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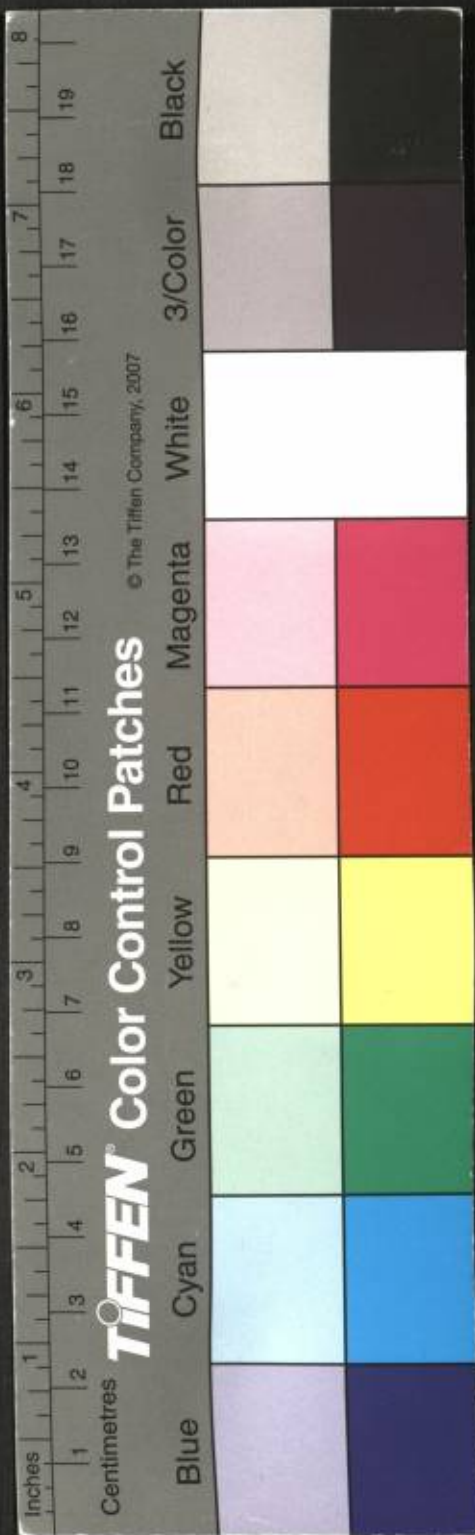
PROCLAMATIONS & ORDINANCES
1948

PROCLAMATIONS AND ORDINANCES

OF

HONG KONG

1948



PROCLAMATION.

No. 1.



A. H. Grantham
.....
(Governor.)

BY His Excellency Sir ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same.

WHEREAS by the fourteenth section of the Trade Marks Register (Re-construction) Ordinance, 1947 (Ordinance No. 33 of 1947), it is provided that the said Ordinance shall come into force on such day as the Governor shall notify by Proclamation in the Gazette.

NOW THEREFORE I, the said Sir ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, do hereby PROCLAIM that the said Ordinance shall come into force on the Ninth day of February, 1948.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong, this third day of February, 1948.

Published by His Excellency's Command,

A. H. Grantham
Colonial Secretary.

GOD SAVE THE KING.





PROCLAMATION.

No. 2.



Alexander W. G. Herder Grantham
Governor.

WHEREAS by section 13 of the Crown Rents (Apportionment) Ordinance, 1936, (Ordinance No. 4 of 1936) it is provided that the said Ordinance shall apply to, and come into operation as regards such lots, areas or districts and as from such date or dates as shall be from time to time appointed by the Governor by Proclamation:

NOW I, Sir Alexander William George Herder Grantham, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same, in exercise of the powers conferred on me by the said section, do hereby PROCLAIM and APPOINT that the said Ordinance shall apply to, and come into operation as regards:—

MARINE LOT NO. 52
MARINE LOT NO. 117
MARINE LOT NO. 202A
INLAND LOT NO. 99
INLAND LOT NO. 163
INLAND LOT NO. 469
INLAND LOT NO. 470
INLAND LOT NO. 635
INLAND LOT NO. 749, Sec. A
INLAND LOT NO. 781, Sec. A

INLAND LOT NO. 782, Secs. A & C

INLAND LOT NO. 953

INLAND LOT NO. 1026

INLAND LOT NO. 1271

INLAND LOT NO. 1388

INLAND LOT NO. 2090

INLAND LOT NO. 3050

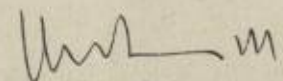
KOWLOON INLAND LOT NO. 671, Sec. K

KOWLOON INLAND LOT NO. 1134

as from the twelfth day of June, 1948.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong, this ninth day of June, 1948.

Published by His Excellency's Command.


Colonial Secretary

GOD SAVE THE KING.



PROCLAMATION

No. 3.

A. H. Grantham
Governor.



BY His Excellency Sir ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice Admiral of the same.

WHEREAS by Section I of the Police Force Ordinance, 1948 (Ordinance No. 41 of 1948) it is provided that the said Ordinance shall come into operation on such date as may be fixed by Proclamation of the Governor.

NOW, I, the said Sir ALEXANDER WILLIAM GEORGE HERDER GRANTHAM do hereby PROCLAIM that the twentieth day of August, 1948 is the date fixed for the coming into operation of the said Ordinance.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong, this 12th day of August, 1948.

By His Excellency's Command:

W. S. M.
Colonial Secretary.

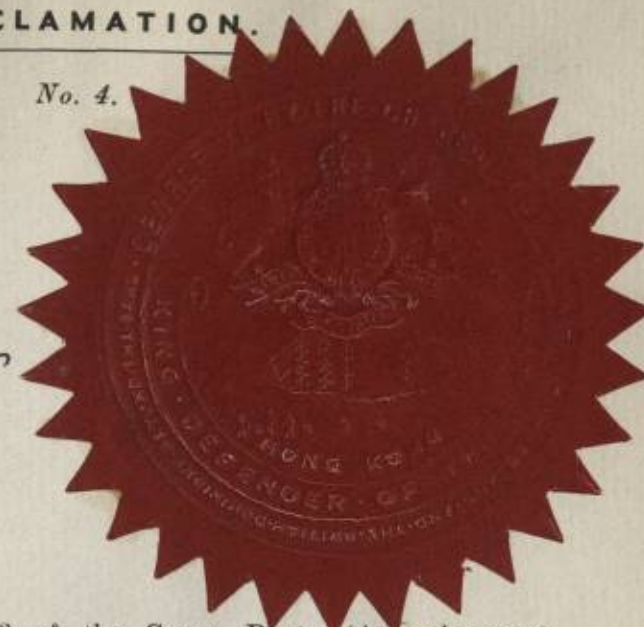
GOD SAVE THE KING.



PROCLAMATION.

No. 4.

Alexander
Governor.



WHEREAS by section 13 of the Crown Rents (Apportionment) Ordinance, 1936 (Ordinance No. 4 of 1936), it is provided that the said Ordinance shall apply to, and come into operation as regards such lots, areas or districts and as from such date or dates as shall be from time to time appointed by the Governor by Proclamation:

NOW I, Sir Alexander William George Herder Grantham, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same, in exercise of the powers conferred on me by the said section, do hereby PROCLAIM and APPOINT that the said Ordinance shall apply to, and come into operation as regards:—

INLAND LOT NO. 356
INLAND LOT NO. 569
INLAND LOT NO. 684
INLAND LOT NO. 1421
INLAND LOT NO. 1514
KOWLOON INLAND LOT NO. 537
KOWLOON INLAND LOT NO. 1089
KOWLOON INLAND LOT NO. 1304

as from the Twenty-second day of November, 1948.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 22nd day of November, 1948.

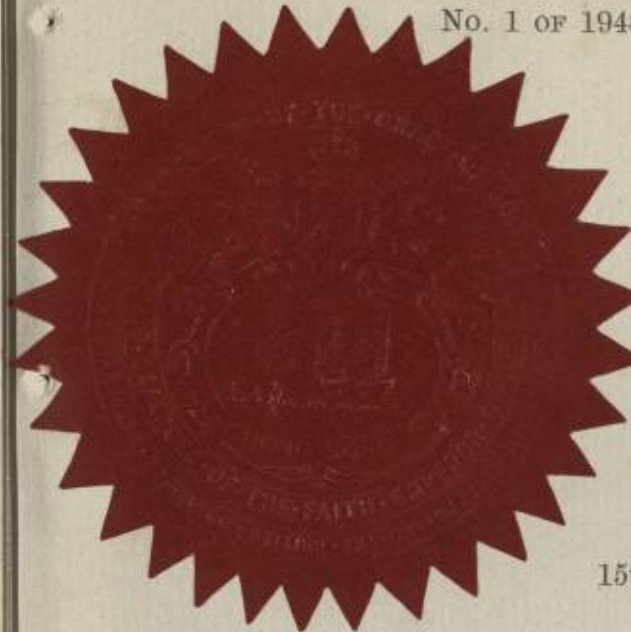
Published by His Excellency's Command.

Colonial Secretary
Colonial Secretary.

GOD SAVE THE KING.

HONG KONG.

No. 1 OF 1948.



H. H. K. H. H. K.
I assent.

Governor.

15th January, 1948.

An Ordinance to make provision for the Hong Kong and Shanghai Banking Corporation analogous to the provisions of section 14 of the Companies (Re-construction of Records) Ordinance, 1947, relating to the issue of new share certificates where original certificates have been lost.

[15th January, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Hong Kong and Shanghai Banking Corporation (Re-construction of Records) Ordinance, 1948. Short title.

2. In this Ordinance—

“Bank” means the “Hong Kong and Shanghai Banking Corporation”.

Inter-
pretation.

Issue of
new share
certificate
where
original is
lost.

3. (1) Any person who is the registered proprietor of any shares in the Bank or claims to have become entitled to be registered in the register of members as the proprietor thereof and who is not in possession of the share certificate relating thereto may, within three months from the commencement of this Ordinance, apply in writing to the Bank at its Head Office in the Colony of Hong Kong for the issue of a new share certificate under the provisions of this section.

Form No. 1. (2) Such application shall be made in the manner specified in Form No. 1 of the Schedule to this Ordinance and shall be accompanied by a statutory declaration which, in the case of the application being made by a person other than the registered proprietor, shall verify the claim and shall in all cases state—

(a) when the share certificate was last in the applicant's possession and how he lost possession thereof;

(b) whether the applicant has executed any transfer in respect thereof, whether in blank or otherwise; and

(c) that no other person is entitled to be registered as the proprietor of the said shares.

Form No. 2. (3) If the Bank has not received notice of any conflicting claim, it shall, after compliance with the provisions of sub-sections (4) and (5) of this section, advertise in the *Gazette* in three successive months in the manner specified in Form No. 2 of the Schedule to this Ordinance its intention to issue a new certificate in respect of all or any of the shares to which the application relates.

(4) If such application is made by the registered proprietor or the registered proprietor joins in the application the Bank may insert the first advertisement under the sub-section immediately preceding as soon as the secretary of the Hong Kong Stock Exchange Limited has certified to the company in writing at the foot of a copy of the proposed advertisement by him in accordance with the provisions of sub-section (6) of this section.

(5) If such application is made otherwise than as aforesaid the Bank may insert such advertisement only if no objection is received from the registered proprietor within ninety days after a copy of such proposed notification has been served upon him by the Bank by sending the same by registered post to his last registered address.

(6) The Hong Kong Stock Exchange Limited shall set aside a conspicuous place in the Stock Exchange Building for the posting and exhibition of copies of proposed advertisements under sub-section (5) of this section and shall, at the request of the Bank, exhibit in such place any copy of a proposed advertisement required by sub-section (3) of this section supplied to the said Stock Exchange by such secretary.

(7) Upon the expiration of three months from the first insertion in the *Gazette* of the prescribed advertisement, if the Bank has not received notice of any claim, whether given before or after the commencement of this Ordinance, conflicting with the application for a new share certificate it may issue a new share certificate to the applicant notwithstanding the non-production of the certificate granted to the person appearing in the register as the registered proprietor and shall in such event cancel such lastly mentioned certificate.

(8) The issue of a new share certificate and the cancellation of the previous certificate provided for by the preceding sub-section shall be notified in the *Gazette* in the manner specified in Form No. 3 of the Schedule to this Ordinance and a copy thereof shall be sent by the Bank to the said Stock Exchange. Form No. 3.

(9) Where a share certificate has been cancelled in accordance with the provisions of sub-section (7) the following provisions shall apply:—

(a) Rectification of the register may still be made in favour of a person claiming under such share certificate as against the person to whom a new share certificate has been granted but shall not be made as against a *bona fide* purchaser for value without notice from the person to whom such new share certificate has been granted or against any person claiming under such *bona fide* purchaser.

(b) In the event of an order for rectification being made under the preceding paragraph the Bank shall not be or be made liable in any way whatsoever for having issued and acted on the new certificate.

(c) In any case in which, but for the provisions of this section, a person claiming under a share certificate which has been cancelled by the Bank under the provisions of this section, would have been entitled to have his name placed on the register of members as proprietor of the shares to which such certificate relates the Bank shall

not be or be made liable to such person for such cancellation or for having issued a new certificate or because the person to whom such cancelled certificate was issued was registered in the register of members as the proprietor of the shares in respect of which such certificate was granted but the person to whom a new certificate was granted shall in such event be liable in damages to the person claiming under the cancelled share certificate for the value of the shares as at the time of their transfer to a *bona fide* purchaser for value without notice.

(10) All expenses relating to the issue of a new certificate and the cancellation of a previous certificate under this section shall be borne by the applicant and it shall be lawful for the Bank notwithstanding the mandatory provisions of this section to refuse to comply therewith until provision for the payment of such expenses has been made to its satisfaction.

Saving of rights of the Crown and of certain other rights.

4. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King, His Heirs and Successors, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from and under them.

Schedule.

SCHEDULE.

Form No. 1. HONG KONG & SHANGHAI BANKING CORPORATION
(RE-CONSTRUCTION OF RECORDS)

FORM No. 1.

HONG KONG & SHANGHAI BANKING CORPORATION
(RE-CONSTRUCTION OF RECORDS)
ORDINANCE, 1948.

APPLICATION FOR THE ISSUE OF A NEW SHARE CERTIFICATE.

This application is made by
of.....
who claims *as the registered proprietor
*as transferee from the registered proprietor of.....
Shares in the Bank.

†The distinguishing numbers of the shares are..... Schedule
contd.

†Separate certificates numbered.....and.....
respectively were issued in respect of Nos. to
.....and Nos. to.....

DATED this.....day of.....19 ..

.....
(Signature of Applicant)

* Delete whichever is not applicable.

† If numbers are unknown, state "unknown".

HONG KONG & SHANGHAI BANKING CORPORATION
(RE-CONSTRUCTION OF RECORDS)

FORM No. 2.

Form No. 2

HONG KONG & SHANGHAI BANKING CORPORATION
(RE-CONSTRUCTION OF RECORDS)
ORDINANCE, 1948.

NOTICE OF INTENTION TO ISSUE NEW SHARE CERTIFICATE.

*First
*Second Notice
*Third

HONG KONG AND SHANGHAI BANKING CORPORATION,
HONG KONG.

NOTICE is hereby given that application has been received
from.....of.....
for the issue of *a new certificate
*new certificates in respect of.....
shares in the abovementioned Bank.

†Distinguishing Nos.

†Certificate Nos. and.....

Schedule
contd.

AND TAKE NOTICE that in default of claims by other persons to be registered as proprietors of the said shares being received by the Bank within three months from the first publication of this notice in the *Gazette* the Bank may issue ^{*a new certificate} in respect of the said shares. ^{*new certificates}

DATED this.....day of.....19 ..

.....
Hong Kong and Shanghai Banking Corporation.

I hereby certify that a copy of the above advertisement has been exhibited by me in the Stock Exchange.

.....
Secretary,

Hong Kong Stock Exchange Limited.

* Delete whichever is not applicable.
† If numbers are unknown, state "unknown".

HONG KONG & SHANGHAI BANKING CORPORATION
(RE-CONSTRUCTION OF RECORDS)

FORM No. 3.

Form No. 3.

HONG KONG & SHANGHAI BANKING CORPORATION
(RE-CONSTRUCTION OF RECORDS)
ORDINANCE, 1948.

NOTICE OF CANCELLATION OF PREVIOUS SHARE CERTIFICATE AND
ISSUE OF NEW CERTIFICATE.

HONG KONG AND SHANGHAI BANKING CORPORATION,
HONG KONG.

To all whom it may concern:

NOTICE is hereby given that pursuant to the provisions of the abovementioned Ordinance, the Bank has cancelled the

†* Certificate numbered and.....
†* Certificates numbered
† distinguishing numbers issued to.....

.....in respect of.....Shares Schedule
in the abovementioned Bank. contd.

†* Certificate No. having been
†* Certificates Nos. and.....

* a new Certificate numbered.....
cancelled * new Certificates numbered.....and.....
distinguishing numbers.....has been issued
to.....have

A copy of this notice has been sent to the Hong Kong Stock Exchange Limited.

DATED this.....day of.....19 ..

.....
Hong Kong and Shanghai Banking Corporation.

* Delete whichever is not applicable.
† If numbers are unknown, state "unknown".

Passed the Legislative Council of Hong Kong, this
14th day of January, 1948.

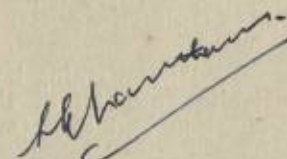
Alastair Todd
Deputy Clerk of Councils.

HONG KONG

No. 2 OF 1948.



I assent.


Governor.

29th January, 1948.

An Ordinance to provide for the regulation and licensing of the business of banking.

[29th January, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Banking Ordinance, Short title. 1948.

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

“bank” means any person carrying on banking business or using the words “bank” or “trust” or any derivative thereof as part of the title under which business is carried on or using any name implying that such person carries on the business of banking but shall not include a registered co-operative society.

“banking business” means the business of a bank engaged in the receipt of money on current or deposit account or in payment and collection of cheques drawn by or paid in by a customer or in the making or receipt of remittances or in the purchase and sale of gold or silver coin or bullion;

“bank note” means any bill, draft or note issued by any bank for the payment of money to the bearer on demand or

entitling or being intended to entitle the holder without indorsement or without any further indorsement than may exist thereon at the time of issue to the payment of any sum of money on demand, whether the same be so expressed or not;

Ordinance
No. 39 of
1932.

"company" means a company incorporated under the Companies Ordinance, 1932 or a company which has complied with Part XI sections 318 to 327 thereof or a company formed in pursuance of some other Ordinance, Act of Parliament of the United Kingdom or of letters patent of the United Kingdom or a Chinese Native Bank (銀號);

"licensed bank" means a bank licensed under section 4 of this Ordinance;

"note-issuing bank" means the Chartered Bank of India, Australia and China, the Hong Kong and Shanghai Banking Corporation and the Mercantile Bank of India Limited;

"person" means any person or body of persons whether incorporated or unincorporated.

Banking
business
to be
transacted
only by a
company.

3. (1) No banking business shall be transacted in the Colony except by a company.

(2) Any person who acts in contravention of the provisions of sub-section (1) of this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance.

Banking
business
to be
transacted
only by a
company
licensed
for such
purpose.

4. (1) Notwithstanding anything in this or any other Ordinance contained, no company shall continue or commence to carry on banking business in the Colony without obtaining from the Governor in Council a licence so to do. The Governor in Council may in his discretion, and without assigning any reason therefor, refuse to grant such a licence.

(2) In the event of doubt as to whether a company is or is not carrying on banking business the matter shall be submitted to the Governor in Council for his determination and the decision of the Governor in Council thereon shall be final and conclusive for all purposes of this Ordinance.

Restriction
on use
of title
"bank" or
"trust".

5. (1) No person other than a company licensed to carry on banking business in accordance with the provisions of section 4 of this Ordinance, shall, without the consent of the Governor in Council, use or continue to use the word 'bank' or 'trust' or any derivative thereof in the name under which business is being carried on or continue to use any name implying that the business of banking is carried on.

(2) Any person who acts in contravention of the provisions of this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance and in addition to a fine not

exceeding five hundred dollars for every day, subsequent to the day of conviction of such offence, during which such offence continues.

6. (1) The Governor may appoint an advisory committee consisting of such persons and appointed on such terms as he may think fit to advise him on matters relating to banking business and he may at any time determine any appointment so made.

Appoint-
ment and
constitution
of advisory
committee.

(2) The Governor may make rules providing for the procedure to be followed at any meeting held by the committee to be constituted under this section.

7. (1) The Governor in Council may, after consultation with the advisory committee and if he considers it to be in the public interest so to do, order any licensed bank—

Special
powers of
Governor in
Council.

(a) to produce to such person and within such period as may be named in such order any books, accounts or documents of any such bank;

(b) to delete from the name under which it is carrying on business, within such period as shall be named in such order, the word 'bank' or 'trust' or any derivative thereof, or any other word or words forming part of its name;

(c) to refrain from carrying on banking business;

(d) to return for cancellation by the Financial Secretary any licence issued to such bank under section 4 of this Ordinance;

Provided that before any order is made under paragraphs (b) or (c) or (d) of this sub-section the Governor in Council shall give such licensed bank notice in writing of his intention to make such an order and shall afford such licensed bank an opportunity of submitting to him a written statement of its case.

(2) Any licensed bank failing to comply with an order made under this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance and in addition shall be liable to a penalty not exceeding five hundred dollars for every day during which the default continues.

(3) The Financial Secretary shall publish in the *Gazette* the name of any licensed bank the licence of which has been cancelled.

8. (1) Every licensed bank shall pay to the Government of Hong Kong an annual fee of five thousand dollars. Such fee shall be payable as at the date of the grant of a licence in accordance with the provisions of section 4 of this Ordinance and thereafter upon each anniversary of such date.

Annual fee
payable by
licensed
banks.

(2) Any licensed bank which fails to pay the annual fee required under this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance and in addition

shall be liable to a penalty not exceeding five hundred dollars for each day during which such fee remains unpaid, and every director, manager, secretary or other officer of the bank who knowingly and wilfully authorises or permits such non-payment shall be liable to a like penalty.

(3) The Financial Secretary shall publish annually in the *Gazette* the name of every licensed bank which has paid the annual fee prescribed in this section.

9. (1) Every licensed bank shall exhibit throughout the year in a conspicuous position in every office and branch of such bank in the Colony a copy of its last balance sheet;

(2) Any licensed bank which fails to comply with the requirements of this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance.

(3) The requirements of this section shall be in addition to and not in derogation of the requirements of the Companies Ordinance, 1932, or of other Ordinance, Act of Parliament of the United Kingdom or letters patent of the United Kingdom.

10. (1) No person—

(a) who has been a director of, or directly or indirectly concerned in the management of, a bank which has been wound up by a court, or

(b) who has been sentenced by a competent court to a term of imprisonment for an offence involving dishonesty and has not received a full pardon for the offence for which he was sentenced, shall, without the express authorisation of the Governor, act or continue to act as a director of, or be directly or indirectly concerned in the management of, any licensed bank.

(2) Any person acting in contravention of sub-section (1) of this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance.

11. (1) The issue in the Colony of any bank notes by a licensed bank other than a note-issuing bank is prohibited.

(2) Any licensed bank acting in contravention of the provisions of sub-section (1) of this section shall be liable on conviction to the penalty prescribed by section 15 of this Ordinance.

12. (1) Upon the commencement of this Ordinance any bank which at the date thereof desires to continue to carry on banking business in the Colony shall make application for a licence under section 4 of this Ordinance.

(2) Such application shall be made to the Financial Secretary within thirty days of the commencement of this Ordinance.

Exhibition
of audited
balance
sheet by
licensed
banks.

Ordinance
No. 39 of
1932.

Individuals
not eligible
to take part
in manage-
ment of
licensed
banks.

Issue and
circula-
tion of
bank notes
prohibited
except by
note-issuing
bank.

Transitional
provisions.

(3) All such applications shall be referred by the Financial Secretary to the Governor in Council.

(4) The decision of the Governor in Council upon any such application shall be communicated by the Financial Secretary to the bank making such application.

(5) If upon such application by a bank the grant of a licence under section 4 of this Ordinance is refused by the Governor in Council such bank shall—

(a) forthwith delete from the name under which it is carrying on business the word 'bank' or 'trust' or any derivative thereof;

(b) forthwith cease to do any new banking business and make all necessary arrangements for the termination of all banking business for which purpose such bank shall be allowed a period of ninety days within which to conclude all such necessary arrangements or such further period as the Governor in Council may deem fit to allow upon application addressed to the Financial Secretary and upon the expiration of ninety days or such further period the carrying on of banking business by any such bank shall wholly cease and determine.

(6) Any bank acting in contravention of the provisions of sub-section (5) of this section shall be liable upon conviction to the penalty prescribed by section 15 of this Ordinance.

13. (1) Upon the commencement of this Ordinance any person not being a company who at the date thereof desires to continue to carry on, conduct, manage or direct banking business in the Colony shall make application for a special licence.

Transitional
provisions.
Special
cases.

(2) Such application shall be made to the Financial Secretary within thirty days of the commencement of this Ordinance.

(3) Any such application shall be referred by the Financial Secretary to the Governor in Council.

(4) The Governor in Council notwithstanding the provisions of section 3 of this Ordinance may grant to any such person a special licence to permit any such person to continue to carry on, conduct, manage or direct banking business in the Colony.

(5) If upon application made under sub-section (2) of this section the grant of a special licence is refused by the Governor in Council, any such person shall—

(a) forthwith delete from the name of such business the word 'bank' or 'trust' or any derivative thereof;

(b) forthwith cease to do any new banking business and make all necessary arrangements for the termination of all banking business for which purpose such person shall be allowed a period of ninety days within which to conclude all such necessary arrangements or such further period as the Governor in Council

may deem fit to allow upon application addressed to the Financial Secretary and upon the expiration of ninety days or such further period the carrying on, conduct, management or direction of banking business by any such person shall wholly cease and determine.

(6) Any person acting in contravention of the provisions of sub-section (5) of this section shall be liable upon conviction to the penalty prescribed by section 15 of this Ordinance.

(7) Upon the grant of a special licence in accordance with the provisions of sub-section (4) of this section the banking business in respect of which any such person has been granted a special licence shall be deemed to be a licensed bank to which all the provisions of this Ordinance relating to a licensed bank shall apply.

Power of entry, search, detention of documents and arrest.

14. Whenever it appears to a magistrate, upon the oath of any person, that there is reasonable cause to suspect that a contravention of this Ordinance has been or is being committed in any building or place, such magistrate may by warrant directed to any police officer of or above the rank of sub-inspector empower him with such assistants as may be necessary, by day or night,

(a) to enter, and, if necessary, to break into such building or place and to search for and detain any machinery, type, appliances, paper, printing materials, writing materials, books, documents, accounts, notices or writings which appear to afford evidence of the commission of such contravention; and

(b) to arrest any person found in such building or place who may appear to be concerned with the commission of such contravention.

Penalty.

15. Any licensed bank, bank or person who contravenes or attempts to contravene any of the provisions of this Ordinance shall upon summary conviction be liable to imprisonment for any term not exceeding two years or to a fine not exceeding five thousand dollars or to both such penalties and shall upon conviction on indictment be liable to imprisonment for any term not exceeding five years or to a fine not exceeding twenty thousand dollars or to both such penalties.

Passed the Legislative Council of Hong Kong, this 28th day of January, 1948.

Alister Todd

Deputy Clerk of Councils.

HONG KONG

No. 3 of 1948.



I assent.

W. H. P. Williams
Governor.

29th January, 1948.

An Ordinance to amend the Hong Kong War Memorial Fund Ordinance, 1947.

[29th January, 1948.]

Be it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Hong Kong War Memorial Fund Amendment Ordinance, 1948, and shall be read as one with the Hong Kong War Memorial Fund Ordinance, 1947, hereinafter referred to as the principal Ordinance.

Short title.
Ord. No. 10
of 1947.

2. Section 4 of the principal Ordinance is hereby amended as follows:—

Amendment
of section 4
of the
principal
Ordinance.

(a) by the insertion in paragraph (a) of sub-section (1) and in sub-section (3) of the section of the words "or dependent parent" after the word "children", wherever such word occurs therein; and

(b) by the repeal of sub-section 2 of the section and the substitution therefor of the following as sub-section (2):—

"(2) In this Ordinance—

'child' includes a child not born in wedlock;
'wife' includes the mother of a child not born in wedlock and the word 'widow' shall be construed accordingly; and



'dependent parent' includes a person wholly or substantially maintained by an officer or member referred to in sub-section (3) of this section, who during the minority of such officer or member acted in the place of a parent to such officer or member."

Passed the Legislative Council of Hong Kong, this 28th day of January, 1948.

Alister Todd

Deputy Clerk of Councils.

HONG KONG

No. 4 of 1948.

I assent.

H. H. K. H. H. K.
Governor.

29th January, 1948.

An Ordinance to amend the Widows' and Orphans' Pension Ordinance, 1908.

[29th January, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Widows' and Orphans' Pension (Amendment) Ordinance, 1948, and shall be read as one with the Widows' and Orphans' Pension Ordinance, 1908, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 15 of
1908.

2. Section 3 of the principal Ordinance is hereby repealed and replaced as follows—

Repeal and
replacement
of section
3 of the
principal
Ordinance.

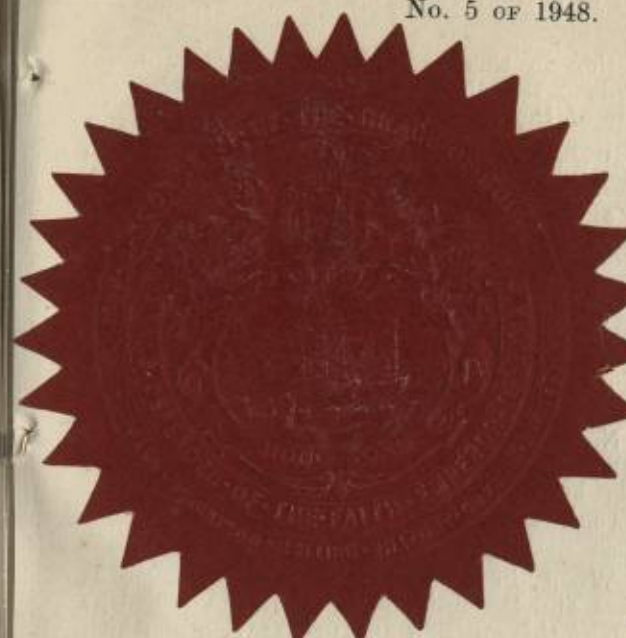
3. It shall be lawful for the Governor in Council to make Regulations to prescribe the persons to whom the term 'officer' in this Ordinance shall apply and to make any such Regulation with retrospective effect to any date not being a date earlier than the first day of January, 1947; Provided that no such Regulation shall take effect unless it has received the prior approval of the Legislative Council signified by resolution.

Passed the Legislative Council of Hong Kong, this 28th day of January, 1948.

Arthur S. G. S.
Deputy Clerk of Councils.

HONG KONG

No. 5 OF 1948.



M. H. H. H.

I assent.

Governor.

4th March, 1948.

An Ordinance further to amend the Dangerous Drugs Ordinance, 1935.

[4th March, 1948].

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Dangerous Drugs (Amendment) Ordinance, 1948, and shall be read as one with the Dangerous Drugs Ordinance 1935, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 35 of
1935.

2. Sub-section (1) of section 13 of the principal Ordinance is hereby amended—

Amendment
of section 13
of the
principal
Ordinance.

(i) by the insertion in paragraph (c) thereof of the word and letter “or (g)” after the word and letter “paragraph (f)” appearing in the third line of the said paragraph;

(ii) by the insertion immediately after paragraph (f) (iii) thereof of the following paragraph as paragraph (g):—

“(g) to seize, uproot, remove and detain the plants known as *cannabis sativa* or *papaver somniferum* (the opium poppy).”

Amendment
of section 17
of the
principal
Ordinance.

3. Sub-section (2) of section 17 of the principal Ordinance is hereby amended—

(i) by the deletion in the second line of paragraph (a) thereof of the words "ten thousand dollars" and by the substitution therefor of the words "fifty thousand dollars";

(ii) by the deletion in the first and second lines of paragraph (b) thereof of the words "two thousand five hundred dollars" and by the substitution therefor of the words "ten thousand dollars".

Repeal and
replacement
of section 21
of the
principal
Ordinance.

4. Section 21 of the principal Ordinance is hereby repealed and replaced as follows:—

Special
provisions
as to
cannabis
sativa and
papaver
somniaferum
(opium
poppy.)

21. (1) No person shall cultivate the plants known as cannabis sativa or papaver somniferum (opium poppy).

(2) No person shall have in his possession, otherwise than in transit, any specimen or any quantity of the plants known as cannabis sativa or papaver somniferum (opium poppy), or any portion of such plants.

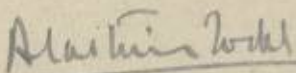
(3) When in transit, the plant known as cannabis sativa and the resin obtained from such plant or from any part thereof, and any preparation of which such resin forms the base, and any preparation or mixture containing such resin, and also the plant known as papaver somniferum (opium poppy), shall be subject to all the restrictions imposed by sections 6, 7, 8 and 9 upon dangerous drugs in transit through the Colony.

(4) No person shall, whether on his own behalf or on behalf of any other person, whether such other person be in the Colony or not, buy, sell, supply, procure, or offer to supply or procure, from, to or for any other person, whether such other person be in the Colony or not, or in any way deal in or with or offer to deal in, or pretend to deal in, or import or export, or do any act preparatory to or for the purpose of importing or exporting, the plant known as cannabis sativa or the resin obtained from such plant or from any part thereof, or any preparation of which such resin forms the base, or any preparation or mixture containing such resin or the plant known as papaver somniferum (opium poppy), whether the goods in question be in the Colony or elsewhere, and whether they be ascertained or appropriated or in existence or not, and whether it be intended that they should be imported into the Colony or not: Provided that this sub-section shall not apply to the extracts and tinctures of Indian hemp referred to in sub-section (1) of section 3.

(5) If under the provisions of section 13, the Superintendent authorises any public officer to seize, uproot, remove or detain any plants known as cannabis

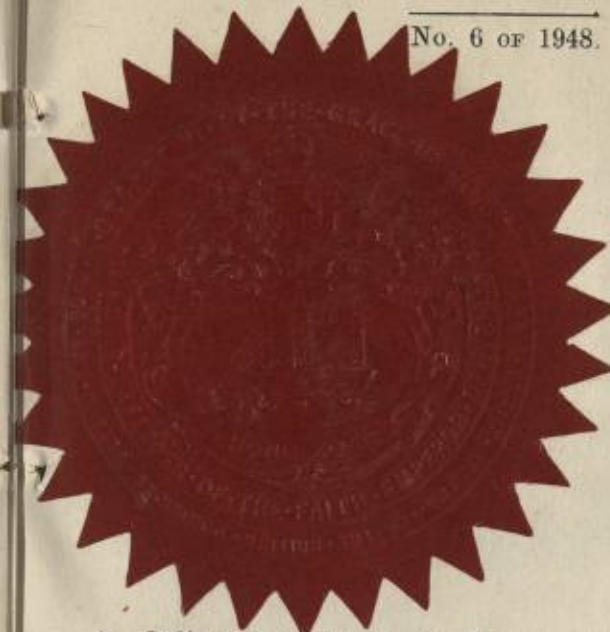
sativa or papaver somniferum (opium poppy), such officer may cause the necessary work to be done without any notice whatever to the owner or occupier of the land. The cost of the work shall be recoverable from the owner of the land and shall constitute a first charge on the land and premises: Provided that the land and premises shall not be so chargeable as against a *bona fide* purchaser thereof for valuable consideration without notice.

Passed the Legislative Council of Hong Kong, this 3rd day of March, 1948.


Deputy Clerk of Councils.

HONG KONG

No. 6 OF 1948.



I assent

W. H. P. M. M. M.
Governor.

4th March, 1948.

An Ordinance to amend the Forestry Ordinance, 1937.

[4th March, 1948].

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Forestry (Amendment) Ordinance, 1948, and shall be read as one with the Forestry Ordinance, 1937, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 11 of
1937.

2. Sub-section (3) of section 2 of the principal Ordinance is hereby repealed and replaced as follows:—

Amendment
of section 2
of the
principal
Ordinance.

“(3) “Forest Officer” includes the Forestry Officer, every Supervisor, every Forestry Protection Officer, every Forestry Inspector, every Forest Guard and every Forester of the Forestry Department.”

3. Section 4 of the principal Ordinance is hereby amended by the deletion of the words “Superintendent of the Botanical and Forestry Department” appearing therein and by the substitution thereof of the words “Forestry Officer”.

Amendment
of section 4
of the
principal
Ordinance.

4. Section 6 of the principal Ordinance is hereby amended by the deletion of the words “Superintendent of the Botanical and Forestry Department” appearing in the third, fourth, sixth and seventh lines thereof and by the substitution thereof of the words “Forestry Officer”.

Amendment
of section 6
of the
principal
Ordinance.



5. Section 19 of the principal Ordinance is hereby amended by the deletion of the words " Botanical and " appearing in the eighth line thereof.

Amendment
of section 19
of the
principal
Ordinance.

6. The First Schedule to the principal Ordinance is hereby amended:

Amendment
of First
Schedule
to the
principal
Ordinance.

(a) by the substitution of the words " Forestry Officer " for the words " Superintendent of the Botanical and Forestry Department " where they occur in Regulation 3 thereof;

(b) by the substitution of the words " Forestry Officer " for the words " said Superintendent " where they occur in Regulations 4, 5, and 7 thereof;

(c) by the deletion of the words " Botanical and " in Regulation 9 thereof.

7. Sub-section (1) of section 22 of the principal Ordinance is hereby amended by the deletion of the words " two hundred and fifty dollars and to imprisonment for any term not exceeding six months " appearing in the fourth and fifth lines thereof and by the substitution therefor of the words " two thousand dollars and to imprisonment for any term not exceeding one year ".

Amendment
of section 22
of the
principal
Ordinance.

Passed the Legislative Council of Hong Kong, this 3rd day of March, 1948.

Alister Todd
Deputy Clerk of Councils.

HONG KONG

No. 7 OF 1948.


I assent.

Governor.

4th March, 1948.

An Ordinance to amend the Defences (Firing Areas) Ordinance, 1936.

[4th March, 1948].

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Defences (Firing Areas) Amendment Ordinance, 1948, and shall be read as one with the Defences (Firing Areas) Ordinance, 1936, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 1 of
1936.

2. Section 2 of the principal Ordinance is hereby amended by the addition of the following definitions at the end thereof:—

Amendment
of section 2
of the
principal
Ordinance.

“Commander, Kowloon Area” means the officer for the time being in command of the Military Forces stationed in Kowloon and the New Territories or the officer for the time being commanding Royal Artillery, Hong Kong.

“Gun Site” includes any gun site on land within the Colony or any gun sited upon any vessel or aircraft operating within the Colony or its territorial waters.

3. Section 3 of the principal Ordinance is hereby repealed and replaced as follows:—

Repeal and
replacement
of section 3
of the
principal
Ordinance.

“Authorised
Firing Areas.
First
Schedule.

3. Subject to the provisions of this Ordinance practice firing may take place from any gun site over all or any of the Firing Areas described in the First Schedule: Provided that when any vessel or aircraft is within danger in or over any such Firing Area, all firing within or over that area shall cease.”

Repeal and replacement of section 4 of the principal Ordinance.

4. Section 4 of the principal Ordinance is hereby repealed and replaced as follows:—

"Firing programme and notices.

4. (1) A provisional programme of firing from gun sites shall be circulated at the commencement of every quarter by the Commander, Kowloon Area, in respect of Firing Area B, to the persons enumerated in the Second Schedule, such programme being subject to alteration from time to time if necessitated by military requirements.

(2) Such officer shall supply to such persons as many charts, showing the Firing Area, as they may require.

(3) Such officer shall also cause to be published notice of intended practice firing in or over Firing Area B at least seven clear days before the date on which the firing is to take place and shall supply to the persons enumerated in the Second Schedule as many copies of such notice as they may require, and, in regard to Firing Area B, shall deliver not less than seven clear days before the firing commences, copies of such notice to such persons as the District Officer of the New Territories may specify.

(4) Such notice shall contain warnings to masters of vessels or pilots of aircraft exempt from the operation of this Ordinance under section 10, to assist the carrying out of the firing practice by hastening through the Firing Area affected or by consenting to be towed out of such area, if necessary, by any vessel acting under the orders of the local Military Authorities.

(5) The Commodore Superintendent, Hong Kong, shall cause to be published notice of intended practice firing in or over Firing Area A at least seven clear days before the date on which the firing is to take place and shall supply to the persons enumerated in the Second Schedule as many copies as they may require and shall deliver not less than seven clear days before firing commences copies of such notices to such persons as the Director of Marine may require.

(6) No practice firing under the provisions of this Ordinance shall take place on any day which is a general holiday by virtue of the Holidays Ordinance, 1947."

Ordinance No. 1 of 1947.

Repeal and replacement of section 5 of the principal Ordinance.

5. Section 5 of the principal Ordinance is hereby repealed and replaced as follows:—

"Firing Signals.

5. Notice that firing is about to take place or is taking place in any of the Firing Areas, shall be given in the manner specified in the Third Schedule."

6. The First Schedule to the principal Ordinance is hereby repealed and replaced as follows:—

Repeal and replacement of the First Schedule.

" FIRST SCHEDULE. (s. 3.)

FIRING AREAS.

Note.—All Latitudes are N. and Longitudes E. Latitudes and Longitudes taken from Admiralty Charts Nos. 3429, 1466, 3605, 3280, 3279 and 1180, but longitudes from Charts Nos. 1180 and 3605 have been decreased by 9"

(a) FIRING AREA A:—

The area included in this Firing Area is bounded as follows:—

By a line starting from High Water Mark at western end of Stonecutters Island (latitude 22° 19' 10" —longitude 114° 07' 46"), thence across to Green Island (latitude 22° 17' 15" —longitude 114° 06' 36"), thence across to eastern shore of Lantau at latitude 22° 17' 45" —longitude 114° 01' 23", thence following High Water Mark along the eastern shore of Lantau to latitude 22° 20' 13" —longitude 114° 03' 20", thence across to Chung Hue at latitude 22° 19' 42" —longitude 114° 05' 26", thence following High Water Mark along the southern shore of Chung Hue to latitude 22° 20' 00" —longitude 114° 06' 20", thence along the eastern shore of Chung Hue to latitude 22° 20' 37" —longitude 114° 06' 26", thence to the Island at latitude 22° 20' 46" —longitude 114° 07' 15", thence to Stonecutters Island at latitude 22° 19' 37" —longitude 114° 08' 05", thence along the shore of Stonecutters Island westwards to starting point.

(b) FIRING AREA B:—

The area included in this Firing Area is bounded as follows:—

By a line starting from a point on the High Water Mark in PORT SHELTER (latitude 22° 20' 56" longitude 114° 16' 00") thence in a direction 076 degrees to 257 summit on the South end of the Island known as KIU TSIU CHAU (SHARP ISLAND) (latitude 22° 21' 20", longitude 114° 17' 46") thence in a direction 047 degrees to the northernmost point of the Island known as TAI TAU CHAU (URN ISLAND) thence following the High Water Mark along the Eastern Coast of that Island to the most Southerly point of that Island (latitude 22° 21' 59.6", longitude 114° 19' 39"), thence in a direction 154 degrees to the Rock known

as NGAI KAP PAI, thence in a direction 106 degrees for a distance of 1.25 miles to a point in latitude 22° 19' 35", longitude 114° 22' 04", thence in a direction 050 degrees for a distance of 2.15 miles to a point in latitude 22° 21' 00", longitude 114° 23' 48", thence in a direction 140 degrees for a distance of 1.55 miles to a position in latitude 22° 19' 48", longitude 114° 24' 48", thence in a direction 230 degrees for a distance of 3.35 miles to a point 180 degrees distant 0.8 miles from STEEPCLIFF HEAD on BASALT ISLAND, thence in a direction of 286 degrees to LUNG HA WAN POINT (latitude 22° 18' 42", longitude 114° 18' 12") thence along the High Water Mark to the starting point."

Repeal and replacement of the Second Schedule.

7. The Second Schedule to the principal Ordinance is repealed and replaced as follows:—

" SECOND SCHEDULE. (s. 4.)

LIST OF PERSONS TO BE SUPPLIED WITH PROGRAMMES,
NOTICES AND CHARTS.

The Colonial Secretary,
The Director of Public Works,
The Director of Marine,
The Commissioner of Police,
The Director of Air Services,
The District Officer, New Territories,
The Commander-in-Chief, British Pacific Fleet,
The General Officer Commanding, Hong Kong,
The Commodore Superintendent, Hong Kong,
The Air Officer Commanding, Hong Kong,
The Secretary, Royal Hong Kong Yacht Club."

Addition of new Schedule to the principal Ordinance. Third Schedule.

8. The principal Ordinance is hereby amended by the addition of the following Schedule as Third Schedule after the Second Schedule thereto:—

" THIRD SCHEDULE. (s. 5.)

FIRING SIGNALS.

1. Notice that firing is taking place in any of the Firing Areas shall be given by the hoisting or display of the

following signals:—

A. In respect of firing by day—

(a) by red flag flown at the gun site concerned;

(b) by a large red flag on the Range Target Towing Vessel. The display of this flag is a signal that the target is ready to be, or is being, fired at.

(c) (i) For Firing Area A, by a red flag, with, below it, the International Code Flag "A" flown from Green Island Typhoon Signal Mast.

(ii) For Firing Area B, by a red flag, with, below it, the International Code Flag "B", flown from a point on the main road nearest to each gun site and from the old Sai Kung Police Station Flag pole (map reference 671102) and from the old observation post, hill '163' (map reference 717003) and from such points as the District Officer, New Territories, may require on the following islands:—

Bluff Island (map reference 765033),
Town Island (map reference 778056),
Urn Island (map reference 731101).

B. In respect of firing by night—

(a) by a red lamp hoisted at the gun site concerned;

(b) by the appropriate signal referred to in sub-paragraph (c) of part A of this paragraph.

2. The signals in respect of firing by day shall be hoisted or displayed two hours before firing is due to commence.

The signals referred to in respect of firing by night shall be hoisted or displayed two hours before sunset.

Signals shall remain hoisted or displayed until firing has ceased, when they shall at once be hauled down or extinguished."

9. Section 9 of the principal Ordinance is hereby amended—

(a) by the repeal of sub-section (i) thereof and its replacement as follows:—

" (i) the officer in charge of the gun sites, that is to say, the Commander, Kowloon Area;"

(b) by the substitution of the word "gun sites" for the word "batteries" wherever the latter appears in the said section.

Amendment of section 9 of the principal Ordinance.

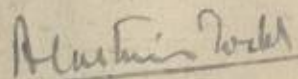
Amendment
of section 10
of the
principal
Ordinance.

10. Section 10 of the principal Ordinance is hereby amended—
(i) by the addition of the following words at the end
of sub-section (a) thereof:—

“except where such vessel or aircraft is a vessel
or aircraft engaged in firing practice from a gun site.”; and

(ii) by the deletion of the words “Officer Commanding,
Royal Artillery, at Military Headquarters, China Command, Hong
Kong.” Appearing in paragraph (c) thereof, and by the substitu-
tion therefor of the words “Commander, Kowloon Area.”

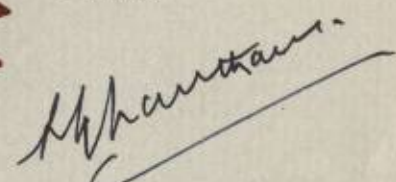
Passed the Legislative Council of Hong Kong, this 3rd day
of March, 1948.


Deputy Clerk of Councils.

HONG KONG

No. 8 of 1948.

I assent.


Governor.

11th March, 1948.

An Ordinance to regulate trade unions and trade disputes.

[11th March, 1948.]

Be it enacted by the Governor of Hong Kong, with the advice
and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Trade Unions and Short title.
Trade Disputes Ordinance, 1948.

2. In this Ordinance—

Interpretation.

“trade dispute” means any dispute between employers and
workmen or between workmen and workmen, which is connected
with the employment or non-employment or with the terms of
employment, or with the conditions of labour of any person;

“trade union” means any combination whether temporary
or permanent, the principal purposes of which are under its
constitution the regulation of the relations between workmen and
masters, or between workmen and workmen, or between
masters and masters whether such combination would or would
not if this Ordinance had not been enacted have been deemed to
have been an unlawful combination by reason of some one or more
of its purposes being in restraint of trade:

Provided that nothing in this Ordinance—

(a) shall affect

(i) any agreement between partners as to their own
business;

- (ii) any agreement between an employer and those employed by him as to such employment;
- (iii) any agreement in consideration of the sale of the goodwill of a business or of instruction in any profession, trade or handicraft; or

(b) shall preclude any trade union from providing benefits for its members;

"registered" means registered under this Ordinance;

"Registrar" means the Registrar of Trade Unions;

"workmen" means all persons employed in trade or industry, whether or not in the employment of the employer with whom a trade dispute arises.

3. The purposes of any trade union shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful so as to render any member of such trade union liable to criminal prosecution for conspiracy or otherwise.

4. The purposes of any trade union shall not, by reason merely that they are in restraint of trade, be unlawful so as to render voidable any agreement or trust.

5. (1) No trade union or any member thereof shall perform any act in furtherance of the purposes for which it has been formed unless such trade union has first been registered.

(2) Any trade union or any officer or member thereof who contravenes the provisions of this section shall be guilty of an offence punishable with a fine not exceeding five hundred dollars.

6. The Governor may appoint such person as he may think fit to be the Registrar of Trade Unions.

7. Any seven or more members of a trade union may, by subscribing their names to the rules of the union and otherwise complying with the provisions of this Ordinance with respect to registration, register such trade union under this Ordinance: Provided that if any one of the purposes of such trade union be unlawful such registration shall be void.

8. (1) Every trade union shall be registered in accordance with the provisions of this Ordinance or be dissolved within six months of the date—

- (i) of its formation, or
- (ii) of any notification by the Registrar that he has refused under section 10 to register the trade union, or
- (iii) of the commencement of this Ordinance which-ever is the later date.

(2) Every trade union which is not registered or dissolved within the period prescribed in the preceding sub-section and every officer thereof shall be guilty of an offence punishable with a fine not exceeding one hundred dollars for every day it remains unregistered after the expiration of such period.

Trade unions not criminal.

Trade unions not unlawful for civil purposes.

Trade union prohibited from carrying on business unless registered.

Registrar of trade unions.

Registration of trade unions.

Compulsory registration.

9. With respect to the registry under this Ordinance of a trade union and of the rules thereof, the following provisions shall apply:—

(i) An application to register the trade union and its rules shall be sent to the Registrar with copies of the rules and a list of the titles and names of the officers of the trade union.

(ii) The Registrar upon being satisfied that the trade union has complied with the rules respecting registry in force under this Ordinance shall subject to the provisions of section 10 register the trade union and rules.

(iii) No trade union shall be registered under a name identical with that by which any other existing trade union has been registered or so nearly resembling such name as to be likely to deceive the members or the public.

(iv) The Registrar upon registering a trade union shall issue a certificate of registration.

10. (1) If the Registrar is satisfied that—

- (i) the applicants have not been duly authorised to apply for registration; or
- (ii) any of the purposes of the trade union is unlawful; or
- (iii) the application is not in conformity with the provisions of this Ordinance;

he may refuse registration.

(iv) The Registrar may also, in his discretion, refuse to register any trade union if he is satisfied that any previously registered trade union adequately represents, for that particular trade, the objects of the proposed trade union.

(2) When the Registrar refuses to register a trade union he shall forthwith inform the applicants in writing of the grounds of his refusal.

(3) An appeal shall lie to the Governor in Council from a refusal of the Registrar to register a trade union and on such appeal the Governor in Council may make any such order as it thinks proper. Any such order of the Governor in Council shall be final.

(4) Any appeal under sub-section (3) shall be presented, considered and disposed of in such manner and in such form as may be prescribed.

11. (1) It shall be lawful for the Registrar to cancel the registration of any trade union—

- (i) at the request of the trade union, to be evidenced in such manner as he may direct;
- (ii) on proof to his satisfaction that a certificate of registration has been obtained by fraud or mistake, or that such trade union has wilfully, and after notice from the Registrar, violated any of the provisions of this Ordinance or has ceased to exist.

Refusal of registration.

Cancellation of registration.

(2) Not less than two months' previous notice specifying briefly the grounds of the proposed cancellation, except where the trade union has ceased to exist in which case notice of cancellation may be given forthwith, shall be given by the Registrar to the trade union before such cancellation is effected.

(3) An appeal from the decision of the Registrar under this section shall lie to the Governor in Council subject to the same conditions as are from time to time prescribed for an appeal against the refusal of the Registrar to register a trade union. The decision of the Governor in Council shall be final.

Membership
of minors.

12. A person under the age of twenty-one, but above the age of sixteen, may be a member of a registered trade union, unless provision be made in the rules thereof to the contrary, and may, subject to the rules of the trade union, enjoy all the rights of a member except as herein provided, and execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the executive of a registered trade union.

Officers of
trade union.

13. (1) Every officer of a registered trade union shall be a person actually engaged or employed in an industry or occupation with which the trade union is connected.

(2) The Governor in Council may, by special or general order published in the *Gazette*, declare—

- (a) that the provisions of this section shall not apply to any registered trade union or class of registered trade unions specified in the order, or
- (b) may grant exemption from the provisions of this section in respect of such officers or such proportion of the officers of any registered trade union or class of registered trade unions as may be specified in the order.

Affiliation
outside the
Colony.

14. (1) Except with the consent of the Governor in Council no registered trade union shall be affiliated or connected with any trade union or other organization which is established outside the Colony in such a manner as to place the trade union which is established within the Colony, or any of its members, in any way or in any matter under the control of the trade union or other organization which is established outside the Colony.

(2) Every trade union so affiliated or connected which has not obtained the consent of the Governor in Council to be so affiliated or connected, or from which any such consent has been withdrawn, shall be deemed to be an unlawful society within the meaning and for all the purposes of the Societies Ordinance, 1920.

Ordinance
No. 8 of
1920.

Change of
name.

15. Any registered trade union may, with the consent of not less than two-thirds of the total number of its members and subject to the provisions of section 16, change its name.

Amalgama-
tion.

16. (1) Any two or more registered trade unions which are within the same trade or industry may become amalgamated together as one trade union with or without dissolution or division

of the funds of such trade unions or either or any of them:

Provided that the votes of at least one-half of the members of each or every such trade union entitled to vote are recorded, and that at least sixty per centum of the votes recorded are in favour of the proposal;

Provided further that the consent of the Governor in Council must first be obtained to any amalgamation in which one or more of the trade unions proposing to amalgamate is affiliated or connected with a trade union or other organization under sub-section (1) of section 14.

(2) Without prejudice to the generality of the expression "trade or industry" trade unions shall be deemed to be within the same trade or industry if the wages or conditions of employment of their members are capable of determination in accordance with the conclusions of the same joint industrial council, trade board, conciliation board, or other similar body, or in accordance with agreements made with the same group of employers or employees.

17. (1) Notice in writing shall be given to the Registrar of every change of name and of every amalgamation, signed, in the case of a change of name, by the secretary and by seven members of the registered trade union changing its name, and, in the case of an amalgamation, by the secretary and by seven members of each and every registered trade union which is a party thereto.

(2) If the proposed name is identical with that by which any other existing trade union has been registered or in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either trade union, the Registrar shall refuse to register the change of name.

(3) Save as is provided in sub-section (2), the Registrar shall, if he is satisfied that the provisions of this Ordinance in respect of change of name have been complied with, register the change of name, and the change of name shall have effect from the date of such registration.

(4) If the Registrar is satisfied that the provisions of this Ordinance in respect of amalgamation have been complied with and that the trade union formed thereby is entitled to registration under section 9, he shall register the trade union accordingly, and the amalgamation shall have effect from the date of such registration.

(5) Any person aggrieved by the refusal of the Registrar to register either a change of the name of a registered trade union or the trade union formed by the amalgamation of any two or more registered trade unions may appeal against such refusal in manner provided by section 10.

18. (1) A change in the name of a registered trade union shall not affect any rights or obligations of that trade union or render defective any legal proceeding by or against the trade union, and any legal proceeding which might have been continued or commenced by or against it under its former name may be continued or commenced by or against it under its new name.

(2) An amalgamation of two or more registered trade unions shall not prejudice any right of either or any such trade unions or any right of a creditor of either or any of them.

Notification
of dissolu-
tion.

19. When a registered trade union is dissolved, notice of the dissolution signed by seven members and by the secretary of the trade union shall, within fourteen days of the dissolution, be sent to the Registrar and shall be registered by him if he is satisfied that the dissolution has been effected in accordance with the rules of the trade union, and the dissolution shall have effect from the date of such registration.

Application
of funds.

20. The funds of a registered trade union may, subject to the rules thereof and to the provisions of this Ordinance, be expended only for the following objects:—

- (i) the payment of salaries, allowances and expenses to officers of the trade union;
- (ii) the payment of expenses for the administration of the trade union, including audit of the accounts of the funds of the trade union;
- (iii) the prosecution or defence of any legal proceeding to which the trade union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the trade union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;
- (iv) the conduct of trade disputes on behalf of the trade union or any member thereof;
- (v) compensation of members for loss arising out of trade disputes;
- (vi) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members; and
- (vii) any other object which by notification in the *Gazette* the Governor may declare to be an object for which such funds may be expended.

Prohibition
of payment
of fines or
penalties.

21. The funds of a registered trade union shall not be applied either directly or indirectly in payment of the whole or part of any fine or penalty imposed upon any person by sentence or order of a court.

Use of funds
for political
purposes.

22. The funds of a registered trade union shall not be applied either directly or indirectly in payment of contributions to any political party or for any political purpose whether within or without the Colony.

Officers of
trade union
to account.

23. (1) Every treasurer or other officer of a registered trade union at such times as by the rules thereof he should render such account as hereinafter mentioned, or having been required so to do, shall render to the members thereof, at a meeting of the trade

union, a just and true account of all voluntary subscriptions or collections or any levies made on the members and moneys received and paid by him since he last rendered the like account, and of the balance, then remaining in his hands, and of all bonds and securities of such trade union.

(2) Such account shall be audited by some fit and proper person or persons to be appointed by the members of the trade union at a general meeting and approved by the Registrar.

(3) Upon the account being audited the treasurer or other officer as the case may be shall, if thereupon required, hand over to the trade union the balance which on such audit appeared to be due from him, and shall also if required hand over to the trade union all securities and effects, books, papers and property of the trade union in his hands or custody.

(4) If the treasurer or other officer fails to hand over such things and documents as in sub-section (3) required, the committee of management of the trade union or any member for and on behalf of the trade union may sue him in any competent court for the balance appearing to have been due from him upon the account last rendered by him, and for all moneys since received by him on account of such trade union and for the securities and effects, books, papers and property in his hands or custody, leaving him to set off in such action the sums, if any, which he may have since paid on account of such trade union, and in any such action the plaintiff shall be entitled to recover full costs of suit to be taxed as between solicitor and client.

24. (1) Every registered trade union shall transmit to the Registrar the account prepared and audited in accordance with the last preceding section within one month of its submission to the members of the trade union.

Audited ac-
counts to
be sent to
Registrar.

(2) Every officer of a registered trade union which fails to comply with the provisions of this section shall be guilty of an offence punishable on summary conviction with a fine not exceeding five hundred dollars.

25. With respect to the rules of a registered trade union, the following provisions shall have effect:—

Rules of
registered
trade unions.

(a) The rules of every such trade union shall contain provisions in respect of the several matters mentioned in the First Schedule to this Ordinance.

First
Schedule.

(b) A copy of the rules shall be delivered by the trade union to every person on demand on payment of a sum not exceeding one dollar.

26. (1) Every alteration of the rules of a registered trade union shall be registered with the Registrar and shall take effect from the date of registration unless some later date is specified in the rules.

Alteration of
rules of
trade unions.

(2) The rules of a registered trade union shall not be altered so that they cease to contain provisions in respect of the several matters in the First Schedule.

Rules by
Governor
in Council.

27. (1) The Governor in Council may make rules respecting registration under this Ordinance and in particular but without prejudice to the generality of the foregoing power with respect to—

- (i) the seal, if any, to be used by the Registrar for the purpose of registration under this Ordinance;
- (ii) the forms to be used for such registration;
- (iii) the inspection of registers and documents kept by the Registrar and the making of copies of any entries therein;
- (iv) the fees to be charged for registration and inspection and any other service or matter prescribed or permitted by this Ordinance; and
- (v) generally for carrying this Ordinance into effect.

Second
Schedule.

(2) The rules set forth in the Second Schedule to this Ordinance shall constitute rules made under sub-section (1) of this section except in so far as they may be from time to time revoked or amended by further rules made by the Governor in Council under such sub-section.

Immunity of
trade unions
from actions
of tort.

28. (1) An action against a trade union, whether of workmen or masters or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union shall not be entertained by any court.

(2) Nothing in this section shall affect the liability of a trade union or any official thereof to be sued in any court touching or concerning the property or rights of a trade union, except in respect of any tortious act committed by or on behalf of the union in contemplation or in furtherance of a trade dispute.

Conspiracy
in relation
to trade
disputes.

29. (1) An agreement or combination of two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute shall not be triable as a conspiracy if such act committed by one person would not be punishable as a crime.

(2) An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable.

(3) Nothing in this section shall exempt from punishment any person guilty of a conspiracy for which a punishment is awarded by any law in force in Hong Kong.

(4) Nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace or sedition or any offence against the State or the Sovereign.

(5) A crime for the purposes of this section means an offence for the commission of which the offender is liable to be imprisoned either absolutely or at the discretion of the Court as an alternative for some other punishment.

(6) Where a person is convicted of any such agreement or combination as aforesaid to do or procure to be done an act which is punishable on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months, or such longer term, if any, as may have been prescribed by the law for the punishment of the said act when committed by one person.

30. An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break a contract of employment or that it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills.

Removal of
liability for
interfering
with another
person's
business.

31. (1) Where, on complaint made by a member of a registered trade union it is shown to the satisfaction of a magistrate that any officer or member of that union had in his possession or control any property of the union except in accordance with the rules of the union, or has unlawfully expended or withheld any money of the union, the magistrate shall, if he considers the justice of the case so requires, order such officer or member to deliver all such property to the committee of management of the union and to pay to them the money so unlawfully expended or withheld.

Penalty for
misuse of
money or
property of
a registered
trade union.

(2) A complaint made under sub-section (1) shall not be entertained unless the magistrate is satisfied that the complainant is, on the date of that complaint, a member of the registered trade union in respect of the property of which such complaint is so made.

(3) Any person bound by an order made under sub-section (1) who fails to comply with the terms thereof and the directions given therein within a time to be specified in such order shall, on summary conviction, be liable to a fine not exceeding five hundred dollars.

(4) An order under sub-section (1) shall not affect or prevent a prosecution of, or civil proceedings against, any such officer or member.

32. Every person who with a view to compel any other person to abstain from doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority—

Intimida-
tion or
annoyance.

- (i) uses violence to or intimidates such other person or his wife or children or injures his property; or

- (ii) persistently follows such other person about from place to place; or
- (iii) hides any tools, clothes or other property owned or used by such other person, or deprives him of or hinders him in the use thereof; or
- (iv) watches or besets the house or other place where such other person resides or works or carries on business or happens to be or the approach to such house or place; or
- (v) follows such other person with two or more other persons in a disorderly manner in or through any street or road;

shall be guilty of an offence punishable on summary conviction with a fine not exceeding one thousand dollars or with imprisonment with or without hard labour for a term not exceeding six months.

Peaceful picketing.

33. Notwithstanding anything contained in this Ordinance, it shall be lawful for one or more persons acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working.

Unlawful possession of directions from trade unions established outside the Colony.

34. (1) No person shall without lawful authority or excuse have in his possession any document which purports or appears to be a direction or notice on behalf of or in the name of any trade union which is established outside the Colony with regard to any action by any person or persons within the Colony.

(2) The provisions of this section shall not apply to any direction or notice issued or given on behalf of or in the name of any trade union which is established within the Colony if the trade union which is established within the Colony is with the consent of the Governor in Council affiliated or connected with the trade union which is established outside the Colony.

Reference of disputes to arbitration tribunal and constitution of tribunal.

35. (1) The Governor may, where a trade dispute exists or is apprehended, refer the matter with the consent of both parties to an Arbitration Tribunal to be appointed by the Governor.

(2) The Tribunal shall be constituted of either—

- (i) a sole arbitrator to be agreed upon by both parties to the dispute; or
- (ii) an arbitrator to be agreed upon by both parties to the dispute assisted by one or more assessors nominated by or on behalf of the employers concerned and an equal number of assessors nominated by or on behalf of the workmen concerned: Provided that the award shall be made and issued by the arbitrator only.

(3) If there are existing in any trade or industry arrangements for settlement by conciliation or arbitration of disputes in such trade or industry, or any branch thereof, made in pursuance of an agreement between organisations of employers and organisations of workmen representative respectively of substantial proportions of the employers and workmen engaged in that trade or industry, the Governor shall not, unless and until there has been a failure to obtain a settlement by means of those arrangements, refer the matter for settlement in accordance with the foregoing provisions of this section. Chapter XXIV of the Code of Civil Procedure (which provides for reference to arbitration) shall not apply to any proceedings of an Arbitration Tribunal under this Ordinance or to any award issued by it.

36. (1) Whenever the Tribunal consists of an arbitrator, assisted by assessors and any vacancy occurs in the number of assessors the Tribunal may in the discretion of the arbitrator either act notwithstanding such vacancy or consent to another assessor being nominated and appointed to fill such vacancy. Vacancies on the Tribunal.

(2) No act, proceeding or determination of the Tribunal shall be called in question or invalidated by reason of any such vacancy.

37. Any award of an Arbitration Tribunal shall be submitted to the Governor who shall as soon as possible thereafter cause the same to be published in such manner as he thinks fit. Publication of award.

38. If any question arises as to the interpretation of any award of an Arbitration Tribunal, the Governor or any party to the award may apply to the Tribunal for a decision on such question, and the Tribunal shall decide the matter after hearing the parties or without such hearing provided the consent of the parties has been first obtained. The decision of the Tribunal shall be notified to the parties and shall be deemed to form part of and shall have the same effect in all respects as the original award. Interpretation of the award.

39. For the purpose of dealing with any matter referred to it an Arbitration Tribunal shall have full power by order enforceable in like manner as an order of the Supreme Court to require any person to furnish, in writing or otherwise, such particulars in relation to such matters as the Tribunal may require, and where necessary to attend before the Tribunal and give evidence on oath or otherwise, and to require the production of documents, so as to elicit all such information as in the circumstances may be considered necessary, without being bound by the rules of evidence in civil or criminal proceedings: Provided always that, if any witness objects to answer any question on the ground that it will tend to incriminate him or any other lawful ground, he shall not be required to answer the question nor be liable to any penalties for refusing to answer. Evidence.

40. It shall be in the discretion of an Arbitration Tribunal to permit any interested person to appear by counsel or solicitor on any proceedings under this Ordinance before such Tribunal. Appearance of counsel or solicitor.

Sittings may be public or private.

41. It shall be in the discretion of an Arbitration Tribunal to admit or exclude the public or the press from any of its sittings.

Publication of proceedings.

42. Whenever the press shall have been allowed to be present at a sitting of the Tribunal and not otherwise, a fair and accurate report or summary of the proceedings including the evidence adduced at that sitting may be published:

Provided however that until the award has been published by order of the Governor, no comment shall be published in respect of the proceedings or the evidence. Any person guilty of a contravention of this provision shall be liable on summary conviction to a penalty not exceeding one thousand five hundred dollars.

Rules of procedure.

43. The Governor in Council may make rules regulating the procedure to be followed by an Arbitration Tribunal and whenever any question shall arise in the course of an arbitration in respect of which rules have not been made the Tribunal shall regulate its own procedure.

Remuneration of arbitrators.

44. It shall be lawful for the Governor to pay to any arbitrator or assessor appointed under this Ordinance such remuneration out of the public funds as the Governor shall think fit.

General penalty.

45. (1) Every person who, and every trade union which, contravenes any provision of this Ordinance or any regulation made thereunder shall be guilty of an offence and shall, on summary conviction be liable to a fine not exceeding five hundred dollars unless some other punishment is provided for such offence by this Ordinance.

(2) Upon conviction of an unregistered trade union under sub-section (1), every person proved to have been a member of the executive of that trade union at any time after the commencement of this Ordinance shall be deemed severally to be guilty of the offence for which the trade union was so convicted and the magistrate shall, after necessary enquiry, declare in his finding and order the name of each person so deemed to be guilty and shall pass sentence upon him according to law.

Notification in Gazette.

46. The fact that any trade union has been registered, the fact that the certificate of registration of any registered trade union has been withdrawn or cancelled, the fact that any change of name or amalgamation affecting any registered trade union has been registered, and the fact that any registered trade union has been dissolved shall be notified by the Registrar in the *Gazette*.

Repeals and amendment.

47. (1) The Illegal Strikes and Lock-outs Ordinance, No. 10 of 1927, and Section 37 of the Offences Against the Person Ordinance, No. 2 of 1865, are hereby repealed.

(2) The Second Schedule to the Peace Preservation Ordinance, No. 10 of 1886, is amended by the deletion of the figures "37" in the third line thereof.

48. This Ordinance shall come into operation on the First day of April, 1948. Commencement.

FIRST SCHEDULE. [Section 25]

1. The name of the trade union and the address of its registered office.

2. The whole of the objects for which the trade union is to be established, the purposes for which the funds thereof shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member of the trade union.

3. The manner of making, altering, amending and rescinding rules.

4. A provision for the appointment and removal of a general committee of management, of a treasurer and other officers.

5. A provision for the keeping of full and accurate accounts by the treasurer.

6. A provision for the investment of the funds or their deposit in a bank and for an annual or periodical audit of accounts.

7. The inspection of the books and names of members of the trade union by every person having an interest in the funds of the trade union.

8. The manner of dissolving the trade union.

SECOND SCHEDULE.

TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

RULES.

(Section 27)

1. These rules may be cited as the Trade Unions (Registration) Rules, 1948.

2. The Registrar shall keep or cause to be kept at his office a register to be called the "Register of Trade Unions" wherein shall be entered particulars relating to the registration of trade unions and their rules. Register of trade unions.

3. All original entries in the Register of Trade Unions shall be made by, or under the direction of, the Registrar and shall be signed by him.

4. Every alteration, interlineation or erasure in the Register of Trade Unions shall be initialled by the Registrar.

Forms:
Application
for registra-
tion, etc., of
trade unions.

5. (1) Every application for the registration of a trade union, and all other matters requiring to be submitted or notified to or by the Registrar shall be submitted or notified in the forms prescribed by him.

(2) The forms at present prescribed shall be as annexed to these rules, namely,—

- (a) Form A—Application for Registration.
- (b) Form B—Certificate of Registration.
- (c) Form C—Notice of Refusal of Registration.
- (d) Form D—Notice of Cancellation of Registration.
- (e) Form E—Application for Approval and Notice of Change of Name.
- (f) Form F—Application for Approval and Notice of Amalgamation.
- (g) Form G—Notice of Dissolution.
- (h) Form H—Application for Registration of Complete/Partial Alteration of Rules.

(3) In addition to the matters so required to be submitted or notified to or by the Registrar, every registered trade union shall submit annually to the Registrar a return in Form J annexed to these rules. Such return must relate to the year ending March 31st and must be submitted before the 1st June next following.

Registration.

6. Where the Registrar decides to register a proposed trade union, the trade union and its rules shall be registered in the Register of Trade Unions.

7. Upon the registration of a trade union the Registrar shall forward to the union, free of charge,—

- (a) a certificate of registration;
- (b) a copy of the rules of the union as approved by him and certified under his hand as having been approved by him;
- (c) a copy of the Ordinance and of the rules made by the Governor in Council in English.

8. When the Registrar refuses to register a union or its rules he shall record in writing his reasons for so doing.

[Rule 5(2) (a)]

FORM A.

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

APPLICATION FOR REGISTRATION OF A TRADE UNION.

To The REGISTRAR OF TRADE UNIONS

Name of trade union
Address of head office

1. This application is made by the persons whose names are subscribed hereunder.

2. The Union came into existence on the day of 19.....

3. The union is a union of employers/workers engaged in the industry/or profession/or establishment/undertaking, and has members.

4. The statement of particulars required by sections 7 to 9 of the Ordinance is given in Appendix I attached to this application.

5. A copy of the rules of the union is attached to this application.

6. The particulars given in Appendix II show the provision made in the rules for the matters referred to in section 25 of the Ordinance.

7. A general statement of Assets and Liabilities will be found in Appendix III.

8. We have been duly authorised by the trade union to make this application on its behalf, such authorisation consisting of†

Signature of the applicants:—1.
2.
3.
4.
5.
6.
7.

† State here whether the authority to make this application was made by a "resolution of a general meeting of the trade union" or if not, in what other way it was given. This will only be necessary where the trade union has been in operation before the date of the application.

FORM A.
APPENDIX I.

STATEMENT OF PARTICULARS.

(1) The names, occupations, and addresses of the members making the application are as follows:—

	Name (Block Letters)	Occupation	Address
(Signed)			
1			
2			
3			
4			
5			
6			
7			

(2) (a) The name under which it is proposed that the trade union on behalf of which this application is made shall be registered is

(b) To the best of our belief there is no other existing trade union previously registered the name of which is identical with the proposed name or so nearly resembles the same as to cause confusion.

(c) The address of the (Head) Office of the union to which all communications and notices may be addressed is

(3) List of officers of the union:—

Title of office held in union	Permanent or temporarily elected	Name	Age	Address	Occupation

FORM A.
APPENDIX II.

The number of the rules making provision for the several matters detailed in column 1 are given in column 2 below:—

1 Matter.	2 Number of rules.
1. The name of the trade union and the address of its registered office.	
2. (a) The whole of the objects for which the trade union has been established. (b) The whole of the purposes for which the general funds of the union shall be applicable. (c) The conditions under which members are entitled to benefits assured by the rules. (d) The fines and forfeitures to be imposed on any member.	
3. The manner in which the rules shall be made, altered, amended, or rescinded.	
4. The manner in which the general committee of management, the treasurer and other officers of the union, and the auditor, shall be appointed and removed.	
5. Provision for the keeping of full and accurate accounts by the treasurer.	
6. (a) Provision for the investment of the funds or their deposit in a bank, or generally for their safe custody. (b) The annual or periodical audit of the accounts.	
7. The facilities provided for the inspection of the books of account and list of members of the trade union by officers and members of the union and other persons having an interest in the funds of the union.	
8. The manner of the dissolution of the union and the disposal of the funds available at the time of dissolution.	

Note.—The rules of every registered union must make provision for the matters listed in column 1 above.
The number of the rule in the Union Rule Book should be entered in column 2 opposite the matter covered by the Rule.

FORM A.

APPENDIX III.

GENERAL STATEMENT OF ASSETS AND LIABILITIES*.

Statement of Liabilities and Assets on the day of
19.....

LIABILITIES.	\$	c.	ASSETS.	\$	c.
Amount of general fund .			CASH:—		
Loans from:—			In the hands of Treasurer		
			In the hands of Secretary		
			In the hands of		
			In the Bank		
			In the Bank		
			Securities as per list below		
Debts due to:—			Unpaid subscriptions due .		
			Loans to:—		
Other liabilities (to be specified).			Immovable property . . .		
			Goods and furniture . . .		
			Other Assets (to be specified) . . .		
TOTAL LIABILITIES .			TOTAL ASSETS . .		

* This will only be necessary in cases where the trade union has been in operation for more than one year previous to the date of the application.

FORM B.

[Rule 5(2) (b)]

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

CERTIFICATE OF REGISTRATION OF A TRADE UNION.

This is to certify that the
.....Trade Union, of
.....Hong Kong
has complied with the rules respecting registration in force under the Trade
Unions and Trade Disputes Ordinance, 1948, and has been duly registered
as a trade union under the said Ordinance with effect from
.....19.....

The registered number of the above-named Trade Union is

Dated this day of 19 .

(Signed)

Registrar of Trade Unions,
Hong Kong.

[Rule 5(2) (c)]

FORM C.

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

NOTICE OF REFUSAL OF REGISTRATION.

To THE Trade Union

I HEREBY GIVE YOU NOTICE that, having considered the application submitted on behalf of the above-named Trade Union for registration under the Trade Unions and Trade Disputes Ordinance, 1948, I have refused to register the same. My reason/s for refusal is/are

Dated this day of 19 .

(Signed)

Registrar of Trade Unions,
Hong Kong.

[Rule 5(2) (d)]

FORM D.

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

NOTICE OF CANCELLATION OF REGISTRATION.

To THE Trade Union

WHEREAS the above-named Trade Union was on the day of 19..... granted a certificate of registration under the Trade Unions and Trade Disputes Ordinance, 1948, and WHEREAS

I HEREBY GIVE YOU NOTICE that, unless good cause is shown to the contrary, the said certificate of registration will be cancelled

*on the expiry of two months from the date of this notice.
*forthwith.

Dated this day of 19 .

(Signed)

Registrar of Trade Unions,
Hong Kong.

* Strike out whichever is not applicable.

FORM E.

[Rule 5(2) (e)]

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

APPLICATION FOR APPROVAL AND NOTICE OF CHANGE OF NAME.

Date:

Name of Trade Union:

Registered No.

To THE REGISTRAR OF TRADE UNIONS.

1. NOTICE is hereby given that the above-mentioned Trade Union, having obtained the consent of not less than two-thirds of the total number of its members, makes application for approval to change its name to

2. A copy of the resolution is attached hereto.

3. The total membership of the above-mentioned Trade Union is and the number of members assenting to the said resolution is

4. To the best of our belief there is no other existing Trade Union previously registered the name of which is identical with the proposed name as so changed by the resolution aforementioned or so nearly resembling the same as to cause confusion.

Signature of the applicants:—

1. Secretary.
2. Member.
3. Member.
4. Member.
5. Member.
6. Member.
7. Member.
8. Member.

FORM F.

[Rule 5(2) (f)]

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

APPLICATION FOR APPROVAL AND NOTICE OF AMALGAMATION.

To

THE REGISTRAR OF TRADE UNIONS.

- (A) Trade Union. Registered No.
- (B) Trade Union. Registered No.
- (C) Trade Union. Registered No.
- (D) Trade Union. Registered No.
- (E) Trade Union. Registered No.
- (F) Trade Union. Registered No.

1. Notice is hereby given that the votes of at least one-half of the members of each or every of the above-mentioned Trade Unions having been recorded, and at least sixty per centum of the votes recorded being in favour of the proposal, it is resolved that the said Trade Unions shall become amalgamated as one Trade Union.

2. Copies of the resolutions and the terms of the amalgamation are attached hereto.

3. It is intended that the Trade Union so formed by amalgamation shall henceforth be called the Trade Union. To the best of our belief this name is not identical with that of any other registered Trade Union or so nearly resembling the same as to cause confusion.

4. Accompanying this notice is a copy of the rules intended to be henceforth adopted by the amalgamated Trade Union, and a copy of Form A (application for registration) duly completed.

5. The signatures of the secretaries and of seven members of each and every trade union party to the above-mentioned amalgamation are hereto appended.

Dated this	day of	19
(A) Trade Union.	(B) Trade Union.	(C) Trade Union.
1. Secretary.	1. Secretary.	1. Secretary.
2. Member.	2. Member.	2. Member.
3. Member.	3. Member.	3. Member.
4. Member.	4. Member.	4. Member.
5. Member.	5. Member.	5. Member.
6. Member.	6. Member.	6. Member.
7. Member.	7. Member.	7. Member.
8. Member.	8. Member.	8. Member.

FORM G.

[Rule 5(2) (g)]

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

NOTICE OF DISSOLUTION.

Trade Union Registered No.

To

THE REGISTRAR OF TRADE UNIONS.

NOTICE is hereby given that the above-mentioned Trade Union was dissolved in pursuance of rules* thereof on the day of 19.....

Dated this	day of	19
1. Secretary.		
2. Member.		
3. Member.		
4. Member.		
5. Member.		
6. Member.		
7. Member.		
8. Member.		

* Here specify the No. of the rule or rules in the Union Rule Book

[Rule 5(2) (h)]

FORM H.

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

APPLICATION FOR REGISTRATION OF ^{*COMPLETE}~~*PARTIAL~~ ALTERATION OF RULES.

Trade Union Registered No.

To

THE REGISTRAR OF TRADE UNIONS,

1. This application for the registration of ^{*partial}~~*complete~~ alteration of the Rules of the Trade Union is made by the secretary and by the seven persons whose names are subscribed at the foot hereof.

2. Forwarded herewith are:—

*PARTIAL ALTERATION:

- (a) One copy of the registered rules marked to show where and in what way they are altered.
- (b) One copy of the alteration signed by each of the applicants.

*COMPLETE ALTERATION:

- (a) One copy of the new rules submitted for registration.
- (b) One copy of FORM A with Appendices I and II duly completed.

Dated this day of 19

Signature of the applicants:—

1. Secretary.
2. Member.
3. Member.
4. Member.
5. Member.
6. Member.
7. Member.
8. Member.

* Strike out whichever is not applicable.

[Rule 5(3)]

FORM J.

THE TRADE UNIONS AND TRADE DISPUTES ORDINANCE, 1948.

Trade Union Registered No.

ANNUAL RETURN (for year ending 31st March, 19.....).

Name of Trade Union

Name of Branches (if any)

Number of members on books at the 1st April of (year)

Number of members admitted during the year

Total

Number of members leaving during the year from whatever cause

Total number on books

Name of Chairman When appointed

Name of Vice-Chairman When appointed

Name of Secretary When appointed

Name of Treasurer When appointed

Names of Auditors (1) When appointed

(2) When appointed

Dated this day of 19 .

(Signed) Chairman.

(Signed) Secretary.

NOTE I :—This return must be sent to the Registrar of Trade Unions before the following 1st June.

NOTE II :—This return must be accompanied by a General Statement of the Income, Expenditure, Funds, etc., of the Union signed by the auditor or auditors.

Passed the Legislative Council of Hong Kong, this 10th day of March, 1948.

Alastair Todd
Deputy Clerk of Councils.

HONG KONG

No. 9 of 1948.

McKinnon
I assent.

Governor.

20th March, 1948.

An Ordinance to authorise the Grand Hotel des Wagons-Lits Limited to convert the currency of its capital.

[20th March, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Grand Hotel des Short tide. Wagons-Lits Limited (Capital Conversion) Ordinance, 1948.

2. In this Ordinance—

Interpretation.

“the Company” means the Grand Hotel des Wagons-Lits Limited.

“Registrar” means a registrar, deputy and assistant registrar appointed by the Governor under sub-section (2) of Section 289 of the Companies Ordinance, 1932.

Ordinance
No. 39 of
1932.

3. It shall be competent for the company to convert the currency of its capital (both authorised and issued) and to alter the denomination of the shares into which its capital is divided and such conversion and alteration may be effected in the following manner:—

Conversion
of currency
of capital.
Procedure.

(a) By a resolution of the board of directors of the company authorising such conversion and alteration and specifying in detail the manner and at what date such conversion and alteration is to take place; and



(b) by filing with the Registrar within one month of the passing of such resolution a certificate under the seal of the company countersigned by the auditors of the company certifying that such resolution has been duly passed and that in the opinion of the directors of the company and of such auditors the net assets of the company have at a date stated in the resolution which shall for all purposes be regarded as the date of conversion a value equivalent at the least to the amount of such converted capital as has been paid up:

Provided that the date stated in the resolution shall be a date not earlier than the date of the resolution by more than twelve months.

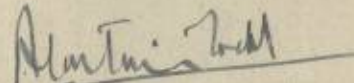
4. Upon the filing of any such certificate as is referred to in paragraph (b) of section 3 of this Ordinance, the Registrar shall issue a fresh certificate of incorporation of the company showing the capital of the company as affected by such conversion. Such fresh certificate shall take the place of the original certificate of incorporation of the company and shall be the certificate of incorporation of the company.

Issue of fresh
certificate of
incorporation.

5. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King, His Heirs and Successors, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by, from and under them.

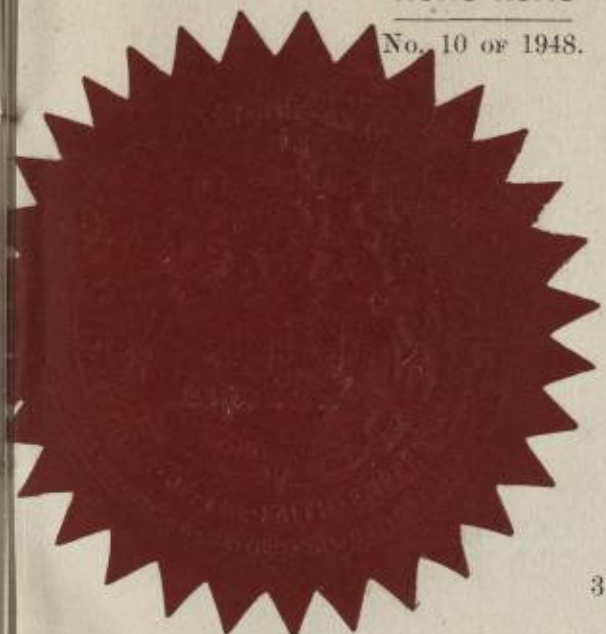
Saving of
rights of
the Crown
and of
certain
other
rights.

Passed the Legislative Council of Hong Kong, this 19th day of March, 1948.


Deputy Clerk of Councils.

HONG KONG

No. 10 of 1948.


I assent.

Governor.

31st March, 1948.

An Ordinance to amend the Births and Deaths Registration Ordinance, 1934.

[31st March, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Births and Deaths Short title. Registration Amendment Ordinance, 1948, and shall be read as one with the Births and Deaths Registration Ordinance, 1934, hereinafter referred to as the principal Ordinance. Ordinance No. 21 of 1934.

2. Section 22 of the principal Ordinance is hereby repealed and replaced as follows:—
Repeal and replacement of section 22 of the principal Ordinance.

" Searches of books and indexes in General Register Office, certificates, fees, etc.

22 (1) The Registrar General shall cause indexes of the register books in the General Register Office and in district offices to be made, and any person shall be entitled on payment of the fee prescribed by sub-sections (2) or (3), as the case may be, to require a registrar to cause a search to be made of such indexes and register books, and any such person shall be entitled to receive a copy of any entry in the said register books, certified under the hand of a registrar and sealed or stamped with the seal or stamp of the General Register Office, for which a fee of one dollar shall be paid:



Provided that a fee of two dollars shall be paid in respect of any such copy required to be posted by a registrar to an addressee outside the Colony.

Particular
search.

(2) A search, either in indexes or in district registers or in the register books of the General Register Office, for any given entry over any period not exceeding five years shall be deemed a particular search, and a fee of one dollar shall be paid in respect of every such particular search.

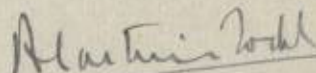
General
search.

(3) A search, either in indexes or in district registers or in the register books of the General Register Office for information other than that concerning any given entry shall be deemed a general search the fee for which shall be five dollars.

Who may
search.

(4) No person except a registrar and officers specially authorised by the Registrar General shall search in indexes or in district registers or in the register books of the General Register Office."

Passed the Legislative Council of Hong Kong, this 30th day of March, 1948.


Deputy Clerk of Councils.

HONG KONG

No. 11 OF 1948.



I assent.

McArthur

Governor.

2nd April, 1948.

An Ordinance to apply a sum not exceeding one hundred and fifty million two hundred and eighty four thousand one hundred and five dollars to the Public Service of the financial year ending 31st March, 1949.

[2nd April, 1948.]

WHEREAS the expenditure required for the service of this Colony for the financial year ending on the 31st March, 1949 has been estimated at the sum of one hundred and fifty million two hundred and eighty four thousand one hundred and five dollars.

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Appropriation for Short title. 1948-1949 Ordinance, 1948.

2. A sum not exceeding one hundred and fifty million two hundred and eighty four thousand one hundred and five dollars shall be and the same is hereby charged upon the revenue and other funds of the Colony for the service of the financial year commencing on the 1st of April 1948 and ending on the 31st of March 1949 and the said sum so charged may be expended in the manner expressed in the Schedule to this Ordinance:—

Appropriation from
general
revenues.



SCHEDULE.

<i>No. of Vote</i>	<i>Title of Vote</i>	<i>Amount of Vote</i>
		\$
1.	H.E. The Governor	218,979
2.	Colonial Secretariat and Legislature	860,169
3.	Audit Department	263,401
4.	Civil Aviation Department	762,169
5.	Development Secretariat	1,723,134
6.	Subventions	750,730
7.	District Office, New Territories	373,863
8.	Education Department	12,124,138
9.	Fire Brigade	1,098,075
10.	Hong Kong Naval Volunteer Force	3,250
11.	Hong Kong Volunteer Defence Corps	331,444
12.	Imports and Exports Department	1,220,714
13.	Inland Revenue Department	672,665
14.	Judiciary	560,772
15.	Kowloon-Canton Railway	6,650,380
16.	Labour Office	262,029
17.	Legal Departments	548,140
18.	Marine Department	4,622,802
19.	Medical Department	15,775,248
20.	Miscellaneous Services	29,766,560
21.	Pensions	6,013,000
22.	Police Force	10,428,681
23.	Post Office, Telecommunications and Broadcasting	4,225,276
24.	Prisons Department	3,517,566
25.	Public Debt	5,512,441
26.	Public Relations Office	78,464
27.	Public Works Department	4,248,217
28.	Public Works Recurrent	10,779,500
29.	Public Works Extraordinary	10,638,500
30.	Royal Observatory	353,172
31.	Sanitary Department and Urban Council	5,453,300
32.	Secretariat for Chinese Affairs	1,718,033
33.	Statistical Office	121,929
34.	Stores Department	6,922,550
35.	Supplies, Trade and Industry Department	751,394
36.	Treasury	872,400
37.	Custodian of Property	61,020
Total		150,284,105

Passed the Legislative Council of Hong Kong, this 1st day of April,
1948.

Alfred T. Todd
Deputy Clerk of Councils.

HONG KONG

No. 12 of 1948.



I assent.

Governor.

13th May, 1948.

An Ordinance further to amend the Jury Ordinance, 1887.

[13th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Jury (Amendment) Ordinance, 1948, and shall be read as one with the Jury Ordinance, 1887, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 6 of
1887.

2. Section 7 of the principal Ordinance is hereby amended by the addition of the following sub-section as sub-section (7) after sub-section (6), as follows:—

Amendment
of section 7
of the
principal
Ordinance.

“(7) Notwithstanding the provisions hereinbefore contained the Governor may, if he thinks fit, by order adopt in any one year the list of special jurors and the list of common jurors of a previous year as and for such lists of the current year.”

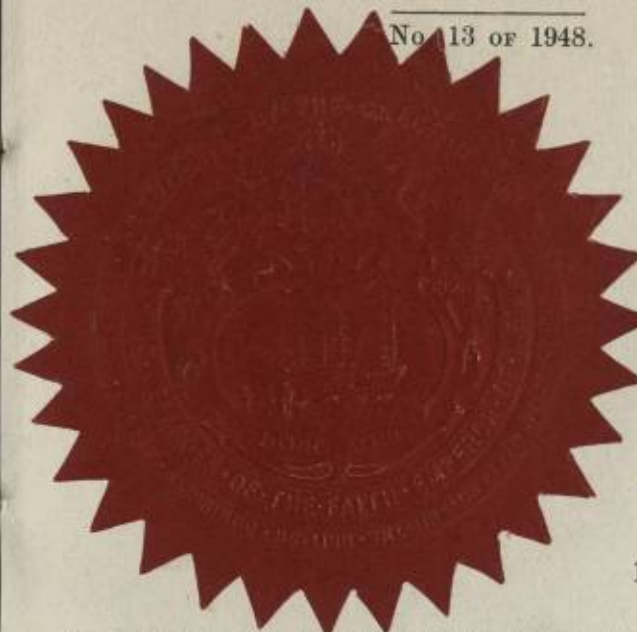
Passed the Legislative Council of Hong Kong, this 12th day of May, 1948.

Deputy Clerk of Councils.



HONG KONG

No. 13 of 1948.



I assent.

Governor.

13th May, 1948.

An Ordinance to amend the Landlord and Tenant Ordinance, 1947.

[13th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Landlord and Tenant Short title. (Amendment) Ordinance, 1948, and shall be read as one with the Landlord and Tenant Ordinance, 1947, hereinafter referred to as the principal Ordinance.

Ordinance
No. 25 of
1947.

2. Paragraph (n) of section 2 of the principal Ordinance is hereby amended by deleting the full stop after the word "sub-tenant" in line two thereof and by adding immediately after such word the words "and includes also".

Amendment
of section 2 (n)
of the
principal
Ordinance.

3. Sub-section (1) of section 3 of the principal Ordinance is hereby amended—

Amendment
of section 3
of the
principal
Ordinance.

(i) by deleting the words "apply to every premises except" in lines one and two thereof and by substituting therefor the words "not apply to";

(ii) by inserting the word "and" after the word "untenanted" in paragraph (b) thereof; and

(iii) by substituting the following paragraph for paragraph (f):—

"(f) any lease or tenancy held directly from the Crown."

Repeal and
replacement
of sub-
sections 7, 8,
and 9
of Section 26
of the
principal
Ordinance.

4. Section 26 of the principal Ordinance is hereby amended by the repeal of sub-sections (7), (8) and (9) thereof and their replacement by the sub-sections hereunder set forth:—

c/f Ord. No.
41 of 1932,
s.113.

(7) (i) Upon the hearing of any such appeal whether by way of case stated or otherwise, the Court may reverse or affirm the decision of the Tribunal, or may amend or alter such decision by making any order which the Tribunal would have had power to make in the matter, or may remit the matter to the Tribunal with the opinion of the Court thereon, or may make such other order in relation to the matter, and may make such orders as to costs in or connection with the proceedings before the Tenancy Tribunal and before the Court as may seem fit.

c/f Ord. No.
41 of 1932,
s.104.

(ii) Upon any appeal by way of case stated, the Court shall have power to cause the case stated to be sent back to the Tribunal for amendment and thereupon the same shall be amended accordingly.

c/f Ord. No.
41 of 1932,
s.112.

(8) Upon any such appeal or upon any application for a case stated to be sent back for amendment a record of the proceedings before the Tribunal if compiled in accordance with any rules in relation thereto made under section 30 of this Ordinance for the time being in force, or a certified copy of such record, shall without prejudice to any other method of proof be admissible as *prima facie* evidence of the evidence which was given and of the statements which were made before the Tribunal and generally that the proceedings therein recorded took place.

c/f 7 Ed.
VII. Cap. 23,
s.1(6).

(9) (i) No appeal shall lie from any decision of fact, discretion or law made by the Court unless the presiding judge certifies that in his opinion a point of law of such exceptional public importance arises from or as a consequence of his decision that the opinion of the Full Court should be obtained on such point.

(ii) Application for the certificate of the presiding judge shall be made by summons in Chambers.

(iii) Upon the giving of any such certificate by the presiding judge he shall proceed to state a case for the opinion of the Full Court in which he shall set forth such matters as he shall deem necessary to raise the question for the decision of the Full Court.

(iv) For the purposes of this sub-section the expression "presiding judge" shall mean the judge of the Court who heard the proceedings and if such judge is for any reason incapable of acting, then any judge of the Court.

(10) When a case has been stated under the provisions of sub-section (5) of section 28, appeal shall

not lie to the Court but shall lie to the Full Court in like manner as if it were an appeal from a decision of the Court save that it shall be unnecessary to obtain any such certificate as provided for in sub-section (8) of this section.

(11) Upon any appeal to the Full Court by way of case stated or otherwise, the Full Court shall have *mutatis mutandis* the powers given to the Court by this section.

(12) Paragraph (ii) of sub-section (7) and sub-section (8) of this section shall also apply upon any appeal to the Full Court, or upon any application therein for a case stated to be sent back for an amendment, with such modifications as are necessary owing to the appellate body being the Full Court in lieu of the Court and owing to the appeal being from a decision of the Court in lieu of from a decision of the Tribunal.

5. The following sub-section shall be substituted for sub-section (1) of section 28 of the principal Ordinance:—

Repeal and
replacement
of sub-
section (1) of
section 28
of the
principal
Ordinance.

"(1) (a) The following shall exercise all the functions of a Tenancy Tribunal for the purposes of this Ordinance when authorised by the Chief Justice or his delegate:—

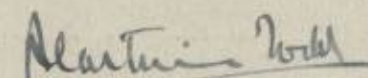
(i) Any three members of the Tenancy Tribunal Panel;

(ii) Any magistrate;

(iii) Any person who by reason of possessing judicial, magisterial or legal or other similar qualifications or experience is deemed by the Chief Justice to be competent to sit alone as a Tenancy Tribunal.

(b) A Tenancy Tribunal shall sit in such place as the Chief Justice or his delegate may direct".

Passed the Legislative Council of Hong Kong, this 12th day of May, 1948.


Deputy Clerk of Councils.

HONG KONG

No. 14 of 1948.



I assent.

[Handwritten signature]
Governor.

13th May, 1948.

An Ordinance to amend the Hawkers Ordinance, 1935.

[13th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Hawkers (Amendment) Ordinance, 1948.

2. Section 2 of the Hawkers Ordinance, 1935, as amended by the Hawkers (Amendment) Ordinance, 1946, is hereby amended by the deletion of all the words following the word "tobacco".

Amendment
of section 2
of Ordinance
No. 22 of
1935.
Ordinance
No. 25 of
1946.

Passed the Legislative Council of Hong Kong, this 12th day of May, 1948.

[Handwritten signature]
Deputy Clerk of Councils.



HONG KONG

No. 15 OF 1948.



I assent.

Sherrin

Governor.

13th May, 1948.

An Ordinance further to amend the Rating Ordinance, 1901.

[13th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Rating (Amendment) Ordinance, 1948, and shall be read as one with the Rating Ordinance, 1901, hereinafter referred to as the principal Ordinance.

2. Paragraph (i) of Section 2 of the principal Ordinance is hereby amended by the deletion of the words "except piers" appearing in the third line thereof and by the substitution thereof of the words "and includes piers".

3. Nothing in this Ordinance shall be deemed to impose until the 1st January, 1950, any liability for the payment of rates in respect of any pier which is the subject of a lease or licence granted by the Crown before the 1st January, 1948.

Passed the Legislative Council of Hong Kong, this 12th day of May, 1948.

Alister Todd
Deputy Clerk of Councils.



HONG KONG

No. 16 of 1948.



I assent.

Albion Wood
Governor.

13th May, 1948.

An Ordinance to repeal the Piers Ordinance, 1899.

[13th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Piers (Repeal) Short title. Ordinance, 1948.

2. The Piers Ordinance, 1899 is hereby repealed.

Repeal of
Ordinance
No. 11 of
1899.

3. Notwithstanding the provisions of section 12 of the Saving. Interpretation Ordinance, 1911, with regard to the effect of repeals, Ordinance the rights, privileges, obligations, or liabilities acquired, accrued, No. 31 of or incurred by lessees or licensees under the Ordinance repealed 1911. by Section 2 of this Ordinance by virtue of leases or licences granted to them by the Crown before the commencement of this Ordinance shall continue in full force and effect until the thirty-first day of December, 1949, and shall thereafter cease and determine.

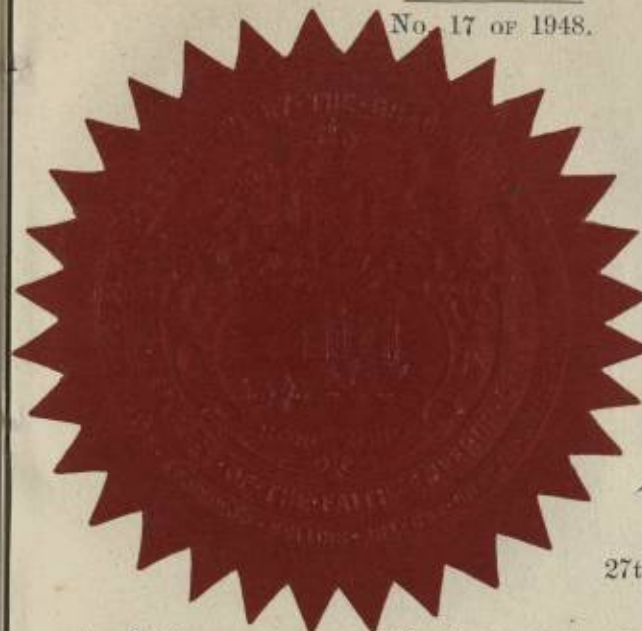
Passed the Legislative Council of Hong Kong, this 12th day of May, 1948.

Albion Wood
Deputy Clerk of Councils.



HONG KONG

No. 17 of 1948.



I assent.

[Signature]
Governor.

27th May, 1948.

An Ordinance to amend the Estate Duty Ordinance, 1932.

[27th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Estate Duty (Amendment) Ordinance, 1948, and shall be read as one with the Estate Duty Ordinance, 1932, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 3 of
1932.

2. The interpretation of "applicable schedule" in the principal Ordinance is hereby further amended by deleting the words "means the Fourth Schedule to this Ordinance" in the last two lines thereof and substituting therefor the words "but before the 1st of April, 1948 means the Fourth Schedule, and in the case of persons dying on or after the 1st of April, 1948 means the Fifth Schedule to this Ordinance".

Amendment
to interpreta-
tion of
"applicable
schedule" in
the principal
Ordinance.

3. The following schedule is hereby added to the principal Ordinance:—

Addition of
Fifth
Schedule.

FIFTH SCHEDULE

[ss. 3, 4, 10, 12, 13, 18, 19 & 22]

Where the principal value of the estate					Estate Duty shall be payable at the rate per cent. of	
exceeds	\$	5,000	and does not exceed	\$	10,000	2
"		10,000	" " " "		25,000	3
"		25,000	" " " "		50,000	4
"		50,000	" " " "		100,000	5
"		100,000	" " " "		200,000	6
"		200,000	" " " "		300,000	7
"		300,000	" " " "		350,000	8
"		350,000	" " " "		400,000	9
"		400,000	" " " "		450,000	10
"		450,000	" " " "		500,000	11
"		500,000	" " " "		550,000	12
"		550,000	" " " "		600,000	13
"		600,000	" " " "		650,000	14
"		650,000	" " " "		700,000	15
"		700,000	" " " "		750,000	16
"		750,000	" " " "		800,000	17
"		800,000	" " " "		900,000	18
"		900,000	" " " "		1,000,000	19
"		1,000,000	" " " "		1,250,000	20
"		1,250,000	" " " "		1,500,000	21
"		1,500,000	" " " "		1,750,000	22
"		1,750,000	" " " "		2,000,000	23
"		2,000,000	" " " "		2,500,000	24
"		2,500,000	" " " "		3,000,000	25
"		3,000,000	" " " "		3,500,000	26
"		3,500,000	" " " "		4,000,000	27
"		4,000,000	" " " "		4,500,000	29

FIFTH SCHEDULE—(Continued).

<i>Where the principal value of the estate</i>						<i>Estate Duty shall be payable at the rate per cent. of</i>
exceeds	\$	4,500,000	and does not exceed	\$	5,000,000	31
„		5,000,000	„ „ „ „		7,000,000	34
„		7,000,000	„ „ „ „		10,000,000	37
„		10,000,000	„ „ „ „		15,000,000	40
„		15,000,000	„ „ „ „		20,000,000	43
„		20,000,000	„ „ „ „		25,000,000	46
„		25,000,000	„ „ „ „		30,000,000	49
„		30,000,000				52

Passed the Legislative Council of Hong Kong, this 26th day
of May, 1948.

Alastair Todd
Deputy Clerk of Councils.

HONG KONG

No. 18 OF 1948.



I assent.

[Signature]
Governor.

27th May, 1948.

An Ordinance to provide for an additional type of birth certificate.

[27th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Births and Deaths Short title. Registration Ordinance, 1948, and shall be construed as one with the Births and Deaths Registration Ordinance, 1934, and the Births Registration (Special Registers) Ordinance, 1947.

Ordinance
No. 21 of
1934.
Ordinance
No. 50 of
1947.

2. (1) Any person shall, on payment of a fee of fifty cents and on furnishing the prescribed particulars, be entitled to obtain from a registrar in the General Register Office, a certificate in the prescribed form of the birth of any person compiled from the records and registers in the custody of the Registrar General.

Shortened
form of birth
certificate.
(10 & 11
Geo. 6,
c.12.)

(2) The power conferred by section 28 of the Births and Deaths Registration Ordinance, 1934, and by section 13 of the Births Registration (Special Registers) Ordinance, 1947, on the Governor in Council to make regulations shall include power to make regulations prescribing the forms of certificate to be issued



under this section, the particulars to be furnished by applicants for certificates thereunder, the manner in which those certificates are to be compiled, and the particulars which are to be contained therein, so, however, that no certificate issued under this section shall include any particulars except the name, surname, sex and date of birth and such other particulars, if any, as may be prescribed, not being particulars relating to parentage or adoption.

Passed the Legislative Council of Hong Kong, this 26th day of May, 1948.

Alan W. T. ...
Deputy Clerk of Councils.

HONG KONG

No. 19 OF 1948.



I assent.

W. H. Murray
Governor.

27th May, 1948.

An Ordinance to amend the Public Health (Food) Ordinance, 1935.

[27th May, 1948.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Public Health (Food) Amendment Ordinance, 1948, and shall be read as one with the Public Health (Food) Ordinance, 1935, hereinafter referred to as the principal Ordinance.

Short title.
Ordinance
No. 13 of
1935.

2. Section 2 of the principal Ordinance is hereby repealed and replaced as follows:—

Amendment
of section 2
of the
principal
Ordinance.

2. In this Ordinance—

“Bake-house” means any premises on which bread, biscuits or confectionery are baked for sale as food for man and includes any premises on which such food is prepared for baking or on which the materials for the preparation of such food are stored.

“Cafe” means a building or portion thereof used for the sale of light refreshments only and where no food is cooked on the premises.

“Council” means the Urban Council, unless some other Council is indicated.