

(3) A member shall not be eligible for any pay or allowances under this Ordinance for undertaking training in excess of the maximum aggregate period of training specified by the Governor under subsection (2) in relation to the classification to which he belongs, unless the additional training—

- (a) has been authorized by his commander; and
- (b) does not exceed the additional period of training which his commander has been empowered by the Governor to authorize.

Limited call out.

6. (1) In the event of a limited call out any member so called out shall, from the time of reporting for active service, be eligible to be paid—

- (a) in respect of active service for less than eight hours, at the appropriate hourly rate of pay; or
- (b) in respect of active service for eight hours or more, at the appropriate daily rate of pay.

(2) Where, in the event of a limited call out, a member is engaged in active service for a period of less than eight hours following immediately upon a period of twenty-four hours active service he shall be eligible to be paid at the appropriate hourly rate of pay for that period of service of less than eight hours.

(3) Where, in the event of a limited call out, a member is eligible to be paid at the appropriate daily rate of pay, his pay shall be calculated by reference to each period of twenty-four hours from the time of reporting for active service, whether that period is wholly in one day or partly in one day and partly in another day.

(4) Where, in the event of a limited call out, a member is eligible to be paid at the appropriate hourly rate of pay he shall be eligible to be paid the same amount for each hour or part thereof of active service.

(5) Notwithstanding that he may be required forthwith to stand down or not to remain on active service, every member who reports for active service pursuant to a limited call out shall be eligible to be paid the amount payable for one hour at the appropriate hourly rate of pay.

Voluntary duty.

7. Where any member voluntarily reports for and carries out duty other than training, then, if his attendance is certified and approved as duty by his commander or by an officer authorized by his commander, such attendance shall, subject to the approval of the Governor, be deemed to be service pursuant to a limited call out, and he shall be eligible to be paid in accordance with section 6.

8. (1) In the event of a full call out, any member so called out shall, from the time of reporting for active service, be eligible to be paid—

Full call out.

- (a) in respect of active service for less than twenty-five days, at the rates and in the manner provided in section 6; or
- (b) in respect of active service for twenty-five days or more, at the monthly rate set out in subsection (2) and in the manner provided in subsection (3).

(2) For the purpose of paragraph (b) of subsection (1), the monthly rate of pay shall be whichever is the greater of—

- (a) twenty-five times the appropriate daily rate of pay; or
- (b) for a member of the Hong Kong Auxiliary Police Force, the monthly salary at the lowest point in the Salary Scale for an officer of equivalent rank in the Hong Kong Police Force; or
- (c) for a member of the Auxiliary Fire Service Unit or the Civil Aid Services Unit, the monthly salary at the lowest point in the Salary Scale for an officer of equivalent rank in the Fire Services Department; or
- (d) for a member of the Auxiliary Medical Service Unit, the monthly salary at the lowest point in the Salary Scale of an officer of equivalent rank in the Medical and Health Services Department; or
- (e) for a member of the Royal Hong Kong Defence Force, the monthly salary at the point in the Salary Scale applicable under paragraph (b) to a member of the Hong Kong Auxiliary Police Force of the same classification; or
- (f) for a member of any other unit of the Essential Services Corps, the point in the Salary Scale applicable under paragraph (d) to a member of the Auxiliary Medical Service Unit of the same classification:

Provided that, in the case of paragraph (e) or (f), if there is no member of the Hong Kong Auxiliary Police Force or of the Auxiliary Medical Services Unit of the same classification, the monthly salary at the appropriate point in the Salary Scale for an officer of equivalent rank in the Hong Kong Police Force or in the Medical and Health Services Department, as may be determined by the Governor.

(3) Where any member is paid at a monthly rate under paragraph (b), (c), (d), (e) or (f) of subsection (2) payment shall

be calculated by reference to each calendar month, and the amount payable—

- (a) in respect of active service for a complete calendar month, shall be the whole amount of the monthly rate; and
- (b) in respect of active service for less than a complete calendar month, shall bear the same proportion to the whole amount of the monthly rate, as the number of days or part of days served during the calendar month bears to the number of days in that month.
- (4) For the purposes of subsection (2)—

“Salary Scale” means the Salary Scale from time to time approved for the public service by the Legislative Council.

Training.

9. (1) Every member shall, while undergoing training, be eligible to be paid—

- (a) in respect of continuous attendance for eight hours or more in any period of twenty-four hours, at the appropriate daily rate of pay; and
- (b) in respect of attendance for less than eight hours following without interruption upon continuous attendance for twenty-four hours, at the appropriate hourly rate of pay; and
- (c) in respect of attendance for less than eight hours, at the appropriate hourly rate of pay.

(2) Where a member is eligible to be paid at the appropriate daily rate of pay, his pay shall be calculated by reference to each period of twenty-four hours from the time of reporting for training, whether that period is wholly in one day or partly in one day and partly in another day.

(3) Where a member is eligible to be paid at the appropriate hourly rate of pay he shall be eligible to be paid the same amount for each hour or part thereof of training.

Ration allowance.

10. In respect of attendance for eight hours or more during which he is not provided with free meals or rations, every member who attends for duty shall, in addition to his pay, be eligible to receive a daily ration allowance of such an amount as may be prescribed:

Provided that no member shall be eligible to receive more than one ration allowance in respect of the same period of twenty-four hours.

11. A member of the Hong Kong Auxiliary Air Force, who pilots an aircraft while on duty, shall, in addition to his appropriate pay, be eligible to receive a special flying allowance of such an amount as may be prescribed.

Flying allowance.

12. (1) Any public officer who is continuously engaged on active service for more than twenty-five days, shall, if he is eligible to continue to receive salary or wages under such employment, elect either—

Payment of public officers on active service.

- (a) to continue to receive such salary or wages; or
- (b) to continue to be paid in respect of such active service in accordance with section 8,

and if such member elects to continue to receive such salary or wages, he shall not be eligible to continue to be paid under section 8 of this Ordinance.

(2) Nothing in subsection (1) shall be deemed to prohibit any member being eligible to receive a ration allowance under section 10.

13. Any member who is a public officer shall not be eligible to be paid under section 9 for undergoing training with an auxiliary force or unit if he is required to undergo that training as part of his normal duty as a public officer.

Certain persons not eligible for pay under section 9.

14. A member who undertakes duty with more than one unit shall, except with the permission of the Governor, be eligible to receive pay or allowances under this Ordinance for undertaking duty with only one such unit.

Prohibition against double pay or allowances.

15. A member who—

- (a) complies with or is exempt from the requirements of efficiency applicable to the auxiliary force or unit in which he serves;
- (b) completes during a year the programme of training specified by his commander; and
- (c) completes during a year a period of continuous training of not less than seven days to the satisfaction of his commander,

Bounty payable for satisfactory service.

shall, if his commander certifies accordingly, be eligible to be paid, in addition to his appropriate daily and hourly pay, a bounty of such amount as may be prescribed.

16. The Governor in Council may make regulations for all or any of the following matters—

Regulations.

- (a) the payment of gratuities and pensions to members of the auxiliary forces;

- (b) the payment of gratuities and pensions to widows and other dependants of members of the auxiliary forces;
- (c) the determination and payment of any allowance or bounty;
- (d) the determination of any classification; and
- (e) any matter or thing which is to be or may be prescribed under this Ordinance.

Transitional
bounty.

17. A member who, during the year that commenced on the 1st day of April 1966, has complied with the requirements prescribed in—

(Cap. 199, sub. leg.)

- (a) the Third Schedule to the Royal Hong Kong Defence Force Regulations; or

(Cap. 233, sub. leg.)

- (b) regulation 8 of the Hong Kong Auxiliary Police Force Regulations; or

(Cap. 197, sub. leg.)

- (c) paragraph (3) of regulation 20 of the Essential Services Corps (General) Regulations,

shall be eligible to be paid, in respect of his service in an auxiliary force during the period from the 1st day of October 1966 to the 31st day of March 1967 a bounty of one half of the bounty that would have been payable to him under those regulations as in force on the 31st day of March 1967 if he had complied with those requirements during a year within the meaning of those regulations.

SCHEDULE.

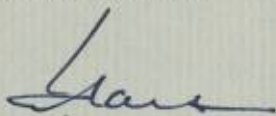
[ss. 2, 4 & 5.]

AUXILIARY FORCES PAY CODE.

1 Pay Classification.	2 Hourly rate of pay.	3 Daily rate of pay.
	\$	\$
A	12.20	97.60
B	10.45	83.60
C	9.30	74.40
D	7.55	60.40
E	5.80	46.40
F	5.50	44.00
G	5.20	41.60
H	4.65	37.20
I	4.35	34.80
J	4.05	32.40
K	3.75	30.00
L	3.50	28.00
M	3.05	24.40

1 Pay Classification.	2 Hourly rate of pay.	3 Daily rate of pay.
	\$	\$
N	2.95	23.60
O	2.85	22.80
P	2.75	22.00
Q	2.60	20.80
R	2.55	20.40
S	2.50	20.00
T	2.45	19.60
U	2.40	19.20
V	1.45	11.60
W	1.15	9.20

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat CR 168/65)

HONG KONG

No. 15 OF 1967.



I assent.

Hoare

Governor.

16th March, 1967.

An Ordinance to amend the Essential Services Corps Ordinance.

[1st April, 1967.]

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 Essential Services Corps (Amendment) Ordinance 1967, and shall come into operation on the 1st day of April 1967.

Short title and commencement.

2. Section 7 of the principal Ordinance is amended in subsection (1)—

Amendment of section 7. (Cap. 197.)

- (a) by deleting "pay" from paragraph (d); and
- (b) by deleting "actual" from paragraph (f) and substituting therefor the following—
"active".

Amendment of
section 8.

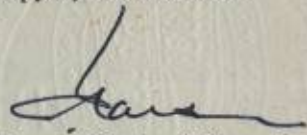
3. Section 8 of the principal Ordinance is amended by deleting "actual" wherever it occurs and substituting the following—

"active".

Repeal of
section 10.

4. Section 10 of the principal Ordinance is repealed.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

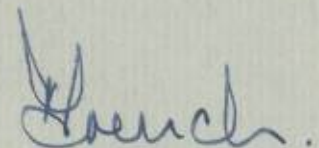

Deputy Clerk of Councils.

(Secretariat CR 168/65)

HONG KONG

No. 16 OF 1967.

I assent.


Governor.

16th March, 1967.

An Ordinance to amend the Hong Kong Auxiliary Police Force Ordinance.

[1st April, 1967.]

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 Hong Kong Auxiliary Police Force (Amendment) Ordinance 1967, and shall come into operation on the 1st day of April 1967.

Short title and
commencement.

2. Section 2 of the principal Ordinance is amended—

Amendment of
section 2.
(Cap. 233.)

(a) in the definition of "active service", by inserting the following after "(1)"—

"or (2)";

(b) by deleting the definition of "day";

- (c) by deleting the definition of "duty" and substituting therefor the following—

"duty" includes active service, training and any voluntary duty performed under section 18; and

- (d) by deleting the definition of "gazetted officer" and substituting therefor the following—

"gazetted officer" means a member holding any rank between the rank of auxiliary senior assistant commissioner and the rank of auxiliary assistant superintendent of police, both inclusive;".

Amendment of section 3.

3. Section 3 of the principal Ordinance is amended by deleting "as shall by annual vote or otherwise be from time to time provided for by the Governor and the Legislative Council" and substituting therefor the following—

"as the Governor may from time to time determine".

Amendment of section 6.

4. Section 6 of the principal Ordinance is amended—

- (a) by inserting the following in paragraph (b) of subsection (1) after "retired"—

"or resigned"; and

- (b) by inserting the following after "retirement", wherever it occurs—

"or resignation".

Repeal and replacement of section 7.

5. Section 7 of the principal Ordinance is repealed and replaced by the following new section—

7. Subject to the provisions of this Ordinance and to the orders and control of the Governor, the Force shall be under the command and direction of the Commissioner.

Amendment of section 10.

6. Section 10 of the principal Ordinance is amended by deleting "the letters 'H.K.A.P.'" and substituting therefor the following—

"the word 'Auxiliary' or the abbreviation '(Aux.)'".

Amendment of section 15.

7. Section 15 of the principal Ordinance is amended, in subsections (1) and (2), by deleting "seven" and substituting therefor in each case the following—

"fourteen".

8. Section 16 of the principal Ordinance is amended—

Amendment of section 16.

- (a) in subsection (1), by deleting "member" and substituting therefor the following—

"part or member thereof".

- (b) in subsection (2)—

- (i) by deleting "of training or"; and

- (ii) by deleting "member" and substituting therefor the following—

"part or member thereof".

- (c) by deleting subsection (4) and substituting therefor the following new subsections—

"(4) Notwithstanding anything contained in subsection (1), the Commissioner may direct any member called out for active service or duty—

- (a) to stand down from active service or duty; and

- (b) to report back for active service or duty at such place and on such date and at such time as may be directed.

(5) On receipt of a direction under paragraph (a) of subsection (4), such member shall be deemed to have ceased to be engaged on active service and, on receipt of a direction under paragraph (b) of that subsection, such member shall be deemed to have been called out in pursuance of a new order under subsection (1)".

9. Section 18 of the principal Ordinance is amended—

Amendment of section 18.

- (a) by renumbering it as subsection (1) thereof;

- (b) by deleting "without pay"; and

- (c) by inserting at the end thereof the following new subsection—

"(2) The Commissioner may authorize the payment of any charge paid in respect of the services of members employed by the Commissioner under subsection (1) to the members so employed in such manner as he may direct."

10. Section 20 of the principal Ordinance is amended, in subsection (1), by deleting "instruction" and substituting therefor the following—

Amendment of section 20.

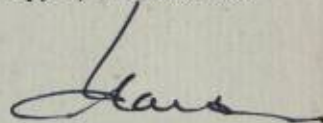
"training".

Amendment of
section 28.

11. Section 28 of the principal Ordinance is amended in subsection (1)—

- (a) by deleting from paragraph (b) “, training and instruction” and substituting therefor the following—
“and training”; and
- (b) by deleting paragraph (c).

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



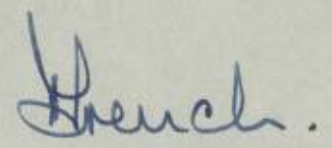
Deputy Clerk of Councils.

(Secretariat CR 168/65)

HONG KONG

No. 17 OF 1967.

I assent.

Governor.

16th March, 1967.

An Ordinance to amend the Royal Hong Kong Defence Force Ordinance.

[1st April, 1967.]

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 Royal Hong Kong Defence Force (Amendment) Ordinance 1967, and shall come into operation on the 1st day of April 1967.

Short title and
commencement.

2. Section 2 of the principal Ordinance is amended by—

- (a) inserting, at the end of the definition of “active service”, the following—

Amendment of
section 2.
(Cap. 199.)

“under section 16 or 17”;

- (b) deleting the definition of “Commanding Officer” and substituting therefor the following new definition—

““Commanding Officer” means the person for the time being in command of the Hong Kong

Regiment, the Hong Kong Auxiliary Air Force or the Hong Kong Women's Auxiliary Army Corps, as the case may be, and in the event of there being no such person means the officer who is most senior in rank in that particular unit;"

- (c) deleting the definitions of "bounty", "day", "instruction", "instruction allowance", "instruction period", "Naval Reserve", "Women's Naval Reserve" and "Women's Auxiliary Air Force";
- (d) deleting "the Naval Discipline Act," from the definition of "Service Discipline Act"; and
- (e) deleting the definition of "training" and substituting therefor the following new definitions—
 - "training" means duty, other than active service, pursuant to an order of a Commanding Officer;
 - "training period" means a period of training of one hour's duration;"

Amendment of section 5.

3. Section 5 of the principal Ordinance is amended in subsection (3) by deleting paragraphs (a), (d) and (f).

Amendment of section 7.

4. Section 7 of the principal Ordinance is amended by deleting subsection (3).

Amendment of section 8.

5. Section 8 of the principal Ordinance is amended by—
- (a) deleting, in subsection (1), the following—
"or instruction"; and
 - (b) deleting subsection (3).

Amendment of section 15.

6. Section 15 of the principal Ordinance is amended—
- (a) in subsection (1) by—
 - (i) deleting "training and instruction" and substituting therefor the following—
"and training"; and
 - (ii) deleting paragraph (d); and
 - (b) in subsection (3) by—
 - (i) deleting "training and instruction of the Force" and substituting therefor the following—
"training of the Force"; and
 - (ii) deleting "instruction periods" wherever it occurs and substituting therefor the following—
"training periods".

7. Section 16 of the principal Ordinance is amended by inserting the following new subsections after subsection (5)—

Amendment of section 16.

"(6) Notwithstanding the provisions of subsection (4) any officer or member so called out may be directed by his Commanding Officer—

- (a) to stand down from active service; and
- (b) to report back for active service at such place and on such date and at such time as may be directed.

(7) On receipt of a direction under paragraph (a) of subsection (6), such officer or member shall be deemed to have ceased to be on active service and, if a direction is made under paragraph (b) of that subsection, such officer or member shall, on reporting back in accordance with such direction, be deemed to have been called out in pursuance of a new proclamation by the Governor under subsection (1)."

8. Section 17 of the principal Ordinance is repealed and replaced by the following—

Repeal and replacement of section 17.

"Power of Service Commander to make limited call out.

17. (1) Where he is of the opinion that the need has arisen, a Service Commander may, with the prior approval of the Governor, by order make a limited call out of his unit or any part or officer or member thereof for active service.

(2) Every officer or member so called out shall assemble at such place and on such date and at such time as may be directed by his Service Commander and shall carry out any lawful command, and he shall be deemed to be called out and to be engaged on active service from the time at which he reports at the place directed.

(3) Every officer or member so called out shall remain on active service until an order is made by the Service Commander, with the prior approval of the Governor, cancelling the order under subsection (1).

(4) Notwithstanding anything contained in subsection (3), a Commanding Officer may direct any officer or member of his unit—

- (a) to stand down from active service; and
- (b) to report back for active service at any place and on any date and at any time.

(5) On receipt of a direction under paragraph (a) of subsection (4), such officer or member shall be deemed to have ceased to be engaged on active service and, if a direction is made under paragraph (b) of that subsection, such officer or member shall, on reporting back in accordance therewith, be deemed to have been called out in pursuance of a new order under subsection (1)."

Amendment of
section 19.

9. Section 19 of the principal Ordinance is amended—

(a) in subsection (1) by—

(i) deleting “, in training or under instruction” and substituting therefor the following—

“or in training”;

(ii) deleting “subsection (1) of section 17, subject to subsection (2) of that section” and substituting therefor the following—

“section 9 of the Auxiliary Forces Pay and Allowances Ordinance 1967”; and

(iii) deleting “, gratuity or other allowance in accordance with section 18.” and substituting therefor the following—

“or gratuity under regulations made under that Ordinance.”; and

(b) by deleting subsection (2).

Amendment of
section 20.

10. Section 20 of the principal Ordinance is amended in subsection (1) by—

(a) deleting “(except those of the Naval Reserve or of the Women’s Naval Reserve)”; and

(b) deleting “or instruction”.

Amendment of
section 24.

11. Section 24 of the principal Ordinance is amended—

(a) in subsection (1) by—

(i) deleting “an instruction allowance or of bounty” and substituting therefor the following—

“pay”; and

(ii) deleting “and instruction” wherever it occurs; and

(b) in subsection (5), by deleting “October” and substituting therefor the following—

“April”.

12. Section 28 of the principal Ordinance is amended by deleting “the Hong Kong Royal Naval Reserve,”.

Amendment of
section 28.

13. Section 36 of the principal Ordinance is amended by deleting “, the Hong Kong Naval Volunteer Force”.

Amendment of
section 36.

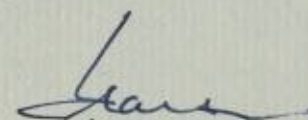
14. Notwithstanding the disbandment of the Hong Kong Royal Naval Reserve and the Hong Kong Women’s Naval Reserve, any person holding a commission therein who is on the Retired List at the commencement of this Ordinance—

Saving.

(a) shall continue to hold the rank held by him at the date of his retirement for so long as the Governor thinks fit; and

(b) may wear the uniform of that rank within the Commonwealth on State occasions and on such other occasions as the Governor may determine.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



Deputy Clerk of Councils.

(Secretariat CR 168/65)

HONG KONG

No. 18 OF 1967.



I assent.

Governor.

16th March, 1967.

An Ordinance to amend further the Probate and Administration Ordinance.

[17th March, 1967.]

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 Probate and Administration (Amendment) Ordinance 1967.

Short title.

2. Section 27 of the Probate and Administration Ordinance (hereinafter referred to as the principal Ordinance) is repealed.

Repeal of section 27. (Cap. 10.)

3. The principal Ordinance is amended by the addition, after section 54, of the following new section—

Addition of new section 54A.

"Insolvent estates.
15 Geo. 3,
c. 23, s. 34(1),
First Schedule.

54A. Where the estate of any deceased person is insolvent, his real and personal estate shall be administered as follows—

- (a) subject to the provisions of section 16 the funeral, testamentary and administration expenses shall have priority;

- (b) subject as aforesaid, the same rules shall prevail and be observed as to the respective rights of secured and unsecured creditors and as to debts and liabilities provable and as to the valuation of annuities and future and contingent liabilities respectively and as to the priorities of debts and liabilities as may be in force for the time being under the law of bankruptcy with respect to the assets of persons adjudged bankrupt.”

Amendment of
section 62.

4. Section 62 of the principal Ordinance is amended—

- (a) by the deletion of subsection (1) and the substitution therefor of the following—

“(1) Any person, below the rank of Senior Inspector, employed in the police force, and any person, below the rank of Principal Officer, employed in the prisons department, who shall die whilst so employed, shall be deemed not to be within the meaning of the preceding provisions of this Ordinance.”; and

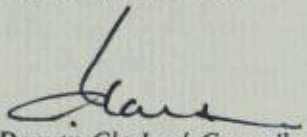
- (b) by the deletion of subsection (3) and the substitution therefor of the following—

“(3) The Commissioner of Police or the Commissioner of Prisons, as the case may be, may sign an order upon the Accountant General for the payment of the whole or any part of such balance to such person or persons as may appear to him to be entitled thereto, and the Accountant General shall comply with such order.”.

Deletion of
Schedule.

5. The Schedule to the principal Ordinance is deleted.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

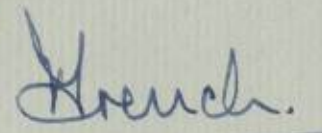
(Secretariat GR 7/3231/55)

HONG KONG

No. 19 OF 1967.



I assent.


Governor.

16th March, 1967.

An Ordinance to amend further the Holidays Ordinance.

[17th March, 1967.]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. (1) This Ordinance may be cited as the Holidays (Amendment) Ordinance 1967.

Short title and
commencement
of section 4.

(2) Section 4 shall come into operation on the 1st day of January 1968.

2. The Long Title to the principal Ordinance is amended by deleting “and school”.

Amendment
of Long Title.
(Cap. 149.)

3. Section 2 of the principal Ordinance is amended—

- (a) by deleting, in the definition of “general holiday”, “section 5, shall be a *dies non* and which” and substituting the following—

Amendment
of section 2.

“sections 5 and 9.”;

- (b) by deleting the semicolon at the end of the definition of "general holiday" and substituting a full stop; and
- (c) by deleting the definition of "school holiday".

Repeal and
replacement of
section 3.

4. Section 3 of the principal Ordinance is repealed and replaced by the following—

"General
holidays.

3. The following days shall be general holidays—

- (a) every Sunday;
- (b) the first week-day in January;
- (c) Chinese New Year's Day;
- (d) the second day of Chinese New Year;
- (e) the third day of Chinese New Year;
- (f) in a year in which Chinese New Year's Day or the second day of Chinese New Year or the third day of Chinese New Year is a Sunday, the fourth day of Chinese New Year;
- (g) Ching Ming (清明) Festival (or if that day should be a Sunday then the following day) unless it shall be ordered by the Governor, by order published in the *Gazette*, that some other day shall be a general holiday in lieu thereof, and then, such other day;
- (h) Good Friday;
- (i) the day following Good Friday;
- (j) Easter Monday;
- (k) the Birthday of Her Majesty the Queen, unless it shall be ordered by the Governor, by order published in the *Gazette*, that Her Majesty's Birthday is to be kept on some other day, and then, such other day;
- (l) Tuen Ng (端午, Dragon Boat) Festival, or if that day should be a Sunday then the following day;
- (m) the first week-day in July;
- (n) the first Monday in August;
- (o) the last Monday in August, which shall be Liberation Day;
- (p) the day following the Chinese Mid-Autumn (中秋) Festival Day (or if that day should be a Sunday then the following day) unless

it shall be ordered by the Governor, by order published in the *Gazette*, that some other day shall be a general holiday in lieu thereof, and then, such other day;

- (q) Chung Yeung (重陽) Festival (or if that day should be a Sunday then the following day) unless it shall be ordered by the Governor, by order published in the *Gazette*, that some other day shall be a general holiday in lieu thereof, and then, such other day;
- (r) Christmas Day;
- (s) the first week-day after Christmas Day;
- (t) in a year in which Christmas Day is a Sunday the second week-day after Christmas Day."

5. Section 4 of the principal Ordinance is repealed.

Repeal of
section 4.

6. Section 5 of the principal Ordinance is repealed and replaced by the following—

"Operation
of Govern-
ment depart-
ment or
court on
general
holidays.

5. (1) Anything in this Ordinance or any other law to the contrary notwithstanding, the head of any Government department may, if in his opinion the interests of the public service or the convenience of the public so require, open and operate any of the offices and works thereof on a general holiday and require any of the persons serving in his department to perform any of their duties and functions on a general holiday.

(2) Anything in this Ordinance or any other law to the contrary notwithstanding, the Chief Justice may direct that any court or any of the offices of any court shall be open on a general holiday for the transaction of such business as the Chief Justice may think fit and may require any of the persons serving in any such court or office to perform any of their duties and functions on a general holiday."

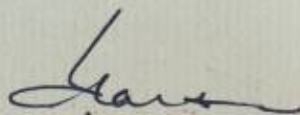
7. Section 7 of the principal Ordinance is amended by deleting "It shall be lawful for the Governor in Council by notification in the *Gazette* to" and substituting the following—

"The Legislative Council may by resolution".

Repeal and
replacement of
section 5.

Amendment
of section 7.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

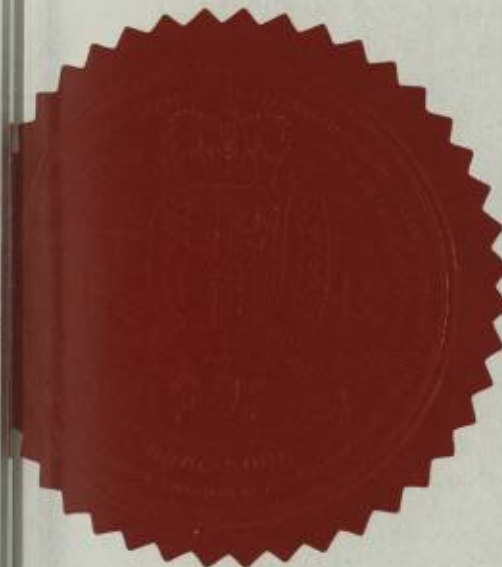


Deputy Clerk of Councils.

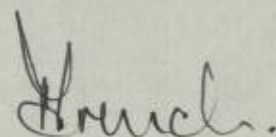
(Secretariat GR 9/761/46)

HONG KONG

No. 20 OF 1967.



I assent.



Governor.

30th March, 1967.

An Ordinance to apply a sum not exceeding one thousand nine hundred and twenty-two million, six hundred thousand, one hundred and ten dollars to the Public Service of the financial year ending the 31st day of March 1968.

[1st April, 1967.]

WHEREAS the expenditure required for the service of this Colony for the financial year ending on the 31st day of March 1968, has been estimated at the sum of one thousand nine hundred and twenty-two million, six hundred thousand, one hundred and ten dollars:

Preamble.

NOW, THEREFORE, 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 (1967-68) Ordinance 1967. Short title.

Appropriation
from the
general
revenues and
other funds.

Schedule.

2. A sum not exceeding one thousand nine hundred and twenty-two million, six hundred thousand, one hundred and ten 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 day of April 1967, and ending on the 31st day of March 1968, and the said sum so charged may be expended in the manner expressed in the Schedule.

SCHEDULE.

[s. 2.]

Number of vote.	Head of Expenditure.	Amount of vote.
		\$
21.	His Excellency the Governor's Establishment ...	777,300
22.	Agriculture and Fisheries Department	13,753,600
23.	Audit Department	1,766,100
24.	Civil Aviation Department	9,487,000
25.	Colonial Secretariat and Legislature	17,635,000
26.	Commerce and Industry Department	19,577,000
27.	Defence: Hong Kong Regiment (The Volunteers) ..	2,590,200
28.	Defence: Hong Kong Royal Naval Reserve ...	250,000
29.	Defence: Hong Kong Auxiliary Air Force	1,849,400
30.	Defence: Essential Services Corps and Director- ate of Manpower	447,500
31.	Defence: Auxiliary Fire Service	598,000
32.	Defence: Auxiliary Medical Service	1,523,100
33.	Defence: Civil Aid Services	2,275,200
34.	Defence: Registration of Persons Office	1,634,500
35.	Defence: Miscellaneous Measures	73,984,800
36.	Education Department	284,219,800
37.	Fire Services Department	28,071,300
38.	Immigration Department	7,321,500
39.	Information Services Department	4,099,500
40.	Inland Revenue Department	8,904,700
41.	Judiciary	10,337,500
42.	Kowloon-Canton Railway	9,632,800
43.	Labour Department: Labour Division	4,154,800
44.	Labour Department: Mines Division	421,100
45.	Legal Department	3,354,100
46.	Marine Department	23,680,300
47.	Medical and Health Department	129,873,700
48.	Miscellaneous Services	44,083,200
49.	New Territories Administration	12,474,000
50.	Pensions	41,665,000
51.	Police Force: Hong Kong Police	125,632,400
52.	Police Force: Auxiliary Police	2,327,200

Number of vote.	Head of Expenditure.	Amount of vote.
		\$
53.	Post Office	52,487,700
54.	Printing Department	7,624,300
55.	Prisons Department	19,303,700
56.	Public Debt	5,333,310
57.	Public Services Commission	206,000
58.	Public Works Department	98,115,000
59.	Public Works Recurrent	94,038,500
60.	Public Works Non-recurrent: Headquarters	14,484,000
61.	Public Works Non-recurrent: Buildings	205,602,600
62.	Public Works Non-recurrent: Civil Engineering ..	121,872,100
63.	Public Works Non-recurrent: Waterworks	118,517,000
64.	Radio Hong Kong	4,096,800
65.	Rating and Valuation Department	3,088,400
66.	Registrar General's Department	4,898,400
67.	Registry of Trade Unions	336,900
68.	Resettlement Department	39,897,700
69.	Royal Observatory	3,802,200
70.	Secretariat for Chinese Affairs	2,893,100
71.	Secretariat for Chinese Affairs: Public Enquiry Service	346,900
72.	Social Welfare Department	12,584,000
73.	Stores Department	21,126,000
74.	Subventions: Medical	48,973,000
75.	Subventions: Social Welfare	7,956,600
76.	Subventions: Miscellaneous	20,600,300
77.	Treasury	4,516,600
78.	Universities	39,361,600
79.	Urban Services Department and Urban Council ..	61,068,400
80.	Urban Services Department: City Hall	3,664,200
81.	Urban Services Department: Housing Division ..	8,923,200
82.	Urban Services Department: New Territories Division	8,072,300
83.	World Refugee Year Schemes	407,700
	TOTAL	\$1,922,600,110

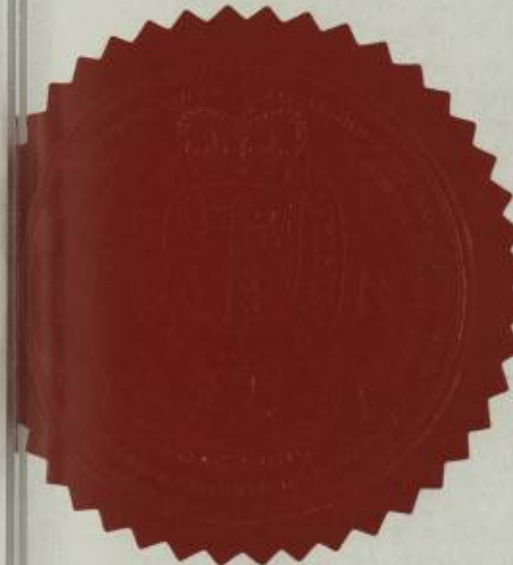
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 30th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

Deputy Clerk of Councils.

(Secretariat FIN 4/2291/63)

HONG KONG

No. 21 OF 1967.



I assent.

Krench.

Governor.

30th March, 1967.

An Ordinance to amend further the Larceny Ordinance.

[31st March, 1967.]

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 Larceny (Amendment) Ordinance 1967.

Short title.

2. The principal Ordinance is amended by adding, after section 50, the following new section—

Addition of
new section
50A.
(Cap. 210.)

"Presump-
tions for
purposes of
section 50.

50A. (1) Where—

- (a) any cheque or other bill of exchange bears any writing purporting to be written by or on behalf of the bank or other person on whom the cheque or bill of exchange was drawn and indicating that payment of the cheque or bill of exchange was refused upon presentation on or after becoming due; or

- (b) any document purporting to be made by or on behalf of the bank or other person on whom any cheque or bill of exchange was drawn bears any writing indicating that payment of the cheque or bill of exchange was refused upon presentation on or after becoming due,

then, in any proceeding for an offence under section 50, payment of the cheque or bill of exchange shall, until the contrary is proved, be deemed to have been so refused.

(2) The provisions of this section shall apply whether or not the bank or other person on whom the cheque or bill of exchange was drawn carries on business in the Colony and whether the writing was written on the cheque or bill of exchange or the document within or outside the Colony.

(3) Any document purporting to be a document of the kind specified in subsection (1) or purporting to be a copy or reproduction of any such document shall be admitted in evidence on its production by the prosecution without further proof.

(4) Where any cheque or bill of exchange or any document of the kind specified in subsection (1), or any copy or reproduction of any such document, is to be adduced in evidence for the prosecution in any proceeding for an offence under section 50, a copy thereof shall be served on the defendant not less than fourteen days before the commencement of the trial.

(5) If service is not effected in accordance with subsection (4), the court may on application by the accused grant an adjournment for such period as the court considers just."

Amendment
of Schedule.

3. The Schedule to the principal Ordinance is amended in the second column by inserting, after the offences specified therein—

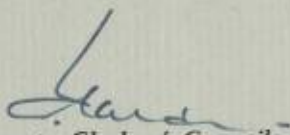
- (a) opposite "Demanding with menaces (section 48)" in the first column—

"(iv) False pretences and fraud (section 50)"; and

- (b) opposite "False pretences and fraud (section 50)" in the first column—

"(iv) Demanding with menaces (section 48)".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 30th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 10/2706/47)

HONG KONG

No. 22 OF 1967.

I assent.

Hauch.

Governor.

30th March, 1967.

An Ordinance to amend the Asiatic Emigration Ordinance.

[]

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 Asiatic Emigration (Amendment) Ordinance 1967.

Short title.

2. The principal Ordinance is amended by adding the following new section in Part III after section 46—

Addition of new section 46A.
(Cap. 79.)

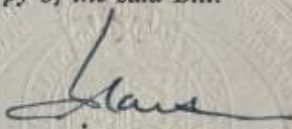
"Sections 38(1) and 46(1) not to apply to certain workers under Contracts for Overseas Employment Ordinance.
(Cap. 78.)

46A. Subsection (1) of section 38 and subsection (1) of section 46 do not apply in relation to an emigrant or an assisted emigrant, as the case may be, who is a worker within the meaning of the Contracts for Overseas Employment Ordinance and whose overseas contract has been attested by the Commissioner of Labour in accordance with that Ordinance."

Suspending
clause.

3. This Ordinance shall not come into operation until Her Majesty's confirmation of the same has been proclaimed in the Colony by the Governor and thereafter it shall come into operation upon such day as the Governor shall by the same or any other proclamation appoint.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 30th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

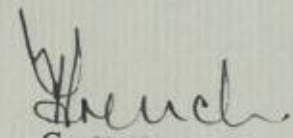

Deputy Clerk of Councils.

(Secretariat GR 73/3231/47)

HONG KONG

No. 23 OF 1967.

I assent.


Governor.

30th March, 1967.

An Ordinance to amend further the Probation of Offenders Ordinance.

[31st March, 1967.]

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 Probation of Offenders (Amendment) Ordinance 1967.

Short title.

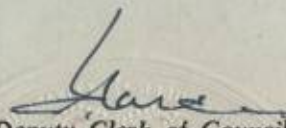
2. The principal Ordinance is amended by adding the following new section after section 11—

Addition of
new section
11A.
(Cap. 298.)

"Charges for
food and accommo-
dation.

11A. If, with the permission of the superintendent of an approved institution, a probationer who resides in the institution is employed outside the institution under a contract of service or apprenticeship, and is paid wages, the superintendent may require the probationer to pay such charge in respect of his food and accommodation at the institution as the principal probation officer, with the approval of the Financial Secretary, may determine."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 30th day of March, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

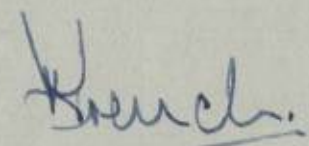
(Secretariat GR L/M C 35/66)



HONG KONG

No. 24 OF 1967.

I assent.



Governor.

13th April, 1967.

An Ordinance to amend the Estate Duty Ordinance.

[1st April, 1967.]

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 1967 and shall be deemed to have had effect as from the 1st day of April 1967.

Short title and commencement.

2. Section 3 of the principal Ordinance is amended in the definition of "applicable Schedule" by deleting "means the Seventh Schedule" and substituting the following—

Amendment of section 3. (Cap. 111.)

"but before the 1st day of April 1967 means the Seventh Schedule, and in the case of persons dying on or after the 1st day of April 1967 means the Eighth Schedule".

3. Section 35 of the principal Ordinance is amended in subsection (4) by deleting "Eighth" and substituting the following—

Amendment of section 35.

"Ninth".

Amendment
of Seventh
Schedule.

4. The Seventh Schedule to the principal Ordinance is amended by deleting "until this Schedule is superseded" and substituting the following—

"before 1st April, 1967".

Addition of
new Schedule.

5. The principal Ordinance is amended by the addition, after the Seventh Schedule thereto, of the following new Schedule—

"EIGHTH SCHEDULE. [ss. 3, 5, 14, 16,
17, 23, 24 & 27.]

(Persons dying on or after 1st April, 1967, and until this Schedule is superseded).

Where the principal value of the estate.					Estate duty shall be payable at the rate per cent of.	
					\$	
Exceeds	\$				\$	
	100,000	and	does	not	200,000	3
"	200,000	"	"	"	300,000	5
"	300,000	"	"	"	350,000	7
"	350,000	"	"	"	400,000	8
"	400,000	"	"	"	450,000	9
"	450,000	"	"	"	500,000	10
"	500,000	"	"	"	550,000	11
"	550,000	"	"	"	600,000	12
"	600,000	"	"	"	700,000	14
"	700,000	"	"	"	800,000	15
"	800,000	"	"	"	900,000	16
"	900,000	"	"	"	1,000,000	17
"	1,000,000	"	"	"	1,500,000	18
"	1,500,000	"	"	"	2,000,000	19
"	2,000,000	"	"	"	3,000,000	20
"	3,000,000	"	"	"	4,000,000	23
"	4,000,000					25

Amendment
of Eighth
Schedule.

6. The Eighth Schedule to the principal Ordinance is amended by being renumbered the Ninth Schedule thereto.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of April, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
Deputy Clerk of Councils.

(Secretariat CR 10/2524/4511)

HONG KONG

No. 25 OF 1967.

I assent.

[Signature]

Governor.

27th April, 1967.

An Ordinance to amend the Matrimonial Causes Ordinance 1967.

[28th April, 1967.]

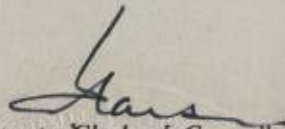
Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Matrimonial Causes (Amendment) Ordinance 1967. Short title.

2. Section 32 of the principal Ordinance is amended by adding the following subsection at the end thereof— Amendment of section 32. (1 of 1967.)

"(5) Paragraph (a) of subsection (1) of section 28 and subsections (2) and (3) thereof shall apply in relation to judicial separation as they apply in relation to divorce."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of April, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

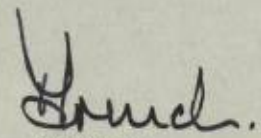
(Secretariat GR 6/3231/66)



HONG KONG

No. 26 OF 1967.

I assent.



Governor.

27th April, 1967.

An Ordinance to amend the Banking Ordinance.

[28th April, 1967.]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. (1) This Ordinance may be cited as the Banking (Amendment) Ordinance 1967.

Short title and commencement.

(2) Section 21, save for paragraph (d), sub-paragraph (vi) of paragraph (f) and paragraph (g), shall not come into operation until the 1st day of November 1967.

(3) The definitions of "money at call" and "money at short notice" inserted in section 2 of the principal Ordinance by section 2 of this Ordinance shall not have effect until the 1st day of November 1967.

(4) Paragraph (a) of subsection (6) of the new section 20 inserted in the principal Ordinance by section 24 of this Ordinance shall not come into operation until the 1st day of November 1967, and until that day the expression "assets within the Colony" shall, for the purposes of paragraph (b) of subsection (1) and paragraph (b) of subsection (2) of the said new section 20, have the meaning that it has for the purposes of paragraph (b) of subsection (1) of section 8 of the principal Ordinance.

Amendment
of section 2.
(Cap. 155.)

2. Section 2 of the principal Ordinance is amended by—

- (a) inserting the following definitions in subsection (1), in the appropriate place having regard to the initial letter of each of them—

"auditor" means a person whose name appears for the time being on Part I or Part II of the authorized list of auditors kept by the Registrar of Companies under section 131 of the Companies Ordinance;"

"branch", in relation to a bank, includes a mobile branch of the bank and a branch established and maintained for a limited period only;"

"depositor" means a person who has an account at a bank, whether the account is a current account, a deposit account, a savings account or any other account;"

"money at call" means money payable within not more than twenty-four hours of a demand therefor, but does not include money payable on demand;"

"money at short notice" means money, other than money at call, payable within not more than seven days of a demand therefor;" and

- (b) inserting the following new subsection after subsection (1)—

"(1A) Without prejudice to any other meaning which "insolvent" may have, a bank shall, for the purposes of this Ordinance, be deemed to be insolvent if either it has ceased to pay its debts in the ordinary course of business or it cannot pay its debts as they become due."

3. The principal Ordinance is amended by deleting the heading to Part II and substituting the following—

Amendment
of heading to
Part II.

"APPOINTMENTS, GENERAL DUTIES OF COMMISSIONER AND POWER OF GOVERNOR TO GIVE DIRECTIONS."

4. Section 3 of the principal Ordinance is amended—

Amendment
of section 3.

- (a) in subsection (1), by—

(i) deleting "in Council"; and

(ii) inserting the following after "banking business"—
"and of advising the Governor in Council in any case where the advice of the Committee is sought under subsection (2) of section 14";

- (b) in subsection (2), by—

(i) inserting the following after "Financial Secretary"—
", the Commissioner"; and

(ii) deleting "seven" and substituting the following—
"nine"; and

- (c) in subsection (3), by inserting the following after "Advisory Committee"—
"appointed by the Governor".

5. The principal Ordinance is amended by adding the following new sections after section 4—

Addition of
new sections
4A and 4B.

"Commis-
sioner may
employ
assistants.

4A. The Commissioner may authorize or employ any person to assist him in the exercise of his functions and duties under this Ordinance, either generally or in any particular case.

Power of
Governor
to give
directions.

4B. (1) The Governor may give to the Financial Secretary and the Commissioner such directions as he thinks fit with respect to the exercise or performance of their respective powers, functions and duties under this Ordinance, either generally or in any particular case.

(2) The Financial Secretary and the Commissioner shall, in the exercise or performance of their respective powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1)."

Amendment
of section 5.

6. Section 5 of the principal Ordinance is amended by deleting "Financial Secretary" and substituting the following—
"Governor in Council".

Amendment
of section 6.

7. Section 6 of the principal Ordinance is amended by—
(a) deleting "Financial Secretary" in subsection (1) and substituting the following—

"Governor in Council";

(b) deleting paragraph (a) of subsection (2) and substituting the following—

"(a) a copy of the charter, Ordinance (other than the Companies Ordinance), statutes, memorandum of association and articles of association, or other instrument, under which the company is or is to be incorporated, which shall—

(i) be verified in such manner as the Commissioner or the Governor in Council may require; and

(ii) if it is not written in the English language, be accompanied by a translation thereof certified to the satisfaction of the Commissioner as a true and correct translation; and";

(c) deleting "Financial Secretary" in paragraph (b) of subsection (2) and substituting the following—

"Commissioner or the Governor in Council"; and

(d) deleting "Financial Secretary" in subsection (3) and substituting the following—

"Governor in Council".

Amendment
of section 7.

8. Section 7 of the principal Ordinance is amended by—

(a) deleting "Financial Secretary" in subsection (1) and substituting the following—

"Governor in Council"; and

(b) deleting subsections (2) and (3) and substituting the following—

"(2) Without prejudice to the provisions of section 12A, there shall be deemed

(Cap. 32.)

to be attached to every licence granted under subsection (1) to a bank incorporated in the Colony under the Companies Ordinance or by any other Ordinance, whether the licence was granted before the commencement of the Banking (Amendment) Ordinance 1967 or is granted thereafter, a condition that the bank shall not establish any branch thereof outside the Colony without the approval of the Commissioner.

(3) Any bank aggrieved by the refusal of the Commissioner to give his approval for the purposes of the condition deemed by subsection (2) to be attached to a bank's licence may appeal by way of petition to the Governor in Council."

9. Section 8 of the principal Ordinance is amended by—

Amendment
of section 8.

(a) deleting "No" in subsection (1) and substituting the following—

"Save as provided in subsection (1A), no";

(b) deleting "five" in paragraphs (a) and (b) of subsection (1) and substituting the following in each case—

"ten"; and

(c) inserting the following new subsection after subsection (1)—

"(1A) The Governor in Council may, if he thinks fit, grant a licence to a company which is owned wholly by the government of any country notwithstanding that the capital of the company does not comply with paragraph (a) of subsection (1)."

10. Section 9 of the principal Ordinance is repealed and replaced by the following—

Repeal and
replacement
of section 9.

"Revocation
of licence.

9. The Governor in Council may revoke a licence—

(a) if he is satisfied that the holder of the licence—

(i) has ceased to transact banking business in the Colony; or

(ii) proposes to make, or has made, any composition or arrangement with its creditors or has gone into liquidation or has been wound up or otherwise dissolved; or

- (b) if the Commissioner has made a report to him under paragraph (iv) of subsection (1) of section 13 and the Governor in Council considers that it is in the public interest to revoke the licence.”.

Repeal of
section 10.

11. Section 10 of the principal Ordinance is repealed.

Amendment
of section 11.

12. Section 11 of the principal Ordinance is amended by deleting “or 10” in subsection (1).

Amendment
of section 12.

13. Section 12 of the principal Ordinance is amended by—

- (a) deleting “seven thousand five hundred” in subsection (1) and substituting the following—

“fifteen thousand”; and

- (b) deleting “Subject to the provisions of subsection (3) of section 44, the Financial Secretary” and substituting the following—

“The Accountant General”.

Addition of
new Part IIIA.

14. The principal Ordinance is amended by adding the following new Part after Part III—

“PART IIIA.

APPROVAL BY COMMISSIONER OF ESTABLISHMENT OF BRANCHES OF BANKS AND FEES IN RESPECT OF BRANCHES OF BANKS.

Control of
establish-
ment of
branches
of bank.

12A. (1) A bank shall not establish any branch thereof in the Colony without the approval of the Commissioner.

(2) Any bank aggrieved by the refusal of the Commissioner to give his approval under subsection (1) may appeal by way of petition to the Governor in Council.

Fees in
respect of
branches
of banks.

12B. (1) Whenever the Commissioner gives his approval of the establishment by a bank of a branch thereof in the Colony, the bank shall pay to the

Accountant General a fee of one thousand dollars in relation to that branch and thereafter, so long as the branch continues to be maintained by the bank, the bank shall pay to the Accountant General a fee of one thousand dollars on the anniversary in each year of the date of the grant of the bank's licence under section 7.

(2) A bank that is maintaining a branch thereof in the Colony at the commencement of the Banking (Amendment) Ordinance 1967 shall, so long as the branch continues to be maintained by the bank, pay to the Accountant General a fee of one thousand dollars on the anniversary in each year of the date of the grant of the bank's licence under section 7.”.

15. Section 13 of the principal Ordinance is amended by—

Amendment
of section 13.

- (a) deleting “Financial Secretary” in paragraphs (a) and (c) of subsection (1) and in subsection (3) and substituting the following in each case—

“Commissioner”;

- (b) inserting the following in paragraph (c) of subsection (1) before “investigation”—

“an inspection or”;

- (c) inserting the following in paragraph (d) of subsection (1) after “Financial Secretary”—

“advises the Commissioner that he”;

- (d) deleting “Financial Secretary” in the fourth place where those words occur in subsection (1) and substituting the following—

“Commissioner, after consultation with the Financial Secretary,”;

- (e) deleting “, and may fix the remuneration to be paid by the bank to such person” in paragraph (ii) of subsection (1);

- (f) deleting paragraph (iii) of subsection (1) and substituting the following—

“(iii) to assume control of and carry on the business of the bank, or direct some other person to assume control of and carry on the business of the bank;”;

- (g) deleting subsection (2) and substituting the following—

“(2) Save in the circumstances specified in paragraph (a) of subsection (1), the Commissioner shall not exercise the power conferred by paragraph (iv) of subsection (1) unless he has given to the bank not less than seven days’ notice in writing of his intention to exercise such power and a statement in writing of his reasons for the exercise thereof, and has afforded the bank an opportunity to submit to him representations in writing thereon.”; and

- (h) deleting subsection (4) and substituting the following—

“(4) The making of an appeal under subsection (3) shall not stay the exercise of the power pending the determination of the appeal.”.

Amendment
of section 14.

16. Section 14 of the principal Ordinance is amended by—

- (a) deleting “Financial Secretary” in paragraphs (a) and (i) of subsection (1) and substituting the following in each case—

“Commissioner”;

- (b) deleting “section 10” in subsection (1) and substituting the following—

“paragraph (b) of section 9”;

- (c) deleting “, fixing of remuneration” in paragraph (i) of subsection (1);

- (d) deleting paragraph (ii) of subsection (1) and substituting the following—

“(ii) to make such order as he may think fit in relation to the affairs of the bank and exercise any power which the Commissioner may exercise under subsection (1) of section 13;”;
and

- (e) deleting “to take steps” in paragraph (iii) of subsection (1).

Addition of new
section 14A.

17. The principal Ordinance is amended by adding the following new section after section 14—

“Remuneration and expenses of Commissioner and others in certain cases.

14A. (1) The Commissioner, after consultation with the Financial Secretary, may at any time, whether or not the appointment of such person has terminated, fix the remuneration and expenses to be paid by a bank to any person appointed by the Commissioner under subsection (1) of section 13 or by the Governor

in Council under subsection (1) of section 14 to advise the bank in the proper conduct of its business.

(2) Where the Commissioner has assumed control of the business of a bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14, the Commissioner, after consultation with the Financial Secretary, may at any time, whether or not he or such other person has ceased to be in control of the business of the bank, fix the remuneration and expenses to be paid by the bank to him, and to any person employed or authorized by him under section 4A to assist him in the control of and the carrying on of the business of the bank, or to such other person, as the case may be.

(3) Any bank aggrieved by a decision of the Commissioner under subsection (1) or (2) may appeal by way of petition to the Governor in Council.”.

18. Section 15 of the principal Ordinance is repealed and replaced by the following—

“Inspection and investigation of banks.

15. (1) Without prejudice to the provisions of section 13, the Commissioner may at any time, with or without prior notice to the bank, inspect the books, accounts and transactions of any bank.

(2) Without prejudice to the provisions of section 13, the Commissioner shall investigate the books, accounts and transactions of a bank—

- (a) if shareholders of the bank holding not less than one-third of the total number of issued shares in the bank, or depositors holding not less than one-tenth of the gross amount of the total deposit liabilities in the Colony of the bank or a sum equal to the aggregate of the paid up capital of the bank and its published reserve, whichever is the greater, apply to him to make such an investigation and submit to him such evidence as he considers necessary to justify the investigation and furnish such security for the pay-

Repeal and
replacement
of section 15.

ment of the costs of the investigation as he may require; or

- (b) if the bank suspends payment or informs him of its intention to suspend payment.

(3) Where an investigation is made by the Commissioner pursuant to subsection (2), the Financial Secretary may order that all expenses incurred in such investigation shall be defrayed—

- (a) by the bank; or
- (b) if the investigation was made pursuant to paragraph (a) of subsection (2), either wholly by the persons who applied for the making of the investigation or partly by such persons and partly by the bank in such proportions as he considers to be just.”.

Repeal of
section 16.

19. Section 16 of the principal Ordinance is repealed.

Amendment
of section 17.

20. Section 17 of the principal Ordinance is amended by—

- (a) deleting subsection (1) and substituting the following—

“(1) Where the Commissioner has assumed control of the business of a bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14, then, subject to subsection (2), the Commissioner or such other person, as the case may be, shall remain in control and continue to carry on the business of that bank in the name and on behalf of the bank until it is no longer necessary, in the opinion of the Financial Secretary, for the Commissioner or such other person to remain in control of the bank.”;

- (b) deleting “Where the Commissioner or some other person has, by virtue of paragraph (iii) of subsection (1) of section 13, assumed control of the business of a bank” in subsection (2) and substituting the following—

“Where the Commissioner has assumed control of the business of a bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of

the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14”; and

- (c) deleting “Where the control of the business of any bank has been assumed by the Commissioner or some other person by virtue of any of the provisions of section 13 or 14 or” in subsection (3) and substituting the following—

“Where the Commissioner has assumed control of the business of a bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or any such control”.

21. Section 18 of the principal Ordinance is amended—

Amendment
of section 18.

- (a) by inserting the following new subsection after subsection (2)—

“(2A) For the purpose of subsection (2), the specified liquid assets of a bank shall be the specified liquid assets of that bank within the meaning of subsection (6) reduced by an amount equivalent to such bank’s total liabilities in respect of balances payable on demand to other banks in the Colony and money at call due to other banks in the Colony and money at short notice due to other banks in the Colony.”;

- (b) by inserting the following in subsection (3) after “paragraphs (a),”—

“(aa),”;

- (c) by inserting the following in subsection (3) after “subsection (6)” —

“, and in determining whether the minimum holding includes not less than the equivalent of fifteen *per*

cent of the deposit liabilities of the bank in the form aforesaid any reduction made pursuant to subsection (2A) in respect of balances payable on demand and money at call shall be deemed to have been made in such specified liquid assets of the bank as are set out in paragraphs (a), (aa), (b), (c), (d) and (e) of subsection (6)";

- (d) by deleting "Financial Secretary" in subsection (4) and substituting the following—

"Commissioner";

- (e) by deleting "save that there shall be included the amounts by which balances payable on demand to other banks in the Colony and money at call owing to other banks in the Colony exceed balances payable on demand at other banks in the Colony and money at call with other banks in the Colony" in paragraph (a) of subsection (5);

- (f) in subsection (6), by—

- (i) inserting the following new paragraph after paragraph (a)—

"(aa) notes and coins in any currency which is freely remittable to the bank in the Colony;";

- (ii) deleting paragraph (b) and substituting the following—

"(b) refined gold in the form of coin or bars situated in the Colony, and refined gold in the form of coin or bars situated outside the Colony if the gold, or money into which it can be converted, is freely remittable to the bank in the Colony from the place where such gold is situated;";

- (iii) deleting paragraph (c) and substituting the following—

"(c) the total balance of money payable on demand at other banks in the Colony and money at call with other banks in the Colony;";

- (iv) deleting paragraph (d) and substituting the following—

"(d) balances of money payable on demand at any bank outside the Colony and money at call with any bank outside the Colony, which are or is freely remittable to the bank in the Colony and held in a form approved by the Commissioner;";

- (v) inserting the following new paragraphs after paragraph (e)—

"(ee) money at short notice at other banks in the Colony;

(eee) money at short notice at any bank outside the Colony, which is freely remittable to the bank in the Colony and held in a form approved by the Commissioner;"; and

- (vi) deleting "a branch of the bank within the Colony" in paragraphs (e), (f) and (g) and substituting the following in each case—

"the bank in the Colony";

- (g) deleting subsection (8); and

- (h) inserting the following new subsection after subsection (9)—

"(10) For the purposes of this section, the value of any specified liquid asset specified in paragraph (h) or (i) of subsection (6) shall be not more than the current market value of such asset."

22. Section 19 of the principal Ordinance is amended by—

- (a) deleting subsection (1) and substituting the following—

"(1) Subject to the provisions of subsection (2), every bank shall, before any dividend is declared, transfer to its published reserve out of the published profits of each year, after due provision has been made for taxation—

(a) a sum equal to not less than one-third of such published profits; or

(b) such lesser sum, if any, as may be necessary so that the aggregate of the bank's paid up capital and its published reserve is not less than twenty million dollars."; and

- (b) deleting "Financial Secretary" in subsection (2) and substituting the following—

"Commissioner".

23. The principal Ordinance is amended by adding the following new section after section 19—

"Main-
tenance of
adequate
provision
for bad and
doubtful
debts.

19A. Every bank shall—

(a) maintain a provision for its bad and doubtful debts, if any; and

(b) before any profit or loss is declared, ensure that such provision is adequate."

Amendment
of section 19.

Addition of new
section 19A.

Repeal and
replacement
of section 20.

24. Section 20 of the principal Ordinance is repealed and replaced by the following—

"Minimum
paid up
capital, etc.

20. (1) Subject to the provisions of subsections (2), (4) and (5), a bank shall not transact banking business in the Colony unless—

- (a) its capital issued and paid up is not less than ten million dollars (or the equivalent amount in the case of a company incorporated outside the Colony) deduction having been made in respect of a debit balance appearing in the profit and loss account of the company;
- (b) its assets within the Colony, after due provision has been made for all known bad and doubtful debts, exceed its deposit liabilities within the Colony, as defined by subsection (5) of section 18, by not less than ten million dollars.

(2) Subject to the provisions of subsections (3), (4) and (5), a bank which is the holder of a licence granted prior to the commencement of the Banking (Amendment) Ordinance 1967 may transact banking business in the Colony notwithstanding that it does not comply with subsection (1) if—

- (a) its capital issued and paid up is not less than five million dollars (or the equivalent amount in the case of a company incorporated outside the Colony) deduction having been made in respect of a debit balance appearing in the profit and loss account of the company;
- (b) its assets within the Colony, after due provision has been made for all known bad and doubtful debts, exceed its deposit liabilities within the Colony, as defined by subsection (5) of section 18, by not less than five million dollars.

(3) Subject to the provisions of subsection (4), the deposit liabilities within the Colony, as defined by subsection (5) of section 18, of a bank which is transacting banking business in the Colony pursuant to subsection (2) or which is exempted under subsection (5) from the requirements of paragraphs (a) and (b) of subsection (2) or from the requirements of either of those paragraphs shall not exceed ten times

the aggregate of the bank's paid up capital and published reserve.

(4) Paragraph (a) of subsection (1), paragraph (a) of subsection (2) and subsection (3) shall not apply in the case of a bank which is owned wholly by the Government of any country.

(5) The Commissioner may from time to time by order in writing exempt any bank from the requirements of paragraphs (a) and (b) of subsection (1) or from the requirements of paragraphs (a) and (b) of subsection (2) and may at any time by order in writing revoke such exemption.

(6) For the purposes of paragraph (b) of subsection (1) and paragraph (b) of subsection (2)—

- (a) "assets within the Colony" includes, but is not limited to, the specified liquid assets of the bank within the meaning of subsection (6) of section 18 reduced by an amount equivalent to such bank's total liabilities in respect of balances payable on demand to other banks in the Colony and money at call due to other banks in the Colony and money at short notice due to other banks in the Colony;
- (b) in the case of a bank operating in the Colony and also elsewhere, the offices and branches situated in the Colony shall be deemed collectively to be a separate bank carrying on business in the Colony.

(7) Subsection (3) shall come into operation four years after the commencement of the Banking (Amendment) Ordinance 1967."

25. Section 21 of the principal Ordinance is amended by deleting paragraph (b) and substituting the following—

Amendment
of section 21.

- "(b) in the case of a distribution of capital profits, the aggregate of its paid up capital and published reserve after such distribution will not be less than twenty million dollars."

26. Section 23 of the principal Ordinance is amended by—

Amendment
of section 23.

- (a) inserting the following after "any advances" and also after "such advances"—

" , loans"; and

- (b) inserting the following after "advances" in paragraph (d) of the proviso—
"or loans".

Amendment
of section 24.

27. Section 24 of the principal Ordinance is amended by inserting the following in subsection (3) after "advances"—
", unsecured loans".

Amendment
of section 25.

28. Section 25 of the principal Ordinance is amended by—
(a) inserting the following after "unsecured advances"—
", unsecured loans"; and
(b) inserting the following after "such advances"—
", loans".

Repeal and
replacement
of section 26.

29. Section 26 of the principal Ordinance is repealed and replaced by the following—

"Bank not
to engage
in trade
or have
interest in
commercial
or industrial
concern.

26. (1) A bank shall not—

- (a) engage, whether on its own account or as agent for another person, in any wholesale, retail, import or export trade; or
(b) save as permitted by section 27 or 28 and save to the extent of such interest as a bank may acquire in the course of the satisfaction of debts due to it, have a direct interest in any commercial, agricultural, industrial or other undertaking.

(2) Any interest in any commercial, agricultural, industrial or other undertaking acquired by a bank in the course of the satisfaction of a debt due to it shall be disposed of at the earliest suitable opportunity and in any event not later than eighteen months after it was acquired or within such longer period as the Commissioner may allow in any particular case."

Amendment
of section 27.

30. Section 27 of the principal Ordinance is amended by deleting "Financial Secretary" in subsection (2) and substituting the following—

"Commissioner".

Amendment
of section 28.

31. Section 28 of the principal Ordinance is amended by deleting "Financial Secretary" in subsections (2) and (3) and substituting the following in each case—

"Commissioner".

32. Section 32 of the principal Ordinance is amended by—

- (a) inserting the following in subsection (1) after "advance"—
", loan"; and
(b) deleting subsection (2) and substituting the following—

"(2) For the purposes of sections 27, 28 and 29, "value" means—

- (a) in the case of shares in a company other than a trust company registered under Part VIII of the Trustee Ordinance, the total of the current book value and the amount for the time being remaining unpaid on the shares; and
(b) in any other case, the current book value."

(Cap. 29.)

33. Section 33 of the principal Ordinance is amended—

- (a) in subsection (1)—

(i) by deleting "Financial Secretary" and substituting the following—

"Commissioner"; and

(ii) by deleting "by a statutory declaration made";

- (b) by inserting the following in subsection (2) after "bank" in the first place where it occurs therein—

"incorporated under the Companies Ordinance or by any other Ordinance"; and

- (c) by deleting subsection (3) and substituting the following—

"(3) A bank aggrieved by a decision of the Financial Secretary refusing his approval for the purposes of subsection (2) may appeal by way of petition to the Governor in Council."

34. Section 34 of the principal Ordinance is amended by deleting "the Financial Secretary through".

35. Section 35 of the principal Ordinance is amended by deleting "Financial Secretary" in subsection (2) and substituting the following—

"Commissioner".

36. Section 36 of the principal Ordinance is repealed and replaced by the following—

"Auditors,
etc.

36. (1) Every bank shall appoint annually an auditor.

Amendment
of section 32.

Amendment
of section 33.

Amendment
of section 34.

Amendment
of section 35.

Repeal and
replacement
of section 36.

(2) The Commissioner may appoint another auditor to act with the auditor appointed under subsection (1), and may at any time, whether or not the appointment has terminated, fix the remuneration to be paid by the bank to such auditor.

(3) The duties of the auditor appointed under subsection (1) or of the auditors appointed under subsections (1) and (2), as the case may be, shall be—

- (a) to carry out for the year in respect of which he or they is or are appointed an audit of the accounts of the bank;
- (b) to make a report to the shareholders, or in the case of an unincorporated body to the directors, of the bank upon the audited accounts and the annual balance sheet of the bank; and
- (c) in every such report to state—
 - (i) whether or not all the information and explanations which were, in the opinion of the auditor or either of the two auditors, necessary for the purposes of the audit have been obtained;
 - (ii) whether or not, according to the best of the information and explanations given to him or them, the balance sheet referred to in the report gives, in his or their opinion, a true and fair view of the state of the affairs of the bank at the date of the balance sheet, regard being had, *inter alia*, to the provisions of this Ordinance;
 - (iii) whether or not, in his or their opinion, proper books of account have been kept by the bank so far as appears from the audit of the accounts; and
 - (iv) whether or not, in his or their opinion, proper returns, adequate for the purposes of the audit, have been received by him or them from branches not visited.

(4) In the case of a bank which is a company limited by shares or limited by guarantee and having a share capital—

- (a) there shall be read annually at a general meeting of the shareholders the report of the

auditor or auditors made pursuant to paragraph (b) of subsection (3); and

- (b) there shall be laid annually before a general meeting of the shareholders a report by the directors containing the several particulars required by subsection (2) of section 122 of the Companies Ordinance.”.

37. Section 37 of the principal Ordinance is amended by—

Amendment
of section 37.

- (a) deleting paragraph (a) of subsection (1) and substituting the following—

“(a) a copy of its latest audited annual balance sheet, and any notes thereon, a copy of the profit and loss account and a copy of the report of the auditor or auditors made pursuant to paragraph (b) of subsection (3) of section 36;”;

- (b) deleting “Financial Secretary, through the Commissioner,” in subsection (2) and substituting the following—
“Commissioner”;

- (c) deleting subsection (3) and substituting the following—

“(3) The documents sent to the Commissioner pursuant to subsection (2) shall be accompanied, in the case of a bank which is a company limited by shares or limited by guarantee and having a share capital, by a copy of the report of the directors laid before a general meeting of the shareholders of the company pursuant to paragraph (b) of subsection (4) of section 36.”;

- (d) deleting “Financial Secretary” in subsections (4) and (5) in each place where they occur and substituting the following in each case—

“Commissioner”; and

- (e) inserting the following new subsection after subsection (5)—

“(6) The annual balance sheet of a bank, copies of which are required by subsection (1) to be published and exhibited, shall be in such form as the Commissioner may approve.”.

38. Section 38 of the principal Ordinance is amended by—

Amendment
of section 38.

- (a) deleting “Financial Secretary” in each place where those words occur therein and substituting the following in each case—

“Commissioner”; and

- (b) inserting the following new subsection after subsection (2)—

“(2A) The Commissioner may require any statement submitted to him pursuant to subsection (1), or any information submitted to him pursuant to a requirement under subsection (2), to be accompanied by a certificate—

- (a) of the auditor appointed under subsection (1) of section 36 or of the auditors appointed under subsections (1) and (2) of section 36, as the case may be;
- (b) in the case of a bank which has been exempted under subsection (4) of section 37 from the provisions of section 36, of an auditor approved by the Commissioner for the purposes of this paragraph,

as to whether or not, in the opinion of the auditor or auditors, the statement or information is correct.”.

Repeal and
replacement
of section 39.

39. Section 39 of the principal Ordinance is repealed and replaced by the following—

“Production
of bank's
books, etc.

39. For the purpose of an inspection or investigation under section 15, a bank shall afford the person carrying out the inspection or investigation access to its books and accounts, to documents of title to its assets and other documents, to all securities held by it in respect of its customers' transactions and its cash and to such information and facilities as may be required to conduct the inspection or investigation, and shall produce to the person carrying out the inspection or investigation such books, accounts, documents, securities, cash or other information as he may require:

Provided that, so far as is consistent with the conduct of the inspection or investigation, such books, accounts, documents, securities and cash shall not be required to be produced at such times and such places as shall interfere with the proper conduct of the normal daily business of the bank.”.

Amendment
of section 40.

40. Section 40 of the principal Ordinance is amended by—

- (a) being renumbered as subsection (1) thereof;
- (b) deleting “Where the Commissioner or some other person has assumed control of a bank by virtue of the provisions

of paragraph (iii) of subsection (1) of section 13” and substituting the following—

“Where the Commissioner has assumed control of the business of a bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14, or some other person has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14”; and

- (c) adding the following new subsections—

“(2) Without prejudice to the provisions of subsection (1), where by reason of the absence of directors or for any reason whatsoever the seal of a bank whose business is—

- (a) in the control of the Commissioner under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14, or
- (b) in the control of some other person pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14,

cannot be affixed to an instrument in accordance with the bank's articles of association or regulations, the seal may be affixed in the presence of, and its affixing may be attested by, the Commissioner or such other person or a person authorized for the purpose by the Commissioner or such other person.

(3) Where the seal of a bank has been affixed to an instrument, and the affixing thereof has been attested, in accordance with subsection (2), no person shall be concerned to see that the seal could not be affixed in accordance with the bank's articles of association or regulations.”.

41. Section 41 of the principal Ordinance is amended by—

- (a) deleting “of an offence in any country” in paragraph (b) and substituting the following—
“in any country of an offence”;

Amendment
of section 41.

- (b) deleting "at any time" in both places where those words occur in paragraph (c);
- (c) inserting the following in paragraph (c) after "which" in the second place where it occurs therein—
"is being or"; and
- (d) deleting "Financial Secretary act," and substituting the following—
"Commissioner, act".

Addition of new
section 41A.

42. The principal Ordinance is amended by adding the following new section after section 41—

"Execution
of instru-
ments under
seal.

41A. Notwithstanding anything contained in the articles of association or regulations of any bank incorporated in the Colony with respect to the execution of instruments under its seal, but without prejudice to anything in such articles or regulations not inconsistent herewith, the seal of the bank shall not be affixed to any instrument except in the presence of a director of the bank and of one other person being either a director or an officer of the bank duly authorized in that behalf, and that director and such other person shall sign every instrument to which the seal of the company is so affixed in their presence."

Amendment
of section 42.

43. Section 42 of the principal Ordinance is amended by deleting "Financial Secretary" and substituting the following—
"Governor in Council".

Amendment
of section 43.

- 44.** Section 43 of the principal Ordinance is amended by—
- (a) deleting "Financial Secretary," in subsection (1) and substituting the following—
"Governor in Council"; and
 - (b) deleting "Financial Secretary" in subsection (2) and substituting the following—
"Commissioner or the Governor in Council".

Amendment
of section 44.

45. Section 44 of the principal Ordinance is amended by deleting "Financial Secretary" in subsection (3) and substituting the following—
"Accountant General".

Amendment
of section 46.

- 46.** Section 46 of the principal Ordinance is amended by—
- (a) deleting "(b)" in paragraph (a) and substituting the following—
"(a)"; and

- (b) deleting paragraph (b) and substituting the following—
"(b) sections 18, 19, 19A, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32;".

- 47.** Section 49 of the principal Ordinance is amended by—
- (a) deleting "Financial Secretary" in subsection (2) and substituting the following—
"Governor in Council"; and

Amendment
of section 49.

- (b) deleting "Financial Secretary" in subsection (3) and substituting the following—
"Commissioner".

48. Section 52 of the principal Ordinance is repealed and replaced by the following—

Repeal and
replacement
of section 52.

"Indemnity.

52. No liability shall be incurred by—

- (a) any public officer;
- (b) any person authorized or employed by the Commissioner under section 4A;
- (c) any person appointed under paragraph (ii) of subsection (1) of section 13 to advise a bank in the proper conduct of its business; or
- (d) any person who has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14,

as a result of anything done by him *bona fide* in the exercise of any power, or the performance of any function or duty, conferred or imposed by or under this Ordinance."

- 49.** Section 53 of the principal Ordinance is amended by—
- (a) deleting "section 16" in subsection (1) and substituting the following—
"section 4A"; and

Amendment
of section 53.

- (b) inserting the following in subsection (2) before "investigation"—
"inspection or".

Amendment
of section 54.

50. Section 54 of the principal Ordinance is amended by—

- (a) deleting paragraphs (a) and (b) of subsection (1) and substituting the following—

“(a) the amount of any fees payable under section 12, 12B or 44;

(b) any remuneration and expenses payable by the bank to any person appointed under paragraph (ii) of subsection (1) of section 13;

(c) any remuneration and expenses payable by the bank to the Commissioner or to any person employed or authorized by the Commissioner under section 4A to assist him in the control and carrying on of the business of the bank or to any other person who has assumed control of the business of the bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14;

(d) any expenses ordered by the Financial Secretary to be defrayed by the bank under subsection (3) of section 15; and

(e) any remuneration payable by the bank to an auditor appointed under subsection (2) of section 36.”;

- (b) deleting “(4)” in subsection (2) and substituting the following—

“(3)”; and

- (c) inserting the following new subsection after subsection (2)—

“(3) Any sum recoverable under this section at the suit of the Attorney General shall be a debt due to the Crown within the meaning of paragraph (a) of subsection (1) of section 265 of the Companies Ordinance and paragraph (a) of subsection (1) of section 38 of the Bankruptcy Ordinance.”.

(Cap. 32.)

(Cap. 6.)

Amendment
of section 55.

51. Section 55 of the principal Ordinance is amended by—

- (a) deleting subsection (2) and substituting the following—

“(2) On a petition by the Financial Secretary, acting in accordance with a direction of the Governor

in Council under paragraph (iii) of subsection (1) of section 14, the Supreme Court may—

(a) on any ground specified in section 177 of the Companies Ordinance; or

(b) if it is satisfied that it is in the public interest that the bank should be wound up,

order the winding up of a bank in accordance with the provisions of the Companies Ordinance relating to the winding up of companies.”; and

- (b) inserting the following new subsections after subsection (2)—

“(3) Where before the presentation of a petition for the winding up of a bank by the court, whether or not the petition is presented by the Financial Secretary, the Commissioner has assumed control of the business of the bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of the bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 and such control has continued at all times until the presentation of the petition, and a winding-up order is made thereon, then, notwithstanding the provisions of subsection (2) of section 184 of the Companies Ordinance, the winding up of the bank by the court shall, for the purposes of sections 170, 179, 182, 183, 266, 267, 269 and 274, and paragraphs (d), (e), (h), (i), (j), (k), (l), (m), (n) and (o) of subsection (1) of section 271, of the Companies Ordinance, be deemed to have commenced at the time the Commissioner or such other person assumed control of the business of the bank.

(4) Where the Commissioner has assumed control of the business of a bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council

under paragraph (ii) of subsection (1) of section 14, nothing in section 182 of the Companies Ordinance shall invalidate any disposition of the property of the bank made by it under the direction of the Commissioner or such person acting *bona fide* in the course of the carrying on of the business of the bank."

Addition of new section 55A.

52. The principal Ordinance is amended by adding the following new section after section 55—

"Bankruptcy of unincorporated banks.

55A. Where—

- (a) the Commissioner has assumed control of the business of an unincorporated bank under paragraph (iii) of subsection (1) of section 13 or pursuant to an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 or some other person has assumed control of the business of such a bank pursuant to a direction of the Commissioner under paragraph (iii) of subsection (1) of section 13 or an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14; and
- (b) within three months thereafter, whilst the Commissioner or such other person continues to be in control of the business of such bank, a bankruptcy petition is presented against the bank under the Bankruptcy Ordinance, and on that petition a receiving order is at any time made under the said Ordinance against the bank,

(Cap. 6.)

then—

- (i) if the date on which the Commissioner or such other person as is referred to in paragraph (a) assumed control of the business of such bank preceded the time of the first of the acts of bankruptcy (within the meaning of the Bankruptcy Ordinance) proved to have been committed by such bank within the three months next preceding the date of the presentation of the bankruptcy petition, the bankruptcy of the bank shall, for the purposes of sections 40, 43 and 48, and subsections (2) and (3) of section 47, of the Bankruptcy Ordinance, be deemed, notwithstanding the provisions of section 42 of the

Bankruptcy Ordinance, to have relation back to and to commence at the time the Commissioner or such other person assumed control of the business of such bank;

- (ii) subsection (1) of section 45 of the Bankruptcy Ordinance shall apply as if it included, as an alternative to the reference to notice of the presentation of any bankruptcy petition by or against the debtor or notice of the commission of any available act of bankruptcy by the debtor, a reference, in the case of a debtor which is an unincorporated bank, to notice that the Commissioner or such other person as is referred to in paragraph (a) has so assumed control of the business of the debtor;
- (iii) subsection (1) of section 49 of the Bankruptcy Ordinance shall apply as if it included, as an alternative to the reference to the person first referred to therein being adjudged bankrupt on a bankruptcy petition presented within three months after the date specified therein, a reference, in a case where such person is an unincorporated bank, to the assumption as aforesaid by the Commissioner or such other person as is referred to in paragraph (a) of control of the business of such person within three months after such date;
- (iv) subsection (1) of section 50 of the Bankruptcy Ordinance shall apply as if it included, as an alternative to the reference in paragraph (b) of the proviso thereto to notice of any available act of bankruptcy committed by the bankrupt before the time referred to therein, a reference, in the case of a bankrupt which is an unincorporated bank, to notice that, before the said time, the Commissioner or such other person as is referred to in paragraph (a) has so assumed control of the business of the bankrupt;
- (v) section 51 of the Bankruptcy Ordinance shall apply as if it included, as an alternative to the reference to notice of the presentation of a bankruptcy petition, a reference, in a case where the person referred to therein is

an unincorporated bank, to notice that the Commissioner or such other person as is referred to in paragraph (a) has so assumed control of the business of such person; and

- (vi) sections 129, 133, 134, 135 and 136 of the Bankruptcy Ordinance shall apply as if, in a case where the person referred to therein is an unincorporated bank, the reference or references therein to the presentation of a bankruptcy petition included in each case a reference to the assumption as aforesaid by the Commissioner or such other person as is referred to in paragraph (a) of control of the business of such person."

Repeal and replacement of section 56.

53. Section 56 of the principal Ordinance is repealed and replaced by the following—

"Power of Commissioner to prescribe forms.

56. The Commissioner may prescribe the form of any notice or other document required for the purposes of this Ordinance."

Amendment of section 59.

54. Section 59 of the principal Ordinance is amended by—

- (a) inserting the following in paragraph (a) after "makes"—
"or causes to be made,";
- (b) inserting the following in paragraph (b) after "such bank"—
"or wilfully cause any such entry to be omitted"; and
- (c) inserting the following at the end of paragraph (c)—
"or wilfully causes any such entry to be altered, abstracted, concealed or destroyed."

Repeal and replacement of section 61.

55. Section 61 of the principal Ordinance is repealed and replaced by the following—

"Penalty in event of contravention of section 5 or 47.

61. (1) Any person who and every director and every manager of a company which contravenes section 5 shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for two years.

(2) Every director and every manager of an unincorporated bank which contravenes section 47 shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for two years."

56. Section 62 of the principal Ordinance is amended by inserting the following after "advance"—

"loan, financial guarantee".

Amendment of section 62.

57. Section 63 of the principal Ordinance is amended in subsection (1) by—

- (a) deleting paragraphs (a) and (b) and substituting the following—
"(a) section 12A;
(b) subsection (1) of section 19;
(ba) section 19A;
(bb) subsection (1), (2) or (3) of section 20;"
- (b) inserting the following in paragraph (l) after "subsection (1)"—
"or (2)"; and
- (c) deleting "or (3)" in paragraph (p) and substituting the following—
"or (3) or (6)".

Amendment of section 63.

58. Section 64 of the principal Ordinance is amended by—

- (a) inserting the following in paragraph (b) of subsection (1) after "advance"—
"loan"; and
- (b) deleting "Financial Secretary" in paragraph (c) of subsection (1), and substituting the following—
"Commissioner".

Amendment of section 64.

59. Section 65 of the principal Ordinance is repealed and replaced by the following—

"Directors and managers liable if banks fail to comply with certain requirements or orders.

65. (1) Every director and every manager of a bank which fails to comply with—

- (a) any requirements of the Commissioner under paragraph (i) of subsection (1) of section 13;
- (b) any requirement of the Commissioner under subsection (5) of section 37 or subsection (2A) of section 38; or
- (c) any direction given by the Commissioner or some other person under subsection (1) of section 40,

shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars for every day during which the offence continues.

Repeal and replacement of section 65.

(2) Every director and every manager of a bank which fails to comply with an order of the Governor in Council under paragraph (ii) of subsection (1) of section 14 shall be guilty of an offence and shall be liable on conviction on indictment to a fine of two thousand dollars for every day during which the offence continues and to imprisonment for five years."

Amendment
of section 66.

60. Section 66 of the principal Ordinance is amended by inserting the following after "document"—

" , security".

Amendment
of section 67.

61. Section 67 of the principal Ordinance is amended by deleting "Financial Secretary" in subsection (1) and substituting the following—

"Commissioner".

Repeal of sec-
tions 70 to 73.

62. Sections 70, 71, 72 and 73 of the principal Ordinance are repealed.

Amendment
of section 74.

63. Section 74 of the principal Ordinance is amended by deleting "repealed Ordinance" and substituting the following—

"Banking Ordinance 1948, now repealed."

Addition of new
section 76A.

64. The principal Ordinance is amended by adding the following new section after section 76—

"Transi-
tional provi-
sions con-
sequent
upon
Banking
(Amend-
ment)
Ordinance
1967.

76A. (1) Any licence granted by the Financial Secretary under section 7 which is in force at the commencement of the Banking (Amendment) Ordinance 1967, whether the same was granted thereunder pursuant to the repealed section 73 or otherwise, shall be deemed to have been granted under section 7 by the Governor in Council.

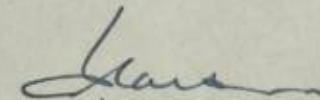
(2) Any licence granted by the Financial Secretary under section 42 which is in force at the commencement of the Banking (Amendment) Ordinance 1967 shall be deemed to have been granted under section 42 by the Governor in Council.

(3) Any exemption granted by the Financial Secretary under subsection (2) of section 19 or subsection (4) of section 37 which is in force at the commencement of the Banking (Amendment) Ordinance 1967 shall be deemed to have been granted under the same subsection by the Commissioner.

(4) Any approval given by the Financial Secretary under subsection (2) of section 27 and any consent given by the Financial Secretary under section

41 or subsection (1) of section 67 which is in force at the commencement of the Banking (Amendment) Ordinance 1967 shall be deemed to have been given under the same provision by the Commissioner."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 26th day of April, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

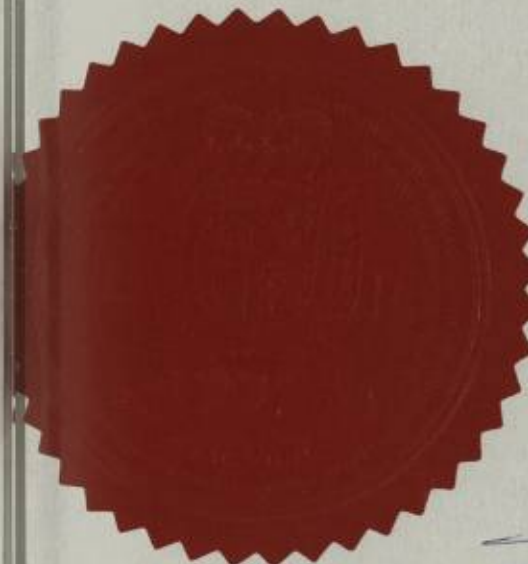


Deputy Clerk of Councils.

(Secretariat CR 119/65)

HONG KONG

No. 27 OF 1967.



I assent.

Governor.

18th May, 1967.

An Ordinance to amend the Legal Aid Ordinance.

[19th May, 1967.]

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 Legal Aid (Amendment) Ordinance 1967.

Short title.

2. Section 15 of the principal Ordinance is amended in subsection (2) by deleting "fourteen" and substituting the following—"forty-two".

Amendment of
section 15.
(Cap. 91.)

3. Section 17 of the principal Ordinance is amended in subsection (2)—

Amendment of
section 17.

(a) by deleting "cancelled" and substituting the following—"revoked or discharged";

(b) by deleting "cancellation" and substituting the following—"revocation or discharge".

Amendment of
section 19.

4. Section 19 of the principal Ordinance is amended by deleting subsection (3).

Addition of
new section
19A.

5. The principal Ordinance is amended by adding the following new section after section 19—

"All moneys
due to aided
person to be
paid to
Director.

19A. (1) All moneys which may become payable to an aided person—

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

shall be paid or repaid, as the case may be, to the Director.

(2) Subsection (1) shall not apply where any court, authority or person, in exercise of a power under any law, gives any direction or exercises any discretion as to the payment of any sum to an aided person, and in such case the court, authority or person shall provide that the sum payable to the aided person shall be subject to a first charge for the benefit of the Director for any sum due to be paid or repaid to him under this Ordinance.

(3) The provisions of this section shall apply in relation to all sums which may become payable to an aided person, notwithstanding any provision in—

(Cap. 282.)

(a) the Workmen's Compensation Ordinance; or

(Cap. 4.)

(b) the Supreme Court Ordinance; or

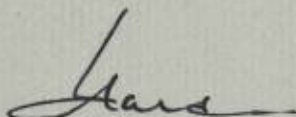
(c) any other law,

which—

- (i) restricts the payment of any sum to any person; or
- (ii) prohibits the payment of any sum to any person.

(4) Only the Director shall be capable of giving a good discharge for moneys which may become payable to the Director under this section."

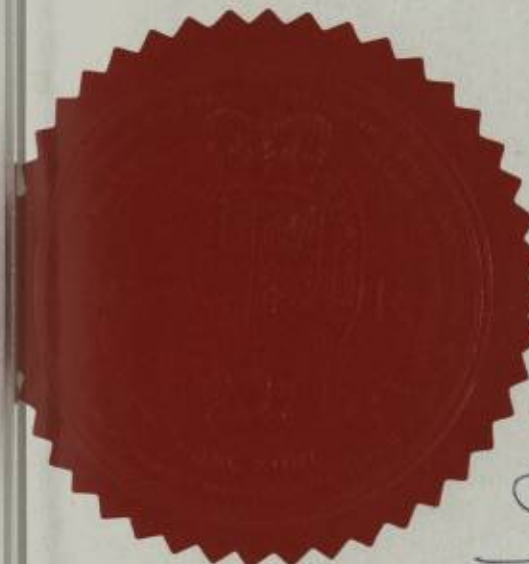
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 17th day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 9/3221/49III)

HONG KONG

No. 28 OF 1967.



I assent.

Heuch

Governor.

18th May, 1967.

An Ordinance to amend the Stamp Ordinance.

[19th May, 1967.]

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 Stamp (Amendment) Ordinance 1967. Short title.

2. The principal Ordinance is amended by adding, after section 12, the following new section— Addition of new section 12A.
(Cap. 117.)

"Certificate with respect to certain conveyances on sale of land.
Cf. 6 & 7
Elix. 2, c. 56,
s. 34(4).

12A. Whenever a reference is made in subhead (1) of head 19 of the Schedule to a conveyance on sale being certified at a particular amount such reference means that such conveyance on sale contains a statement certifying that the transaction effected by the instrument does not form part of a larger transaction

or series of transactions in respect of which the amount or value, or aggregate amount or value, of the consideration exceeds that amount.”.

Amendment of section 27.

3. Subsection (1) of section 27 of the principal Ordinance is amended by inserting, after “conveyance or transfer on sale,” the following—

“other than a conveyance on sale to which subhead (1) of head 19 of the Schedule applies.”.

Amendment of Schedule.

4. The Schedule to the principal Ordinance is amended—

(a) by deleting head 19 and substituting the following—

“CONVEYANCE ON SALE
as beneath.

19. (1) CONVEYANCE ON SALE of land (the duty to be calculated on the amount or value of the consideration on the day of the date of the instrument)—

- | | |
|--|------------------------------|
| (a) if the amount or value of the consideration does not exceed \$20,000 and the instrument is certified in accordance with section 12A at \$20,000; | (a) \$20. |
| | (b) 30 days after execution. |
| | (c) All parties executing. |

Note: See also section 6 as to excess stamp duty.

- | | |
|---|---|
| (b) if the amount or value of the consideration exceeds \$20,000 but does not exceed \$20,180 and the instrument is certified in accordance with section 12A at \$20,180; | (a) \$20 with the addition thereto of an amount, not exceeding \$180, by which the amount or value of the consideration exceeds \$20,000. |
| | (b) 30 days after execution. |
| | (c) All parties executing. |

Note: See also section 6 as to excess stamp duty.

- | | |
|---|--|
| (c) if the amount or value of the consideration exceeds \$20,180 but does not exceed \$40,000 and the instrument is certified in accordance with section 12A at \$40,000; | (a) \$1 for every \$100 or part thereof of the amount or value of the consideration. |
| | (b) 30 days after execution. |
| | (c) All parties executing. |

Note: See also section 6 as to excess stamp duty.

- | | |
|---|--|
| (d) if the amount or value of the consideration exceeds \$40,000 but does not exceed \$40,400 and the instrument is certified in accordance with section 12A at \$40,400. | (a) \$1 for every \$100 or part thereof of the amount or value of the consideration with the addition thereto of an amount, not exceeding \$400, by which the amount or value of the consideration exceeds \$40,000. |
|---|--|

Note: See also section 6 as to excess stamp duty.

- | |
|------------------------------|
| (b) 30 days after execution. |
| (c) All parties executing. |

19. (2) CONVEYANCE ON SALE, other than a conveyance on sale to which subhead (1) of this head applies (the duty to be calculated on the amount or value of the consideration on the day of the date of the instrument).

Note: See also section 6 as to excess stamp duty.

- | |
|--|
| (a) \$2 for every \$100 or part thereof of the amount or value of the consideration. |
| (b) 30 days after execution. |
| (c) All parties executing.”; |

(b) in head 53—

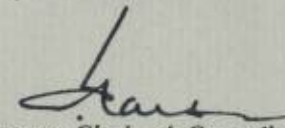
(i) in the first column by deleting, after “*inter vivos*”, “the duty to be calculated on the value of the property” and substituting the following—

“(including a conveyance or transfer of land operating as a voluntary disposition *inter vivos*) the duty to be calculated on the value of the land or property”;

(ii) in paragraph (a) of the second column, by inserting, after “value of the”, the following—

“land or”.

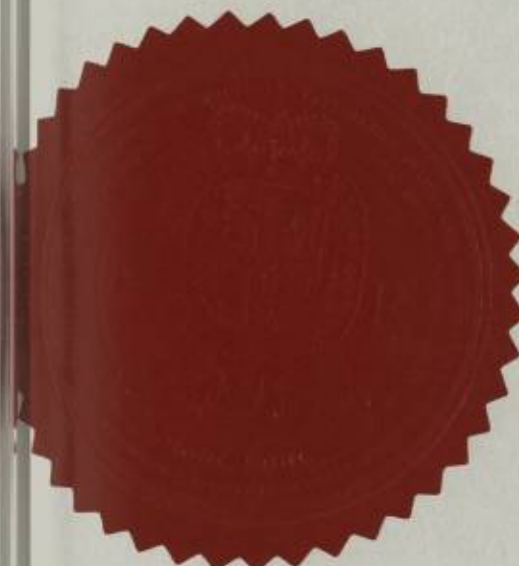
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 17th day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat CR L/M 54/67)

HONG KONG

No. 29 OF 1967.



I assent.

Governor.

18th May, 1967.

An Ordinance to provide for the validity of certain contracts.

[26th April, 1967.]

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 Defence (Finance) Regulations (Validation of Contracts) Ordinance 1967, and shall be deemed to have come into operation on the 26th day of April 1967.

Short title
and com-
mencement.

2. (1) Notwithstanding any rule of law to the contrary, no contract or other transaction shall be illegal or void or ever have been illegal or void, nor shall the validity of a contract or other transaction be otherwise affected or ever have been otherwise affected, solely by reason that it was made or performed or that any consideration was given thereunder without permission duly granted in accordance with the Defence (Finance) Regulations.

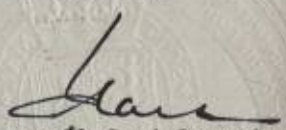
Certain
contracts
and other
transactions
not illegal
or void.

(2) Subsection (1) shall apply whether or not legal proceedings in respect of any contract or other transaction have been instituted

(Cap. 309,
Schedule,
Part II.)

before the commencement of this Ordinance, but shall not apply in the case of any contract or other transaction where prior to the commencement of this Ordinance judgment at first instance has been pronounced in legal proceedings in respect thereof.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 17th day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

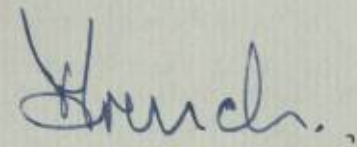

Deputy Clerk of Councils.

(Secretariat CR 27/2321/50)

HONG KONG

No. 30 OF 1967.


I assent.


Governor.

1st June, 1967.

An Ordinance to amend certain Ordinances so as to transfer to and confer upon the Commissioner for Transport certain statutory powers, functions and duties for the regulation of public transport and motor vehicles, to be exercised or performed in certain cases subject to directions given by the Governor, and for matters incidental thereto.

[]

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 Commissioner for Transport (Transfer of Powers) Ordinance 1967, and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title and commencement.

2. In this Ordinance—
“scheduled Ordinance” means any Ordinance specified in the second column of the Schedule.

Interpretation.

Schedule.

3. The scheduled Ordinances are amended in the provisions respectively specified in the third column of the Schedule in the manner therein set out.

Amendment of certain Ordinances.
Schedule.

Saving.

4. (1) Where—

(a) by this Ordinance in its application to a scheduled Ordinance; or

(b) by regulations made under a scheduled Ordinance,

any power, function or duty is transferred to the Commissioner for Transport to the exclusion of any public officer, any act, matter or thing duly done or suffered by or on behalf of that public officer under that Ordinance or for the purpose of the exercise or performance of any power, function or duty of that public officer under that Ordinance—

(i) shall continue to have the same force and effect as it would have had but for the amendments made by this Ordinance or under that Ordinance; and

(ii) shall be deemed to have been done or suffered by or on behalf of the Commissioner for Transport or, as the case may require, for the purpose of the exercise or performance of a power, function or duty of the Commissioner.

(2) The references in subsection (1) to a public officer shall, in the application of that subsection to a scheduled Ordinance, be read as including references to any authority defined in that Ordinance.

(3) This section shall be construed as in addition to and not in derogation from the provisions of the Interpretation and General Clauses Ordinance.

(Cap. 1.)

SCHEDULE.

[s. 3.]

AMENDMENT OF ORDINANCES.

	First Column. Item No.	Second Column. Short title.	Third Column. Manner Amended.
(Cap. 99.)	1	Railways Ordinance.	Section 26— by deleting "Colonial Secretary" and substituting therefor the following— "Commissioner for Transport".
(Cap. 107.)	2	Tramway Ordinance.	Section 26— by deleting "Director" and substituting therefor the following— "Commissioner for Transport".
(Cap. 220.)	3	Road Traffic Ordinance.	Section 2— by deleting the definition of "Commissioner" in subsection (1) and substituting therefor the following— " "Commissioner" means the Commissioner for Transport."

First Column. Second Column.
Item No. Short title.

Third Column.
Manner Amended.

Section 3—

by inserting the following in subsection (2), after "Commissioner"—
"for Transport or the Commissioner of Police".

Sections 4 and 5—

by inserting the following after "Commissioner" wherever it occurs—
"for Transport or the Commissioner of Police".

Section 21—

by inserting the following after "Commissioner" wherever it occurs—
"of Police".

Section 26—

by inserting the following in subsection (8), after "Police"—
"and the Commissioner for Transport".

Section 31—

- (1) in subsections (1) and (2), by inserting the following after "police officer" wherever it occurs—
"or the Commissioner";
- (2) in subsection (4), by inserting the following after "any police officer"—
"or the Commissioner".

Section 32—

- in subsection (1)—
- (a) by inserting the following after "police officer in uniform"—
"or the Commissioner";
and
- (b) by inserting the following in the proviso, after "police officer"—
"or the Commissioner".

4

The Hong Kong
and Yaumati
Ferry Company
(Services)
Ordinance.

Schedule—

Paragraph 9—

by deleting "Director of Marine" and substituting therefor the following—
"Commissioner for Transport".

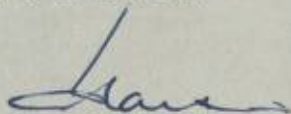
(Cap. 266.)

First Column. Item No.	Second Column. Short title.	Third Column. Manner Amended.
		Paragraph 11— in sub-paragraph (1), by deleting "Director of Marine" and substituting therefor the following— "Commissioner for Transport".
(Cap. 272.)	5 Motor Vehicles Insurance (Third Party Risks) Ordinance.	Section 2— by inserting the following in the definition of "road", after "Commissioner of Police"— "or the Commissioner for Transport". Section 17— by inserting the following in subsection (4), after "police officer" wherever it occurs— "or the Commissioner for Transport".
(Cap. 274.)	6 "Star" Ferry Company (Services) Ordinance.	Schedule— Paragraph 6— by deleting "Director of Marine" and substituting therefor the following— "Commissioner for Transport". Paragraph 7— in sub-paragraph (1), by deleting "Director of Marine" and substituting therefor the following— "Commissioner for Transport".
(Cap. 317.)	7 Public Transport Services (Hong Kong Island) Ordinance.	Section 2— by deleting the definition of "Authority" and substituting therefor the following— " "Authority" means the Commissioner for Transport;". Sections 17 and 25— by deleting "Commissioner of Labour", wherever it occurs, and substituting therefor the following— "Authority". By adding the following new section after section 31— "Power of Governor to give directions to the Authority. 31A. (1) The Governor may give to the Authority such directions as he thinks fit with respect to the exercise or performance of his

First Column. Item No.	Second Column. Short title.	Third Column. Manner Amended.	
		powers, functions and duties under this Ordinance, either generally or in any particular case. (2) The Authority shall, in the exercise or performance of his powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1)."	
8	Public Transport Services (Kowloon and New Territories) Ordinance.	Section 2— by deleting the definition of "Authority" and substituting therefor the following— " "Authority" means the Commissioner for Transport;". Sections 15 and 23— by deleting "Commissioner of Labour", wherever it occurs, and substituting therefor the following— "Authority". By adding the following new section after section 29— "Power of Governor to give directions to the Authority. 29A. (1) The Governor may give to the Authority such directions as he thinks fit with respect to the exercise or performance of his powers, functions and duties under this Ordinance, either generally or in any particular case. (2) The Authority shall, in the exercise or performance of his powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1)."	(Cap. 318.)
9	Motor Vehicles (First Registration Tax) Ordinance.	Section 2— by deleting "of Police" in the definition of "Commissioner" and substituting therefor the following— "for Transport".	(Cap. 330.)

First Column. Item No.	Second Column. Short title.	Third Column. Manner Amended.
10	Commonwealth Preference (Motor Vehicles) Ordinance 1967.	Section 2— in subsection (1), by deleting "of Police" in the definition of "Commissioner" and substituting therefor the following— "for Transport". By adding the following new section after section 9— "Power of Governor to give directions to the Commissioner. 9A. (1) The Governor may give to the Commissioner such directions as he thinks fit with respect to the exercise or performance of his powers, functions and duties under this Ordinance, either generally or in any particular case. (2) The Commissioner shall, in the exercise or performance of his powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1)."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 31st day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

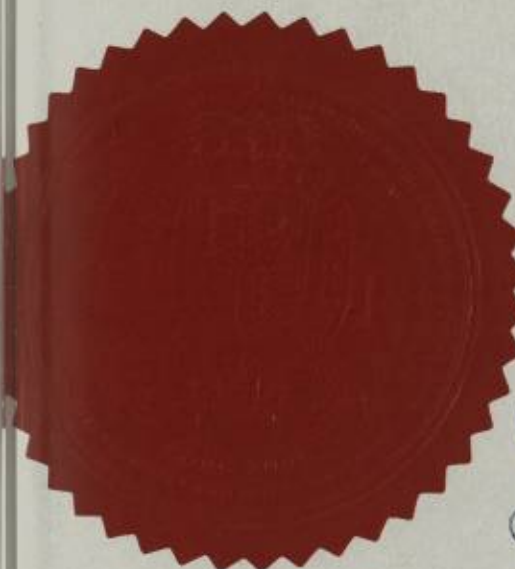


Deputy Clerk of Councils.

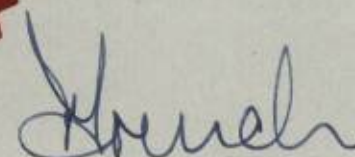
(Secretariat GR 1/2781/63II)

HONG KONG

No. 31 of 1967.



I assent.



Governor.

1st June, 1967.

An Ordinance to amend further the Road Traffic Ordinance.

[]

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 Road Traffic (Amendment) Ordinance 1967 and shall come into operation on the day appointed for the commencement of the Commissioner for Transport (Transfer of Powers) Ordinance 1967.

Short title and commencement.

2. The principal Ordinance is amended by adding the following new section after section 35—

"Power of Governor to give directions to Commissioner, etc.

36. (1) The Governor may give to the Commissioner and any other public officer, other than a judge, a District Judge or a magistrate, such directions as he thinks fit with respect to the exercise or performance of their respective powers, functions and duties under this Ordinance, either generally or in any particular case.

Amendment of Road Traffic Ordinance.
(Cap. 220.)

(2) The Commissioner and the other public officer shall, in the exercise or performance of their respective powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1)."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 31st day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



Deputy Clerk of Councils.

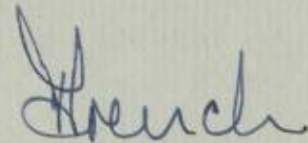
(Secretariat GR 1/2781/63II)

HONG KONG

No. 32 of 1967.



I assent.



Governor.

1st June, 1967.

An Ordinance to amend the Unclaimed Balances Ordinance.

[2nd June, 1967.]

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 Unclaimed Balances (Amendment) Ordinance 1967. Short title.

2. Section 3 of the principal Ordinance is amended— Amendment of section 3. (Cap. 122.)
(a) by inserting the following in subsection (1) after "Supreme Court"—

"or the District Court"; and

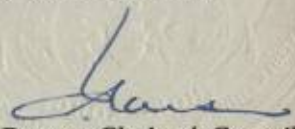
(b) by deleting subsections (3) and (4).

Amendment
of section 7.

3. Subsection (1) of section 7 of the principal Ordinance is amended—

- (a) by inserting the following after "Supreme Court"—
"or the District Court";
- (b) by deleting "court" and substituting therefor the following—
"Chief Justice"; and
- (c) by inserting the following after "Registrar"—
"of the Supreme Court".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 31st day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

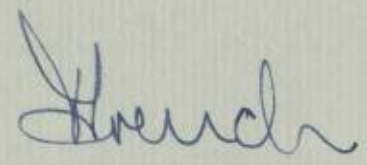

Deputy Clerk of Councils.

(Secretariat FIN 1/3231/57)

HONG KONG

No. 33 OF 1967.

I assent.


Governor.

1st June, 1967.

An Ordinance to amend the Government Lotteries Ordinance.

[]

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 Government Lotteries (Amendment) Ordinance 1967, and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title and
commencement.

2. Section 2 of the principal Ordinance is amended by inserting the following new definition after the definition of "Committee"—

Amendment of
section 2.
(Cap. 334.)

" "Lotteries Fund" means the Lotteries Fund established by resolution made and passed by the Legislative Council on the 30th day of June 1965 and published in the *Gazette*."

(L.N. 91/65.)

Repeal and
replacement of
section 6.

3. Section 6 of the principal Ordinance is repealed and replaced by the following—

"Proceeds of
lotteries.

6. (1) The proceeds of the sale of tickets in a lottery shall be paid into the Lotteries Fund as soon as practicable after the sale of such tickets.

(2) Sixty *per cent*, or as close to that proportion as is practicable, of the proceeds of the sale of tickets in a lottery shall be apportioned as prizes in such manner as the Committee, subject to the direction of the Governor, may determine.

(3) All expenses arising out of the conduct of a lottery or the operation of the Committee shall be paid out of the Lotteries Fund.

(4) Subject to subsection (5), the Financial Secretary, after making due allowance for any payments which may be outstanding under subsections (2) and (3), may appropriate from the Lotteries Fund moneys for the purpose of financing, by way of grant, loan or advance, the support and development of such social welfare services in the Colony as the Governor, after consultation with the Social Welfare Advisory Committee, may approve.

(5) The amount of any appropriation and the terms and conditions of any grant, loan or advance, shall in every case be subject to the prior approval by resolution of the Legislative Council.

(6) The Legislative Council may by resolution amend subsection (2) so as to vary the proportion of the proceeds of the sale of tickets in a lottery which is to be apportioned as prizes."

Repeal and
replacement of
section 7.

4. Section 7 of the principal Ordinance is repealed and replaced by the following—

"Accounts.

7. (1) The Accountant General shall cause proper accounts to be kept of all transactions of the Lotteries Fund and shall cause to be prepared for every period of twelve months ending on the 31st day of March in each year a statement of the accounts of the Lotteries Fund, which statement shall include an income and expenditure account and balance sheet and shall be signed by the Accountant General.

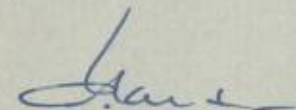
(2) A copy of the signed statement shall be laid on the table of the Legislative Council not later than

the 31st day of December next following the end of such period or so soon thereafter as the Governor may allow.

Cost of
administra-
tion.

7A. The Financial Secretary may direct that an annual supervision fee to be determined by him shall be charged against the income of the Lotteries Fund and paid into the general revenue of the Colony."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 31st day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



Deputy Clerk of Councils.

(Secretariat CR 15/3371/60II)

HONG KONG

No. 34 OF 1967.



I assent.

Governor.

1st June, 1967.

An Ordinance to amend the Girl Guides Association (Hong Kong Branch) Ordinance.

[2nd June, 1967.]

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 Girl Guides Association (Hong Kong Branch) (Amendment) Ordinance 1967.

Short title.

2. The Girl Guides Association (Hong Kong Branch) Ordinance (hereinafter referred to as the principal Ordinance) is amended by the deletion of the expression "The Girl Guides Association, Hong Kong Branch" wherever it occurs therein, and the substitution therefor of the following—

Amendment of principal Ordinance. (Cap. 1020.)

"The Girl Guides Association (Hong Kong Branch)".

3. Section 9 of the principal Ordinance is amended by the deletion, in subsection (1), of the words "the assistant colony commissioner" and the substitution therefor of the following—

Amendment of section 9.

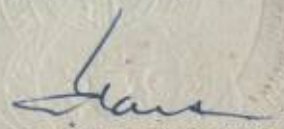
"the assistant colony commissioners".

Repeal and
replacement
of section 11.

4. Section 11 of the principal Ordinance is repealed and replaced by the following—

"Execution of documents. 11. All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of, and shall be signed, either by the colony commissioner and the deputy colony commissioner for the time being, or by either the colony commissioner or deputy colony commissioner for the time being and one assistant colony commissioner for the time being."

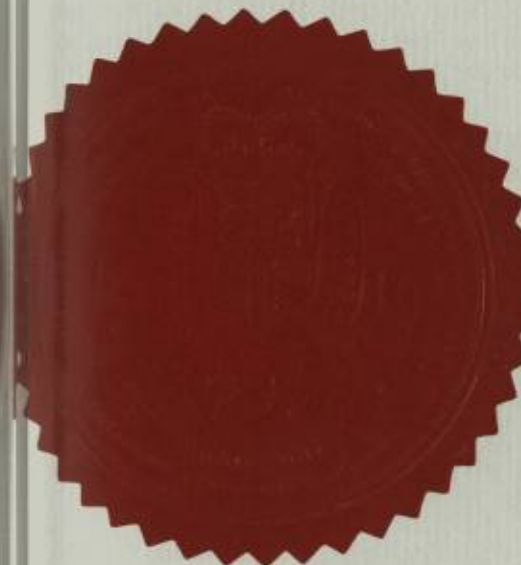
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 31st day of May, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

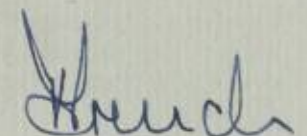
(Secretariat GR 14/3231/52)

HONG KONG

No. 35 OF 1967.



I assent.



Governor.

15th June, 1967.

An Ordinance to validate the collection, at certain rates, of duty on aircraft spirit purporting to have been collected at those rates in accordance with resolutions under the Dutiable Commodities Ordinance in force from time to time since the 16th day of October 1963.

[16th June, 1967.]

WHEREAS it has always been intended that duty should be collected on aircraft spirit at the same rate as on motor spirit:

Preamble.

AND WHEREAS by resolution of the Legislative Council dated the 9th day of October 1963 and published in the *Gazette* as Legal Notice Number 123 of 1963 a duty of one dollar fifty cents per gallon was imposed on motor spirit with effect from the 16th day of October 1963 but no special rate was provided for aircraft spirit:

AND WHEREAS by resolution of the Legislative Council dated the 10th day of March 1966 and published in the *Gazette* as Legal Notice Number 20 of 1966 the duty on motor spirit was increased to one dollar eighty cents per gallon with effect from the 24th day of February 1966:

AND WHEREAS, between the 16th day of October 1963 and the 24th day of February 1966, duty on aircraft spirit was collected at the rate of one dollar fifty cents per gallon:

AND WHEREAS, with effect from the 24th day of February 1966, duty on aircraft spirit has been collected at the rate of either one dollar fifty cents per gallon or one dollar eighty cents per gallon:

NOW, THEREFORE, BE IT ENACTED by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

Short title.

1. This Ordinance may be cited as the Aircraft Spirit (Validation of Duties) Ordinance 1967.

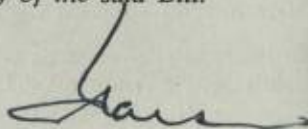
Validation of duty purporting to be collected on aircraft spirit pursuant to 1963 resolution.

2. The resolution of the Legislative Council dated the 9th day of October 1963 and published in the *Gazette* as Legal Notice Number 123 of 1963 which, with effect from the 16th day of October 1963, imposed a duty of one dollar fifty cents per gallon on motor spirit, shall be deemed to have imposed a duty of one dollar fifty cents per gallon on aircraft spirit with effect from the 16th day of October 1963.

Validation of duty purporting to be collected on aircraft spirit pursuant to 1966 resolution.

3. The resolution of the Legislative Council dated the 10th day of March 1966 and published in the *Gazette* as Legal Notice Number 20 of 1966 which, with effect from the 24th day of February 1966, increased the duty payable on motor spirit to one dollar eighty cents per gallon shall be deemed to have imposed a duty of one dollar eighty cents per gallon on aircraft spirit with effect from the 24th day of February 1966.

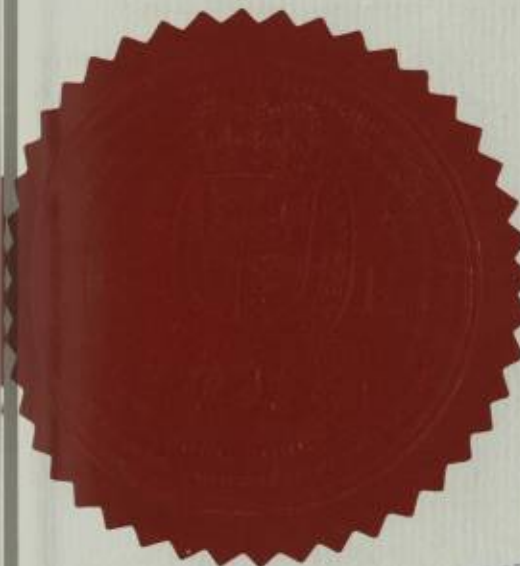
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of June, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

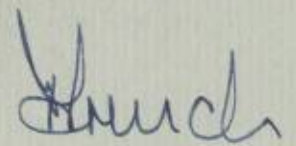
(Secretariat CR 4/2306/52)

HONG KONG

No. 36 OF 1967.



I assent.



Governor.

15th June, 1967.

An Ordinance to amend further the Banking Ordinance.

[28th April, 1967.]

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 Banking (Amendment) (No. 2) Ordinance, and shall be deemed to have had effect as from the 28th day of April 1967.

Short title and commencement.

2. Subsection (2) of section 14A of the principal Ordinance is amended by deleting "of the Commissioner".

Amendment of section 14A. (Cap. 155.)

3. Section 17 of the principal Ordinance is amended by deleting "of the Commissioner" wherever it occurs.

Amendment of section 17.

4. Section 40 of the principal Ordinance is amended—

Amendment of section 40.

(a) in subsection (1), by deleting "of the Commissioner" in the first place where it occurs; and

(b) in subsection (2), by deleting "of the Commissioner" from paragraph (b) thereof.

Amendment of
section 52.

5. Section 52 of the principal Ordinance is amended by deleting "of the Commissioner" from paragraph (d) thereof.

Amendment of
section 54.

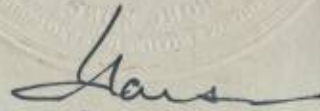
6. Subsection (1) of section 54 of the principal Ordinance is amended by deleting "of the Commissioner" from paragraph (c) thereof.

Amendment of
section 63.

7. Subsection (2) of section 63 of the principal Ordinance is amended by deleting "subsection (3)" and substituting the following—

"subsection (4)".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of June, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

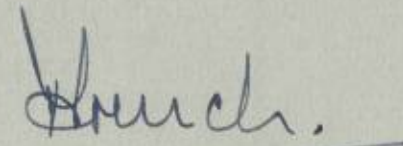
(Secretariat CR 119/65)

HONG KONG

No. 37 of 1967.



I assent.



Governor.

15th June, 1967.

An Ordinance to amend the Dutiable Commodities Ordinance.

[16th June, 1967.]

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 Dutiable Commodities (Amendment) Ordinance 1967. Short title.

2. Section 17 of the principal Ordinance is amended by inserting, after subsection (8), the following new subsection— Amendment of
section 17.
(Cap. 109.)

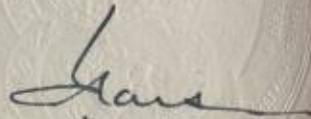
"(9) In this section, references to a prescribed licence shall be read as including references to a licence in force under the provisions of the Dutiable Commodities Ordinance 1931 set out in Part I of the Second Schedule."

Amendment of
section 69.

3. Section 69 of the principal Ordinance is amended by inserting, after the definition of "light oils", the following—

"liquefied petroleum gas" means any hydrocarbon, or mixture of hydrocarbons, which is of such a nature that it would exist in gaseous form at atmospheric temperatures and pressures prevalent in Hong Kong, but which has been rendered liquid by compression but does not include acetylene;"

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 14th day of June, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

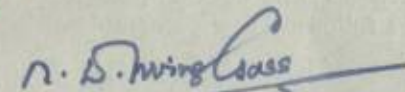

Deputy Clerk of Councils.

(Secretariat ECON 2503/45)

HONG KONG

No. 38 OF 1967.

 I assent.


Officer administering the Government.

29th June, 1967.

An Ordinance to amend The Chinese University of Hong Kong Ordinance.

[30th June, 1967.]

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 Chinese University of Hong Kong (Amendment) Ordinance 1967.

Short title.

2. Section 2 of the principal Ordinance is amended in subsection (1) by deleting "Recognized Lecturers" and "Recognized Lecturers".

Amendment of
section 2.
(Cap. 1109.)

3. Section 5 of the principal Ordinance is amended in subsection (3) by deleting "his" and substituting the following—

Amendment of
section 5.

"sex,".

4. Section 11 of the principal Ordinance is amended—
(a) by deleting paragraph (e); and

Amendment of
section 11.

- (b) by deleting "three" in paragraph (1) and substituting the following—

"four".

Amendment of
section 15.

5. Section 15 of the principal Ordinance is amended—

- (a) in paragraph (b), by deleting the words after "save" and substituting the following—

"that no College shall apply for or accept any property—

(i) from any government, including the Government of Hong Kong, or government source without the consent of the Council; or

(ii) which may in the opinion of the Council adversely affect the interests of the University;" and

- (b) in paragraph (d), by inserting the following after "by"—
"the University and".

Amendment of
section 16.

6. Section 16 of the principal Ordinance is amended in subsection (1) by deleting paragraphs (e), (f) and (g) and substituting the following new paragraphs—

"(e) one Reader in respect of each academic subject wherein no Professor is appointed, such Reader to be an Appointed Teacher in such subject;

(f) the Directors of University Studies who are not already members of the Senate by virtue of the provisions of paragraphs (d) or (e);

(g) six members who shall be elected, two members to be elected from among, and by, the Readers, Senior Lecturers and Lecturers in each College, such members being persons not already members of the Senate;

(h) the Librarian or, where applicable, the Acting Librarian."

Amendment of
section 18.

7. Section 18 of the principal Ordinance is amended by deleting subsection (3).

Amendment of
section 20.

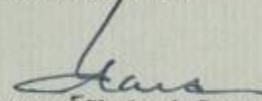
8. Section 20 of the principal Ordinance is amended in subsection (1) by inserting "the"—

(a) in paragraph (b), before "membership";

(b) in paragraph (n), before "welfare"; and

(c) in paragraph (o), before "discipline".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 28th day of June, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat CR 12/2041/63II)

HONG KONG

No. 39 OF 1967.



I assent.

N. D. Wing Goss

Officer administering the Government.

29th June, 1967.

An Ordinance to amend further the Dangerous Goods Ordinance.

[30th June, 1967.]

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 Dangerous Goods (Amendment) Ordinance 1967. Short title.

2. The principal Ordinance is amended in subsection (1) of section 12 by inserting the following after "explosives officer"—
"and any other officer of the Mines Department, not below the rank of explosives inspector, authorized in writing by the Commissioner of Mines". Amendment of
section 12.
(Cap. 295.)

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 28th day of June, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

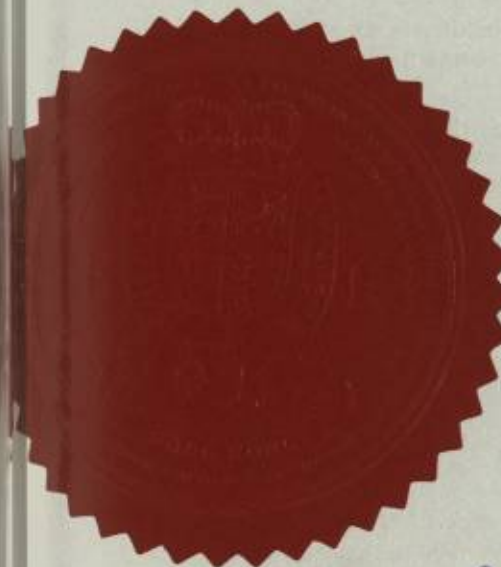
[Signature]
Deputy Clerk of Councils.

(Secretariat GR 11/3231/51III)



HONG KONG

No. 40 OF 1967.



I assent.

[Signature]

Officer administering the Government.

13th July, 1967.

An Ordinance to amend the Births and Deaths Registration Ordinance.

[14th July, 1967.]

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 Registration (Amendment) Ordinance 1967. Short title.

2. Section 20 of the principal Ordinance is amended in paragraph (b) by deleting "and including a statement as to whether any, and if so what, anaesthetic was administered during the said illness and, if so, how long before death it was administered." Amendment of section 20. (Cap. 174.)

3. Subsection (2) of section 23 of the principal Ordinance is deleted. Amendment of section 23.