).**

**CENSUS (No. 1) ORDER, 1961.**

In exercise of the powers conferred by section 3 of the Census Ordinance, 1960, the Governor in Council has made the following Order—

1. This Order may be cited as the Census (No. 1) Order, 1961. Citation.
2. A census shall be taken at 2 a.m. on the 11th day of February, 1961, of the population then dwelling afloat in small craft in any part of the waters of the Colony. Census order.
3. The purpose of the said census is to ascertain the numbers and descriptions of all those dwelling afloat in small craft. Purpose of census.

  
Clerk of Councils.

COUNCIL CHAMBER,  
7th February, 1961.

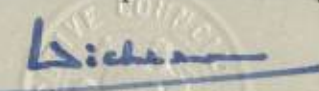
(Secretariat GR15/3231/59)

**CENSUS ORDINANCE, 1960.**  
**(No. 2 of 1960).**

**CENSUS (No. 2) ORDER, 1961.**

In exercise of the powers conferred by section 3 of the Census Ordinance, 1960, the Governor in Council has made the following Order—

1. This Order may be cited as the Census (No. 2) Order, 1961. Citation.
2. A census shall be taken at 2 a.m. on the 7th day of March, 1961, of the population then dwelling in any part of the Colony other than those dwelling afloat in small craft. Census order.
3. The purpose of the said census is to ascertain the numbers and descriptions of all members of the population except those dwelling afloat in small craft. Purpose of census.

  
*Clerk of Councils.*

COUNCIL CHAMBER,  
7th February, 1961.

(Secretariat GR15/3231/59)



REGISTRATION OF PERSONS ORDINANCE, 1960.

(No. 18 of 1960).

REGISTRATION OF PERSONS (RE-REGISTRATION)

(No. 2) ORDER, 1961.

In exercise of the powers conferred by section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Re-registration) (No. 2) Order, 1961. Citation.

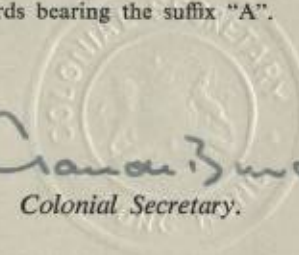
2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder. Category of persons required to re-register. (18 of 1960).

SCHEDULE.

Every person being resident in Hong Kong, Kowloon and Tsuen Wan, being the holder of an Identity Card which bears a registration number in the series 155,001 to 185,000, and the family, if any, of such holder.

This Order does not apply to old Identity Cards bearing the suffix "A".

By Command,

  
*Charles Burgess*  
Colonial Secretary.

8th February, 1961.

(Secretariat D/RPO)

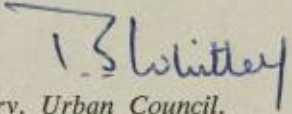


**PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.**  
**(No. 30 of 1960).**

**DECLARATION THAT PUBLIC CEMETERIES BE CLOSED.**

In exercise of the powers conferred by subsection (2) of section 115 of the Public Health and Urban Services Ordinance, 1960, the Urban Council hereby declares the following public cemeteries to be closed—

<i>Name of Cemetery</i>	<i>Location</i>
New Kowloon Cemetery No. 8 (Diamond Hill Urn Cemetery)	Kowloon
Mount Caroline Cemetery	So Kon Po

  
*Secretary, Urban Council.*


*10th February, 1961.*

(Secretariat BL6/3751/47)



**PROCLAMATION**

No. 3 of 1961,



*Robert Brown Black*

*Governor.*

BY HIS EXCELLENCY SIR ROBERT BROWN BLACK, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS—

- (a) by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, Chapter 15, it is provided that where the Governor is satisfied that reciprocal provisions have been made by the legislature of any British possession or any territory under Her Majesty's protection for the enforcement within such possession or territory of maintenance orders made by courts in Hong Kong, the Governor may by proclamation extend such Ordinance to such possession or territory;
- (b) I am satisfied that the legislature of the States of Jersey has made reciprocal provisions as aforesaid.

NOW, THEREFORE, I, ROBERT BROWN BLACK, do hereby PROCLAIM that the said Ordinance shall extend to the States of Jersey.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 7th day of February, 1961.

Published by His Excellency's Command,

*Clarence Burgess*  
Colonial Secretary.

GOD SAVE THE QUEEN.

(Secretariat GR3/2731/55)



PEARL CULTURE (CONTROL) ORDINANCE, 1958.

(No. 26 of 1958).

PEARL CULTURE (CONTROL) (AMENDMENT) REGULATIONS, 1961.

In exercise of the powers conferred by section 16 of the Pearl Culture (Control) Ordinance, 1958, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Pearl Culture (Control) (Amendment) Regulations, 1961. Citation.

2. Regulation 4 of the Pearl Culture (Control) Regulations, 1959 is amended—

(a) in paragraph (b) by the deletion of the colon and the substitution thereof of a fullstop; and

(b) by the deletion of the proviso.

Amendment  
of regula-  
tion 4.  
(G.N.A.  
31/59).

*L. S. ...*  
Clerk of Councils.

COUNCIL CHAMBER,

14th February, 1961.

*Explanatory Note.*

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

This measure is consequential upon the enactment of the Pearl Culture (Control) (Amendment) Ordinance, 1960, which, *inter alia*, provided that where a temporary licence to cultivate pearl oysters was followed by a licence, the period of the licence should not be inclusive of the period covered by the temporary licence. The effect of this measure is to bring the regulations into line with that amendment.

(Secretariat CR1/5/2586/56)

**PILOTS ORDINANCE.**

**(Chapter 81).**

PILOTS (REMUNERATION OF EXAMINERS) REGULATIONS, 1961.


In exercise of the powers conferred by section 4 of the Pilots Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Pilots (Remuneration of Examiners) Regulations, 1961. Citation.

2. Every person conducting an examination under the provisions of section 5 of the Pilots Ordinance shall be entitled to remuneration in the sum of fifty dollars: Remuneration of examiners. (Cap. 81).

Provided that nothing in this regulation shall authorize payment of remuneration to any person employed in the service of the Government.

3. The Remuneration of Examiners Regulations are revoked. Revocation. (Vol. VIII, p. 411).

  
Clerk of Councils.

COUNCIL CHAMBER,  
21st February, 1961.

*Explanatory Note.*

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

The effect of these regulations is to increase the fee payable to examiners from ten to fifty dollars.

(Secretariat GR7619/45)

**DANGEROUS GOODS ORDINANCE, 1956.**

**(No. 38 of 1956).**

**DANGEROUS GOODS (AMENDMENT) (NO. 2) REGULATIONS, 1961.**

In exercise of the powers conferred by section 4 of the Dangerous Goods Ordinance, 1956, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Dangerous Goods Citation. (Amendment) (No. 2) Regulations, 1961.


2. Regulation 80 of the Dangerous Goods Regulations, 1940, is amended by the addition after paragraph (3) of the following new paragraph—

Amendment  
of regula-  
tion 80.  
(G.N.  
236/40).

“(4) (a) No liquid oxygen shall be stored otherwise than in containers constructed and maintained to the satisfaction of the Licensing Authority.

(b) No container containing liquid oxygen shall be stored otherwise than in a place approved by the Licensing Authority, and marked, to the satisfaction of the Licensing Authority, by one or more notices in the English and Chinese languages indicating the storage of liquid oxygen.

(c) No container containing liquid oxygen shall be stored otherwise than under the care of a person having special experience, to the satisfaction of the Licensing Authority, of the handling of liquid oxygen.”

  
Clerk of Councils.

COUNCIL CHAMBER,  
28th February, 1961.

*Explanatory Note.*

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

The purpose of this measure is to bring the conditions under which liquid oxygen may be stored under the control of the Dangerous Goods Licensing Authority.

(Secretariat GR11/3231/51II)

**ROAD TRAFFIC ORDINANCE, 1957.**

(No. 39 of 1957).

**ROAD TRAFFIC (PARKING AND WAITING) (AMENDMENT)  
REGULATIONS, 1961.**

In exercise of the powers conferred by section 3 of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Road Traffic (Parking and Waiting) (Amendment) Regulations, 1961. Citation.

2. Regulation 3 of the Road Traffic (Parking and Waiting) Regulations, 1958 (hereinafter referred to as the principal regulations) is amended by the deletion of paragraph (2) and the substitution therefor of the following— Amendment  
of regula-  
tion 3.  
(G.N.A.  
77/58).

“(2) No person shall park any vehicle or cause or permit any vehicle, other than a public omnibus, to wait on a road within fifty feet of and on the same side of the road as any sign or symbol erected in accordance with the provisions of any enactment to indicate the setting aside or designation of a bus stop.”.

3. Regulation 9 of the principal regulations is amended by the addition at the end thereof of the following— Amendment  
of regula-  
tion 9.

“(3) The provisions of this regulation are in addition to and not in derogation from the provisions of any other enactment.”.

4. Regulation 10 of the principal regulations is amended— Amendment  
of regula-  
tion 10.

(a) by the addition after the words “Nothing in” of the following—

“paragraph (1) of regulation 3 or in”;

(b) by the deletion in paragraph (e) of the word “or”;

(c) by the deletion of the full stop at the end of paragraph (f) and the substitution therefor of the following—

“; or”; and



(d) by the addition at the end thereof of the following—

“(g) so as to prevent any person from causing or permitting a motor vehicle to wait for the purpose of—

(i) enabling any person to board or alight from the vehicle or to load or unload his personal luggage; or

(ii) delivering or collecting goods or merchandise or loading or unloading the vehicle at premises situate within the road if it is not reasonably practicable to load or unload the vehicle in any neighbouring road, not being a restricted road:

Provided that no vehicle shall wait for any longer period than may be necessary for such purpose.”.

Amendment of regulation 11.

5. Regulation 11 of the principal regulations is amended by the insertion after paragraph (1) of the following—

“(1A) Every parking meter shall bear a plate or other device showing, in English and in Chinese characters, the denomination of coin which may be inserted in the parking meter and the period of time for the use of the parking space for which payment is made by the insertion of such coin, in accordance with the provisions of the Second Schedule.

Second Schedule.

(1B) The Governor, by order, may amend the Second Schedule.”.

Amendment of regulation 12.

6. Regulation 12 of the principal regulations is amended—

(a) by the deletion, in paragraph (1), of the words “stipulated in the Second Schedule and” and the substitution therefor of the following—

“shown”;

(b) by the deletion of the marginal note “Second Schedule”; and

(c) by the deletion, in paragraph (2), of the words “set forth in the Second Schedule” and the substitution therefor of the following—

“shown on the parking meter”.

Revocation and replacement of First Schedule.

7. The First Schedule to the principal regulations is revoked and replaced by the following—

“FIRST SCHEDULE.

[Regs. 8 & 9.]

SIGNS.

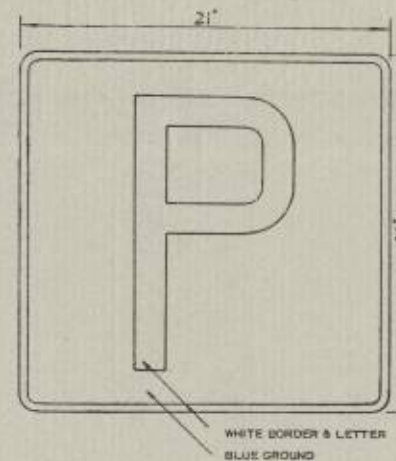


DIAGRAM 1.



DIAGRAM 2.

4



DIAGRAM 3.

Note: In Diagram 3, the numerals and wording shall be varied to accord with the restrictions imposed.

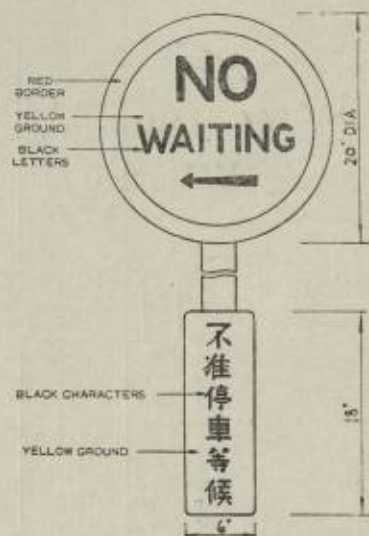


DIAGRAM 4.

Note: In Diagram 4, the direction of the arrow may be varied to accord with the circumstances.

5



DIAGRAM 5.



DIAGRAM 6.

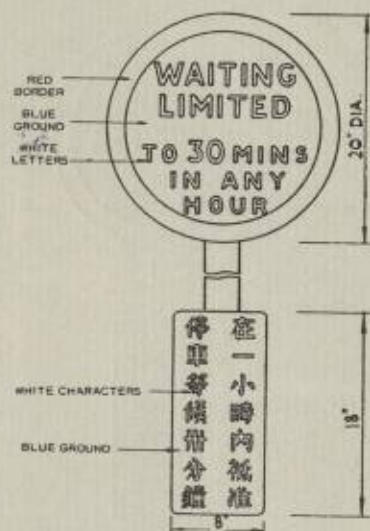


DIAGRAM 7.

Note: In Diagram 7, the numerals and wording shall be varied to accord with the restrictions imposed.

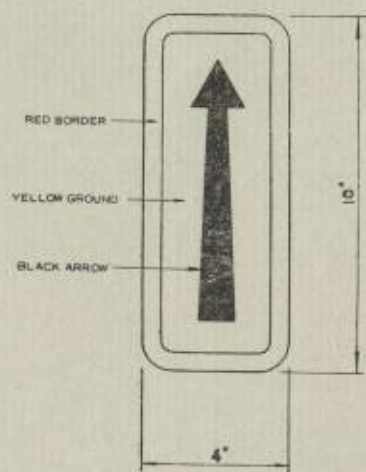


DIAGRAM 8.

Note: In Diagram 8, the background colour, and the colour and direction of the arrow may be varied to accord with the circumstances."

8. The Second Schedule to the principal regulations is amended by the deletion of the figures "12" and the substitution therefor of the following—

"11".

*Lincoln*

Clerk of Councils.

COUNCIL CHAMBER,  
28th February, 1961.

*Explanatory Note.*

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

These regulations make a number of amendments to the Road Traffic (Parking and Waiting) Regulations, 1958 (the principal regulations). By regulation 2, paragraph (2) of regulation 3 of the principal regulations is replaced by a new paragraph setting out more clearly the prohibition against parking and waiting within fifty feet of a bus stop. By regulation 3, a new paragraph is added to regulation 9 of the principal regulations making it clear that the provisions of that regulation are in addition to and not in derogation from the provisions of any other enactment. By regulation 4, regulation 10 of the principal regulations, which provides certain exemptions from the application of regulation 9, is extended to permit the loading and unloading of vehicles, under certain circumstances, in a street where a sign is erected in accordance with regulation 8 and, in addition, the exemptions contained in regulation 10 are applied to paragraph (1) of regulation 3. By regulations 5, 6 and 8, minor amendments are made to regulations 11 and 12 and to the Second Schedule to the principal regulations, to facilitate the operation of parking meters. By regulation 7, the First Schedule to the principal regulations is revoked and replaced by a new Schedule containing diagrams, the Chinese characters in which more accurately reflect the purpose of the signs which they illustrate.

(Secretariat GR2781/57II)

Amendment  
of Second  
Schedule.



**ROAD TRAFFIC (PUBLIC OMNIBUS AND PUBLIC CAR)  
REGULATIONS, 1961.**

**ARRANGEMENT OF REGULATIONS.**

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## ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

## ROAD TRAFFIC (PUBLIC OMNIBUS AND PUBLIC CAR) REGULATIONS, 1961.

In exercise of the powers conferred by sections 3, 5 and 5A of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

## PART I.

*Citation, commencement and interpretation.*

1. These regulations may be cited as the Road Traffic (Public Omnibus and Public Car) Regulations, 1961, and shall come into operation on the 1st day of April, 1961. Citation and commencement.

2. In these regulations, unless the context otherwise requires— Interpretation.  
 "Authority" means the Commissioner or any person who may be designated by any other enactment to be the Authority for the purpose of these regulations and any person to whom the powers of the Authority under these regulations may be delegated by the Commissioner or by such other person;

"bus stop" means a place which has been designated as a bus stop in accordance with the provisions of regulation 20;

"franchise" means the right or licence to operate and maintain a service of public omnibuses and public cars granted by the Governor or by the Authority in exercise of power delegated to the Authority by the Governor in accordance with the provisions of regulation 3 or granted in accordance with the provisions of any other enactment;

"licence" means a driving licence issued in accordance with the provisions of regulation 5 of the Road Traffic (Driving Licences) Regulations, 1956 or a conductor's licence issued in accordance with the provisions of regulation 9 as the case may be; (G.N.A. 88/56).

"operator" means a person to whom a franchise has been granted;

"service" means a service of public omnibuses and public cars or of either;

"ticket" means a single journey ticket, monthly ticket, student ticket or any other document which subject to the provisions of these regulations entitles a person to travel on a public omnibus or a public car.

## PART II.

*Franchise.*

Grant of franchise.

3. (1) Subject to the provisions of any other enactment the Governor may grant to any person upon such terms and conditions as he shall consider necessary including payment of such deposit as he shall consider necessary the right or licence to operate and maintain a service in any part of the Colony and may make such franchise exclusive.

(2) Any franchise may be granted by public tender or in such other manner and for such period not exceeding five years as the Governor shall consider necessary and may be extended to any period up to twelve months at any one time, up to a total extension of five years.

(3) The grant of a franchise may include the grant of the right to carry on any other trade or business which may conveniently be combined with the business of operating the service.

(4) A franchise may be granted free of payment or in return for a fixed periodical fee or for a proportion of the profits arising out of or receipts from the maintenance of the service and of any business ancillary to the maintenance of the service and any sums payable in return for any franchise shall be paid into the general revenue of the Colony.

(5) No franchise shall be transferred without the prior consent of the Governor.

(6) Any licence or franchise for the operation and maintenance of a service issued in accordance with the provisions of any enactment repealed by these regulations shall continue to be valid as a franchise in all respects as if it had been granted under this regulation.

(7) The Governor may delegate to the Authority his powers and functions under this regulation in respect of any vehicle or any class of vehicle or of any service or any class of service.

Cancellation of franchise.

4. The Governor or, where the franchise was granted by the Authority, the Authority may cancel any franchise granted in accordance with the provisions of regulation 3 for breach of any conditions upon which the franchise was granted or of any provisions of these regulations and in any such cancellation, any deposit made by the operator shall be forfeited to the Crown unless the Governor or the Authority, as the case may be, otherwise directs or it is otherwise provided in the franchise.

Emergency.

5. (1) If the Governor in Council is of the opinion that there is such emergency as would justify the taking over of any service carried on in accordance with a franchise granted in accordance with the provi-

sions of regulation 3, the Governor in Council may order the Government to take over the service together with such of the assets of the operator as are necessary for the running of the service and continue the same with or without modifications or suspend the same as the Governor in Council shall consider necessary, until the Governor in Council is satisfied that the emergency no longer exists.

(2) The Governor in Council shall, in such event, pay to the operator for the use of such assets and for loss and damage suffered by reason of such takeover such amount as may be agreed between the Government and the operator or, in default of agreement, such amount as shall be determined by arbitration in accordance with the provisions of Order XXV of the Code of Civil Procedure.

(Vol. VII, p. 184).

(3) The duration of any such emergency and any such takeover shall be computed in and not deducted from the term of any franchise or any renewal thereof.

6. (1) No person shall maintain or operate a service or shall carry passengers in a public omnibus or a public car for hire or reward where payment is made for the seat occupied by the passenger as distinct from the hiring of the vehicle except in accordance with a franchise.

Prohibition.

(2) Any person who contravenes the provisions of paragraph (1) and any driver, conductor or other person employed in any vehicle operated in contravention of those provisions shall be guilty of an offence and on summary conviction shall be liable to a fine of one thousand dollars and to imprisonment for six months.

7. (1) Every operator to whom a franchise has been granted in accordance with the provisions of regulation 3 shall maintain and keep the following records in respect of the franchise granted to him—

Records.

- (a) the number of vehicles employed or available for employment by him in the operation of the franchise, together with the registration mark, maker's name, date of manufacture, date of first registration, and seating capacity of each such vehicle;
- (b) the number of daily journeys and mileage run by each vehicle;
- (c) the number of tickets issued on each vehicle on each journey;
- (d) the names of the persons employed as driver, as conductor and as gateman of and otherwise on each such vehicle;
- (e) details of receipts in respect of each such vehicle and of each section or route upon which such vehicle is operated.

(2) An operator shall permit any person authorized in writing by the Authority to inspect all records maintained in accordance with the provisions of paragraph (1) and all accounts kept by him in connexion

with the franchise and shall afford all such facilities for such inspection as may from time to time be required and shall permit such person to make such extracts from the records as such person considers necessary.

(3) If the consideration for any franchise is a percentage of the takings or profits derived from the service, the operator, from time to time as required by the Financial Secretary, shall—

- (a) deliver to the Financial Secretary accounts and balance sheets, audited and certified by an accountant approved by the Financial Secretary, showing such takings and profits; and
- (b) give to the Financial Secretary and to every person authorized by the Financial Secretary for such purpose such form of authority as may be necessary to constitute the Financial Secretary and any such person an authorized representative of the operator within the meaning of subsection (1) of section 4 of the Inland Revenue Ordinance for the purpose of that Ordinance.

(Cap. 112,  
1956  
Reprint).

### PART III.

#### *Operators, drivers and conductors—General.*

8. (1) Every operator shall ensure that every public omnibus and every public car used by him in fulfilling the terms of his franchise, at all times when so used—

- (a) is kept in a clean and tidy condition;
- (b) has adequately displayed cards or posters showing the fares to be charged on the vehicle, the seating capacity of the vehicle and of each part thereof and the number of persons permitted to stand in the vehicle.

(2) Except with the previous permission in writing of the Authority, an operator shall not permit or suffer a public omnibus to be used for the carriage of passengers for hire or reward unless there is carried on the public omnibus at all times when it is so used not less than one conductor.

9. (1) No person shall be employed and no operator shall employ any person as a conductor on a public omnibus unless the conductor is in possession of a valid licence as a conductor issued in accordance with the provisions of this regulation.

(2) Any person wishing to obtain the issue or renewal of a conductor's licence shall deliver to the Authority an application therefor in such form as shall be prescribed by the Authority, duly completed and signed by or on behalf of the applicant and countersigned by or on behalf of the operator by whom he is or wishes to be employed together with, in the case of an application for the issue of a conductor's

Conductor's  
licence.

licence and, if required by the Authority, in the case of an application for the renewal of a conductor's licence, two copies of his photograph of a reasonable likeness to the satisfaction of the Authority and of a size not greater than two inches by two inches and not less than one and a half inches by one and a half inches together with a fee, for the issue of a licence, of two dollars and for the renewal of a licence, one dollar.

(3) If the Authority is satisfied with the particulars contained in any such application and that the applicant has such knowledge of the roads in that part of the Colony in which the public omnibus service is to operate as will enable him to carry out his duties as a conductor, the Authority may issue a conductor's licence valid until the next following 1st day of July, in such form as he shall prescribe.

(4) If the holder of a conductor's licence satisfies the Authority that the conductor's licence has been lost or defaced, the Authority, on payment of a fee of one dollar shall issue to him a duplicate licence which shall have the same effect as the original licence.

(5) If after the issue of a duplicate licence in accordance with the provisions of paragraph (4) and during the currency of such duplicate licence, the original licence shall be found, the person to whom the original licence was issued shall take all reasonable steps to obtain possession of it and to return it as soon as possible to the Authority.

(6) A conductor's licence shall not be issued to any person under the age of eighteen years.

(7) The Authority may revoke a conductor's licence if the holder thereof has been convicted of an offence under these regulations or has ceased to be employed as a conductor and on the service of notice of such revocation by the Authority on the holder of the licence, the holder thereof shall surrender it to the Authority.

(8) A conductor shall carry his licence at all times when on duty.

(9) Any conductor's licence issued in accordance with the provisions of any enactment which is repealed by these regulations shall be deemed to have been issued in accordance with the provisions of this regulation.

10. A driver and a conductor of a public omnibus and of a public car when acting as such—

- (a) shall behave in a civil and orderly manner;
- (b) shall be clean and tidy in his person;
- (c) shall not smoke in or on the vehicle during a journey or when it has passengers on board;

General  
conduct.

- (d) shall take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;
- (e) shall, if requested by any police officer in uniform or any person authorized by the Authority, give particulars of his licence, his name and the name and address of the operator by whom he is employed; and
- (f) shall not, at any reasonable time, obstruct, or neglect to give all reasonable information and assistance to, any person having authority to examine the vehicle.

General  
conduct of  
driver.

**11.** A driver of a public omnibus and of a public car, when acting as such—

- (a) shall, when picking up or setting down passengers, stop the vehicle as close as is practicable to the left or near side of the road;
- (b) shall not when the vehicle is in motion speak to the conductor to any passenger or to any other person unless it is necessary to do so on grounds of safety;
- (c) shall not unreasonably delay the vehicle on any journey;
- (d) shall shut off the engine and ensure that all the passengers are removed from his vehicle before filling the petrol or oil tank and keep such engine shut off and see that such passengers remain out of his vehicle until such filling is completed.

General  
conduct of  
conductor.

**12.** A conductor of a public omnibus and of a public car when acting as such—

- (a) shall not when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the starting, stopping or safe operation of the vehicle;
- (b) shall take such steps as he is able, whenever necessary, to enforce the provisions of these regulations relating to the conduct of passengers;
- (c) shall not unreasonably delay the vehicle on any journey;
- (d) shall ensure that, when the petrol or oil tank is being filled, no passengers or intending passengers remain on the vehicle;
- (e) shall not permit to be on the vehicle at any time more passengers than the number which are permitted to be carried on the vehicle; and
- (f) shall not play or permit to be played any musical instrument or gramophone or wireless set on the vehicle except with the permission of the Authority.

#### PART IV.

##### *Operators, drivers and conductors—Certain franchises.*

**13.** The provisions of this Part shall apply only to public omnibuses and public cars which are being employed or used on the fulfilment of the terms of a franchise granted in accordance with the provisions of the Public Transport Services (Hong Kong Island) Ordinance, 1960, or the Public Transport Services (Kowloon and New Territories) Ordinance, 1960, and to the operator of any such franchise and to the driver and conductor of any such vehicle.

Application  
of Part IV.

(4 of 1960).  
(5 of 1960).

**14.** (1) Every operator shall ensure that—

- (a) every public omnibus and every public car used by him in fulfilling the terms of his franchise, at all times when it is so used, is properly equipped to the satisfaction of the Authority with such signs and destination indicators as are referred to in regulation 18;
- (b) every driver and conductor who is employed on any such vehicle is equipped with such uniform as is referred to in regulation 15.

General  
duties of  
operators.

**15.** (1) Every driver and every conductor of a public omnibus and of a public car and every other person employed therein shall at all times when on duty on the vehicle wear such uniform and carry such badge as shall be approved of by the Authority.

Uniform.

(2) In any contravention of the provisions of paragraph (1), the driver, conductor or other person concerned and the operator shall be guilty of an offence and in any proceedings against an operator for a contravention of the provisions of paragraph (1), it shall not be necessary to prove guilty knowledge on the part of the operator.

**16.** A driver of a public omnibus and of a public car when acting as such—

Conduct of  
driver.

- (a) shall not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where such vehicles are permitted to stop for a longer time than is necessary for that purpose;
- (b) shall duly drive the vehicle by the appointed route to the appointed destination, except when prevented from doing so by accident or other emergency;
- (c) shall stop his vehicle at every bus stop which bears an indication that all public omnibuses or public cars or all such vehicles travelling on the route on which his vehicle is travelling should stop there, to allow passengers or intending passengers to alight from or to board the vehicle;

- (d) shall stop his vehicle, if signalled to do so, at every bus stop which bears an indication that all public omnibuses or public cars or all such vehicles travelling on the route on which his vehicle is travelling should stop there if requested to do so, to allow passengers or intending passengers to alight from or to board the vehicle:

Provided that a driver shall be under no obligation to stop his vehicle in accordance with paragraph (c) or (d) for the purpose of picking up passengers, when his vehicle is displaying the signboard mentioned in paragraph (b) of regulation 18.

Conduct of conductor and gateman and of driver where no conductor is carried.

17. A conductor and a gateman of a public omnibus and of a public car, when acting as such, and, in the case of a public car where no conductor is carried, a driver—

- (a) when a passenger on the vehicle gives adequate warning that he wishes to alight at the next bus stop shall give to the driver such signal as will inform the driver that the vehicle should be stopped at such place;
- (b) shall not, except for sufficient reason, by failing to signal to the driver to start, cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where the vehicle is permitted to stop for a longer time than is necessary for that purpose;
- (c) shall not neglect or refuse to admit and to carry at the lawful fare any passenger for whom there is room and to whose admission no reasonable objection is made;
- (d) shall permit any passenger to bring with him such goods as may lawfully, safely and conveniently be carried on the vehicle;
- (e) shall not permit any animal to be carried on the vehicle;
- (f) shall not permit any person who is in a dirty condition to enter in or to travel in the vehicle; and
- (g) may refuse to permit any person, whom he has reason to believe to be intoxicated, mentally unbalanced or suffering from an infectious or a contagious disease, to enter in or travel in the vehicle.

Sign boards and notices.

18. A driver and a conductor of a public omnibus and of a public car, when acting as such shall ensure that—

- (a) there is displayed on the front and on the rear of the vehicle signs and destination indicators, of such design and construction as shall have been previously approved by the Authority, showing the route number and, in English and in Chinese characters, the destination of the vehicle and that all such

signs and destination indicators are adequately illuminated at all times when, by the provisions of any other enactment, the lights of the vehicle are required to be illuminated:

Provided that the requirement that such signs and destination indicators be displayed on the rear of a vehicle and be illuminated shall not, until the 1st day of October, 1962, apply to any vehicle which was first registered in accordance with the provisions of the Road Traffic (Registration and Licensing of Vehicles) Regulations, 1956 before the date of coming into operation of these regulations.

(G.N.A. 89/56).

- (b) a sign board with the words "BUS FULL" and the characters "滿座" displayed thereon of such size and design as shall be approved by the Authority is exhibited on the vehicle in such manner as to be easily visible to intending passengers, both by day and by night whenever passengers to the number which the vehicle is permitted to carry are travelling thereon but on no other occasion and at no other time;
- (c) there is displayed in and on the vehicle, to the satisfaction of the Authority, in English and in Chinese characters, details of the sections and a time table of the service on the route on which the vehicle is operating and a list of fares and charges authorized to be taken and the number of seated and standing passengers authorized to be carried on the vehicle.

19. (1) On any vehicle employed by an operator in fulfilment of its obligations under a franchise a passenger may carry, without further charge, a package or packages of a total weight not exceeding ten pounds and a total volume not exceeding three cubic feet so long as such package or packages may be safely or conveniently carried.

Carriage of goods.

(2) On any vehicle which, under the terms of the franchise, is permitted to be used for the carriage of goods in addition to the carriage of passengers, a passenger, on payment of the appropriate charge in respect thereof, may carry such goods as may be lawfully, safely and conveniently carried on the vehicle upon the following terms and conditions—

- (a) no passenger shall carry goods of total weight exceeding one hundred pounds;
- (b) no package or item of baggage shall exceed fifty pounds in weight or five and two-fifths cubic feet in size, in addition to one bamboo or wooden pole not exceeding two and a half inches in diameter and five feet in length;
- (c) no passenger shall be accompanied by more than ten pounds of fresh fish or of dried fish.

(3) The carriage of goods in accordance with the provisions of this regulation is subject to the conditions that—

- (a) no goods of a dangerous or offensive nature shall be carried; and
- (b) no goods shall be carried unless they are securely wrapped and crated and accompanied by a passenger.

Setting aside  
of bus stops.

20. (1) An operator, with the prior permission of the Authority, may designate any place on any road as a bus stop by the erection thereon, or as near as is practicable thereto, of a sign of such type and description as may be approved by the Authority.

(2) The Authority may revoke any permission granted or deemed to have been granted in accordance with the provisions of paragraph (1) and, within fourteen days of the service on the operator of notice of such revocation, the operator shall remove the sign.

(3) No person shall, without the permission of the Authority granted in accordance with the provisions of paragraph (1), erect or cause to be erected any sign on or near to any road in such a manner that the sign might reasonably be believed to have been erected in accordance with the provisions of paragraph (1).

(4) If the Authority considers that it would be in the interests of the general public that a place on a road should be designated as a bus stop, the Authority, by notice in writing served on any operator whose vehicles travel on such road in fulfilment of the terms of a franchise, may require the operator to erect at or near to such place such sign and, within fourteen days of the date of such service, the operator shall comply with such notice.

(5) An operator shall at all times keep any notice erected in accordance with the provisions of this regulation in good order, condition and repair to the satisfaction of the Authority.

(6) Every sign which, at the date of coming into operation of these regulations has been erected on or near to a road by an operator for the purpose of indicating that vehicles used by the operator in fulfilment of the terms of a franchise granted to the operator would stop there, shall be deemed to have been erected in accordance with the provisions of this regulation and the permission of the Authority shall be deemed to have been given in accordance with the provisions of paragraph (1).

(7) In any proceedings under any enactment, in relation to a place on a road which is alleged to have been designated as a bus stop in accordance with the provisions of paragraph (1) a sign at such place which purports to indicate that vehicles used by an operator in fulfilment of the terms of a franchise would stop there shall be deemed to have been erected in accordance with the provisions of paragraph (1) unless the contrary is proved.

(8) Any operator who contravenes the provisions of paragraph (2), (3), (4) or (5) shall be guilty of an offence and, on summary conviction, shall be liable to a fine of five hundred dollars and to a continuing fine of fifty dollars for every day after the date of conviction during which the operator continues to contravene the provisions of the paragraph in respect of which the operator was convicted.

21. (1) An operator may issue—

- (a) monthly or other season tickets; and
- (b) to persons whose age does not exceed eighteen years, student monthly or other season tickets,

Conditions  
of issue  
of season  
tickets, etc.

upon such terms and conditions as shall have been previously approved in writing by the Authority.

(2) An operator shall ensure that a copy, in English and in Chinese characters, of the conditions upon which a season ticket and a student season ticket is issued, is prominently displayed at all times at every place where any such ticket is sold and that, on demand, any person who buys any such ticket may receive, without further charge, a copy of such conditions.

(3) Any person who, for the purpose of obtaining the issue of any ticket referred to in this regulation to himself or to any other person, knowingly makes any false statement, shall be guilty of an offence.

(4) Any person who with intent to defraud forges within the meaning of the Forgery Ordinance any ticket referred to in this regulation (Cap. 209) or utters or uses any such ticket which has been so forged, shall be guilty of an offence.

## PART V.

### *Conduct of passengers.*

22. A passenger or intending passenger on a public omnibus or a public car shall not— General.

- (a) use obscene or offensive language or conduct himself in a disorderly manner;
- (b) enter or alight from the vehicle otherwise than by the doors or openings provided for the purpose;
- (c) when entering or attempting to enter the vehicle, wilfully and unreasonably impede passengers seeking to enter the vehicle or to alight therefrom or behave in any other manner likely to delay the vehicle;
- (d) enter or alight from or attempt to enter or alight from the vehicle while it is in motion;

- (e) enter or remain in or on the vehicle when requested not to do so by an employee of the operator in uniform and on duty on the grounds that the petrol or oil tank of the vehicle is to be filled the vehicle is carrying its full complement of passengers or that the operator is debarred from picking up passengers at the place in question by reason of the conditions attached to the franchise or by reason of any enactment;
- (f) in the case of a public omnibus, travel in or on the upper deck of the vehicle unless he occupies a seat provided for that purpose, or in or on any part of the vehicle not provided for the conveyance of passengers;
- (g) wilfully do or cause to be done with respect to any part of the vehicle or its equipment or any accessory thereto anything which is calculated to obstruct or interfere with the working of the vehicle or to cause injury, discomfort or inconvenience to any passenger or to any other person;
- (h) when the vehicle is in motion distract the driver's attention or speak to him unless it is necessary to do so in order to give directions as to the stopping of the vehicle in an emergency or where no conductor is carried on the vehicle;
- (i) give any signal which might be interpreted by the driver as a signal from the conductor to start or to stop the vehicle;
- (j) spit upon or from or wilfully damage, soil, deface or defile any part of the vehicle or any equipment therein or any accessory thereto;
- (k) when in or on the vehicle distribute printed, written or similar matter of any description or distribute any article for the purpose of advertising;
- (l) wilfully remove, displace, deface or alter any number plate, notice board, fare table, route indicator, or destination board or any printed or other notice or advertisement in or on the vehicle;
- (m) when in or on the vehicle to the annoyance of other persons use or operate any noisy or musical instrument or any gramophone or radio set or make or combine with any other person or persons to make any excessive noise by singing, shouting or otherwise;
- (n) when in or on the vehicle throw any article or thing on the road or footway likely to annoy persons or to cause danger or injury to any person or property or attach to or trail from the vehicle any streamer, balloon, flag or other article or set out or put any thing or lean out or stick out his hand in such manner as to overhang the road;

- (o) wilfully obstruct or impede any employee of the operator in uniform and on duty;
- (p) smoke or carry a lighted pipe, cigar or cigarette in or on any part of the vehicle in or on which a notice is exhibited that smoking is prohibited;
- (q) when in or on the vehicle beg or sell or offer for sale any article;
- (r) if his condition is such as to be offensive to passengers, or the condition of his dress or clothing is such that it may reasonably be expected to soil or injure the linings or cushions or the seats or any other part of the vehicle or the clothing of other passengers, enter or remain in or on the vehicle after an employee of the operator on duty shall have requested him either not to enter or to leave the vehicle;
- (s) enter or travel in or on a vehicle with loaded firearms (unless he is a police officer or a member of the Hong Kong Auxiliary Police Force, the Preventive Service or the District Watch Force on duty) or any dangerous or offensive article;
- (t) except with the consent of any employee of the operator, on duty, bring into or on to the vehicle any bulky or cumbersome article or place any such article elsewhere in or on the vehicle than as directed by such employee;
- (u) bring any animal into or on the vehicle; or
- (v) drive or attempt to drive the vehicle or interfere or attempt to interfere with any mechanism, device or control connected with or part of the vehicle.

23. (1) A passenger on a public omnibus or on a public car shall not, with intent to avoid payment of a fare, use or attempt to use—

- (a) any ticket which has been altered or defaced; or
  - (b) any ticket which has been issued to another person if such ticket bears thereon an indication that it is not transferable; or
  - (c) any ticket which has expired.
- (2) A passenger on a public omnibus or on a public car shall—
- (a) unless he is the holder of a season ticket in respect of that journey immediately upon demand declare the journey he intends to take or has taken and pay to the conductor the fare for the whole of such journey and accept the ticket provided therefor;
  - (b) if he is the holder of a season ticket in respect of that journey immediately on demand produce his season ticket for inspection and, if required, for punching;
  - (c) leave the vehicle as soon as is practicable after completion of the journey the fare for which he has paid;

- (d) retain his ticket while he is on the vehicle and produce it for inspection and, if required, for punching, when required to do so by any authorized employee of the operator in uniform, or, if he fails so to do, pay the fare for the journey taken or to be taken by him;
- (e) if required to do so surrender his ticket to any authorized employee of the operator in uniform at the end of the journey covered by that ticket;
- (f) if required to do so surrender any period or season ticket held by him at the expiry of the period for which it was issued to him;
- (g) if required to do so by any employee of the operator, in uniform, surrender any ticket held by him either on completion of the journey or journeys covered by that ticket or in exchange for a new ticket covering the journey or journeys he is still entitled to take or in the case of a season ticket, on the expiry thereof.

(3) No passenger shall travel or attempt to travel on a public omnibus or a public car without paying the fare for the journey and the proper charges for any goods lawfully carried at his request on the vehicle.

(4) No passenger shall leave or attempt to leave a public omnibus or a public car without paying the fare for the journey which he has taken and the charge for any goods lawfully carried at his request on the vehicle with intent to avoid the payment thereof.

(5) The provisions of this regulation shall not apply to—

- (a) the following persons on duty and in uniform, namely, any member of the Police Force, the Hong Kong Auxiliary Police Force, the Preventive Service or the District Watch Force or any postman; or
- (b) the following persons on duty and in possession of a pass issued by the operator, which pass is produced for inspection on demand, namely, any member of the Police Force or the Preventive Service.

Saving.

24. The purchase of a ticket shall not entitle any passenger to accommodation on any particular public omnibus or to travel in a superior class to that for which the ticket is issued, even if the class for which the ticket is issued contains its authorized complement.

Powers of arrest.

25. Any servant of an operator in uniform and on duty may apprehend any person whom he believes, on reasonable grounds, to have committed any offence against these regulations and may detain such person until he can be handed over to a police officer.

## PART VI.

### Lost property.

26. Any person who finds any property accidentally left in a public omnibus or in a public car shall immediately hand it in the state in which he finds it to the conductor, or, if no conductor is carried on the vehicle, to the driver, who shall deal with it in accordance with these regulations. Property to be handed to conductor.

27. Immediately before or on the termination of any journey, a conductor, or, in the case of a public car on which no conductor is carried, the driver, so far as is practicable, shall search the vehicle in which he is on duty for any property accidentally left therein, and as soon as may be and in any case within twelve hours, shall hand any such property together with any property handed to him in accordance with the provisions of regulation 26 in the state in which it came into his possession, to the operator or to such employee of the operator as shall be authorized by the operator to receive any such property and such person shall give to the conductor a receipt for the property: Duties of conductor.

Provided that—

- (a) any property found by or handed to a conductor or a driver may, if he goes off duty before the completion of the journey, either be dealt with by him in accordance with this regulation or be handed by him, in the state in which it came into his possession to the conductor or driver who goes on duty in his place, who shall give him a receipt therefor and deal with it in accordance with the provisions of this regulation; and
- (b) if, before such property has been handed to the operator or to his employee, it is claimed by a person who satisfies the conductor or the driver that he is the owner thereof, it shall be returned to that person forthwith, without fee or reward, on such person giving a receipt therefor containing his signature and address to the conductor or the driver who shall, as soon as may be, report the facts and give the claimant's receipt and a description of the property to the operator or to his duly authorized employee.

28. The operator shall keep a record of the particulars of any property handed in by a conductor or by a driver in accordance with the provisions of regulation 27, the circumstances in which it was found and the name of the conductor or driver into whose possession it first came and the ultimate disposal of the property under these regulations and such record shall, at all reasonable times, be available for inspection by any police officer. Record of property.

Safe keeping  
of property.

29. The operator shall retain any property which comes into his possession in accordance with the provisions of regulation 27 in safe keeping until claimed by the owner thereof or disposed of in accordance with these regulations:

Provided that—

- (a) the operator shall return forthwith all official documents, including licences, passports, and identity cards to the appropriate Government Department or other body or person by whom they were issued;
- (b) where the name and address of the owner of any property, other than documents referred to in proviso (a) are readily ascertainable, the operator shall forthwith notify him that the property is in his possession and may be claimed in accordance with these regulations; and
- (c) if any such property appears to the operator to be of a perishable or offensive nature and is not claimed and proved to his satisfaction to belong to a claimant within eight hours from the time when it was found or if it becomes objectionable, the operator may thereupon destroy or otherwise dispose of it as he thinks fit and if such property is sold, the operator shall reward the conductor or driver in the manner provided in regulation 30.

Unclaimed  
property.

30. If any property so retained by an operator is not proved to his satisfaction to belong to a claimant within three months of the date when it was handed over by the conductor or driver to him, it shall thereupon vest in the operator who shall, as he thinks fit, either deliver such property to the conductor or to the driver or without delay sell such property and in respect of any article which realizes a sum in excess of two dollars shall award to the conductor or to the driver one-fifth, up to an amount not exceeding twenty-five dollars, of the proceeds of such sale, in computing the amount due to the conductor or to the driver any part of ten cents being reckoned as ten cents:

Provided that any documents which have not been returned to the owner or other appropriate person under regulation 29 and which have not been claimed by the person entitled to their return before the expiration of such period of three months shall not be delivered to the conductor or to the driver or sold but shall be dealt with in such manner as the operator may deem appropriate.

Claimed  
property.

31. (1) If any property while it is so retained by an operator be claimed and the claimant proves to the satisfaction of the operator that it belongs to him, it shall thereupon be delivered to the claimant upon the claimant signing a receipt therefor and upon payment by him to the operator of a sum not exceeding fifty cents and in the case of

property of a value exceeding two dollars an additional sum, up to an amount not exceeding twenty-five dollars, of one-fifth of the value of the property, which additional sum shall be awarded by the operator to the conductor or to the driver, any proportion of ten cents computing the amount due to the conductor or to the driver being reckoned as ten cents.

(2) For the purpose of this regulation, the value of the property shall be deemed to be such sum as may be agreed between the claimant and the operator or, failing agreement such sum as may be fixed by an auctioneer licensed in accordance with the provisions of the Miscellaneous Licences Ordinance, any fee payable to such auctioneer being paid by the claimant. (Cap. 114).

32. The conductor or driver or other person into whose possession the property first came shall alone be entitled to an award under the provisions of regulations 29, 30 and 31. Person entitled to award.

33. Where any property is forwarded to a claimant, all costs of packing and carriage reasonably incurred shall be paid to the operator by the claimant. Cost of packing and carriage.

34. An operator shall not be liable for any loss, damage or injury to lost property if all due diligence and care has been exercised by the operator and by his employees in respect thereof. Liability of operator.

35. (1) Where any property is contained in a package, bag or other receptacle, the operator may cause such receptacle to be opened and the contents examined if he deems it necessary so to do for the purposes of identifying and tracing the owner of the property or of ascertaining the nature of its contents. Examination of property.

(2) Where any property is claimed by any person, the operator may require the claimant to open any receptacle in which it may be contained and to submit the contents to examination for the purpose of establishing his claim to ownership or of ascertaining the value of the property.

## PART VII.

### *Appeal, offences, penalties and repeal.*

36. (1) Any person who is aggrieved by a decision of the Authority under these regulations may appeal by petition to the Governor in Council against such decision and, until the decision of the Governor in Council on such appeal has been given, the effect of the decision of the Authority shall, so far as is practicable, be suspended. Appeal.

(2) On any such appeal, the Governor in Council may confirm, revoke or amend the decision of the Authority.

Offences and penalties.

37. (1) Any person who contravenes with the provisions of regulations 7, 8, 10, 11, 12, 14, 16, 17, 18, 22, 23, 24, 26, 27, 28 or 29 or subsection (1) or subsection (5) of section 9 or subsection (2) of section 21 shall be guilty of an offence.

(2) Any person who is guilty of an offence referred to in subsection (2) of section 15 or subsection (3) or subsection (4) of section 21 or subsection (1) of this section, shall be liable, on summary conviction, to a fine of five hundred dollars.

Revocation and replacement of parts of the "Vehicle and Traffic Regulation" and of "Public Motor Vehicle Services" Regulations.

38. (1) Regulations 4, 13, 32, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 68, 97, 110, 112, 113, 114, 116, 117, 175, 176, 182 and 183 of the regulations headed "Vehicle and Traffic Regulation" and the regulations headed "Public Motor Vehicle Services" appearing on pages 723 to 816 of Volume II of the Regulations of Hong Kong (1937 Edition) are revoked.

(2) Regulation 190 of the regulations headed "Vehicle and Traffic Regulation" referred to in paragraph (1) of this regulation is amended—

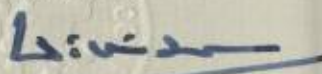
(a) by the deletion of paragraph (2) and the substitution therefor of the following—

"(2) Any person who contravenes any of the provisions of regulation 24 or 69 shall be guilty of an offence.";

(b) by the deletion of paragraph (3); and

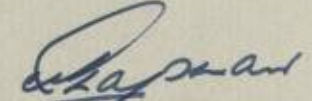
(c) by the deletion in paragraph (4) of the following—

"regulations 27(1), 32A(2), 119(b), and".

  
Clerk of Councils.

COUNCIL CHAMBER,  
7th February, 1961.

Approved by the Legislative Council this 1st day of March, 1961.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
1st March, 1961.

(Secretariat GR4/3231/58)

**PUBLIC HEALTH AND URBAN SERVICES ORDINANCE, 1960.**  
**(No. 30 of 1960).**

**VICTORIA PARK SWIMMING POOL (AMENDMENT) BY-LAWS, 1961.**

In exercise of the powers conferred by section 42 of the Public Health and Urban Services Ordinance, 1960, the Urban Council has made the following by-laws—

1. These by-laws may be cited as the Victoria Park Swimming Pool (Amendment) By-laws, 1961, and shall come into operation on the 1st day of April, 1961. Citation and commencement.

2. Paragraph (1) of by-law 10 of the Victoria Park Swimming Pool By-laws, 1957 is amended by— Amendment of by-law 10. (G.N.A. 79/57).

(a) the insertion in sub-paragraph (a) thereof, after the word "persons", of the following—

"of or";

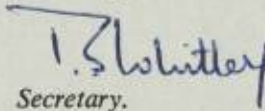
(b) the deletion from sub-paragraph (a) thereof of the word "fifty" and the substitution therefor of the following—

"seventy"; and

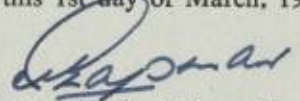
(c) the deletion from sub-paragraph (b) thereof of the word "thirty" and the substitution therefor of the following—

"forty".

Made by the Urban Council this 7th day of February, 1961.

  
Secretary.

Approved by the Legislative Council this 1st day of March, 1961.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
1st March, 1961.

*Explanatory Note.*

*(This Note is not part of the by-laws, but is intended to indicate their general purport).*

It has been decided that, with effect from the 1st April, 1961, the fee for the use of the Victoria Park Swimming Pool by persons of or over the age of fourteen years will be increased from fifty cents to seventy cents and the fee for the use of the Pool by persons under fourteen years of age will be increased from thirty cents to forty cents. These by-laws provide the necessary statutory authority.

(Secretariat GR59/3231/49)