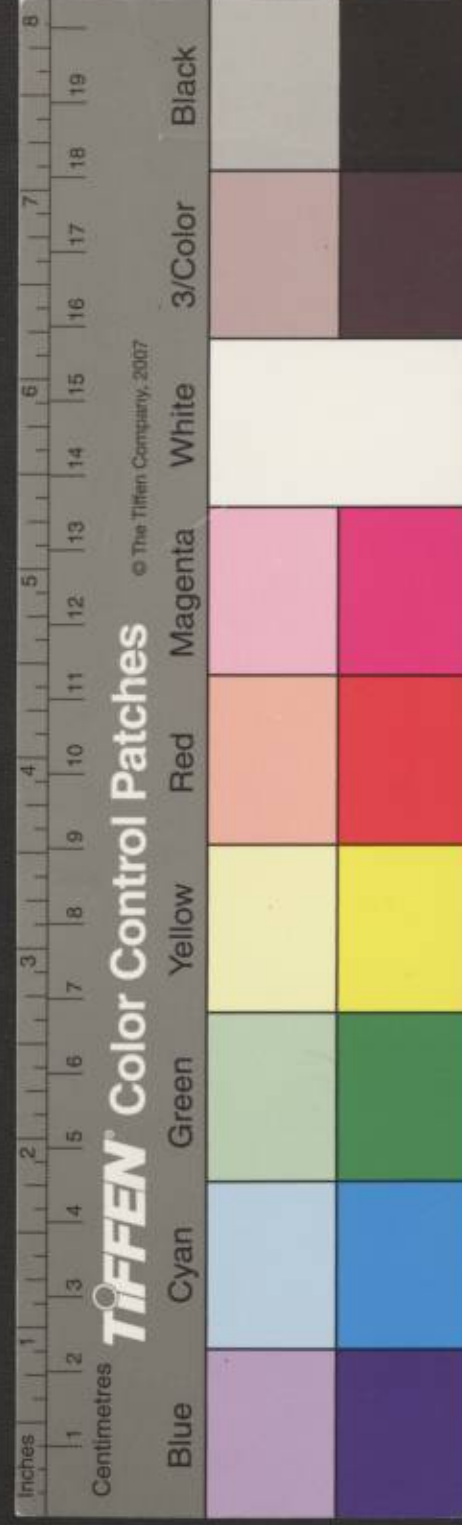


ORDINANCES, 1952.



2732
HONG KONG

No. 1 OF 1952.



I assent.

[Signature]
Governor.

10th January, 1952.

An Ordinance to control the spreading of venereal disease.

[11th January, 1952.]

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

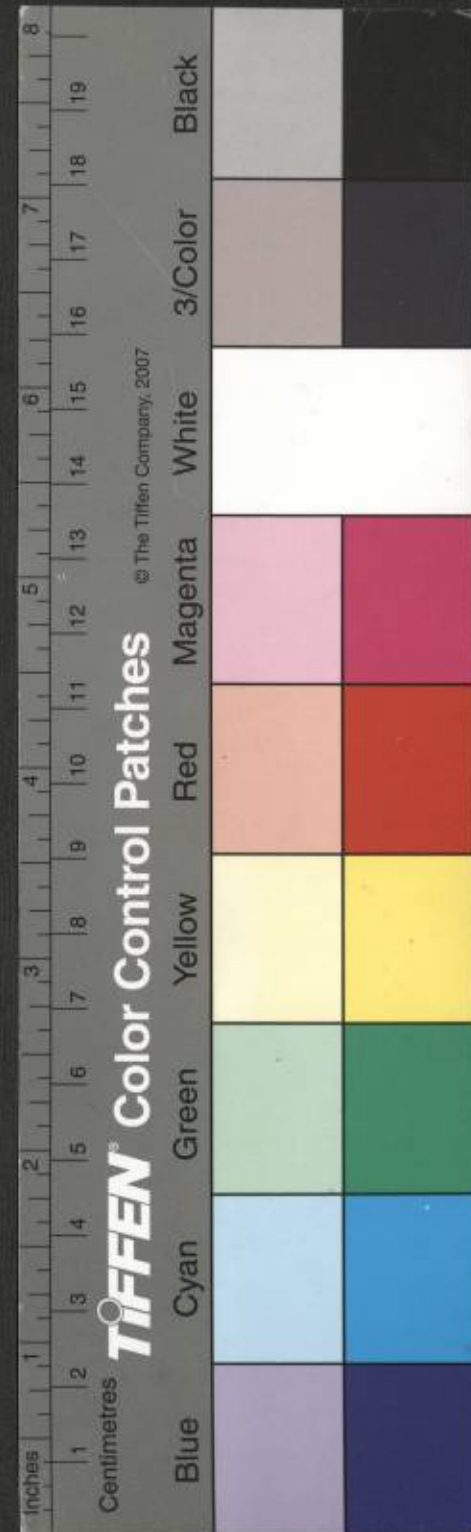
1. This Ordinance may be cited as the Venereal Disease Short title. Ordinance, 1952.

2. In this Ordinance—

“clearance certificate” means a certificate in writing given by a medical practitioner certifying that a contact is not, at the date of the certificate, suffering from a venereal disease in a communicable form;

“contact” means a person upon whom an examination notice has been served;

Inter-pretation.



"Deputy Director" means the officer appointed to be Deputy Director of Health Services for the Colony and also includes any medical officer appointed by the Director of Medical and Health Services to act on behalf of the Deputy Director of Health Services for the purposes of this Ordinance;

"examination notice" means a notice by the Deputy Director requiring a person to attend for and submit to a medical examination;

"medical practitioner" means a person who is—

- (a) a Government medical officer;
- (b) a medical officer of His Majesty's Navy, Army or Air Force;
- (c) a registered medical practitioner;

"transfer notice" means a notice given by a contact of intention to transfer to another medical practitioner;

"treatment" includes any periodical or other medical examination;

"treatment notice" means a notice by a medical practitioner requiring a contact to attend for and submit to further examination and treatment;

"venereal disease" means gonorrhoea, syphilis, soft sore or chancre, lympho granuloma or such other disease as the Governor in Council may declare by notification in the *Gazette* to be venereal disease for the purposes of this Ordinance.

Duty of medical practitioner to report suspected source of infection.
Schedule, Form 1.

3. Any medical practitioner who receives from a patient, found by him to be suffering from a venereal disease, information as to a person from whom the patient suspects that the disease was contracted shall, unless having regard to the time at which sexual relations between the parties are alleged to have taken place and any other information before him, such practitioner is of opinion that there is no reasonable cause to believe that the disease was so contracted, send a report in Form 1 in the Schedule setting out particulars as to the patient and the disease from which the patient is suffering and as to the person from whom it is suspected that the disease was contracted, to the Deputy Director at Medical Department Headquarters.

Duty of Deputy Director to require contact to attend for and submit

4. (1) If it appears to the Deputy Director that any person specified in a report as aforesaid is a person from whom two or more patients suspect that they have contracted a venereal disease, the Deputy Director, shall, unless it appears to him that there is no reasonable cause to believe that the disease was so

contracted, serve on that person an examination notice in Form 2 in the Schedule—

(a) stating that according to information received in pursuance of section 3 there is reason to believe that that person may require treatment in respect of venereal disease; and

(b) requiring that person to attend for and submit to, medical examination by a medical practitioner within such period as may be specified in the notice.

(2) Upon service upon any person of an examination notice that person shall forthwith specify to the Deputy Director or to the person by whom such notice is served the medical practitioner upon whom he intends to attend for medical examination."

5. A medical practitioner by whom any person is examined in pursuance of the requirements of an examination notice shall either send to the Deputy Director a clearance certificate in Form 3 in the Schedule in respect of the contact or serve upon that person a treatment notice in Form 4 in the Schedule requiring the contact to attend for and submit to further examination and treatment in accordance with such directions as may be from time to time given by him or by such other medical practitioner as may be, for the time being, named in the notice, and to continue to do so until a clearance certificate has been furnished in respect of the contact to the Deputy Director: Provided that, at any time before a clearance certificate is given in respect of any contact, the contact may send to the medical practitioner or to the Deputy Director a transfer notice of the intention of the contact to transfer to some other medical practitioner, and thereupon the treatment notice shall have effect as if the name of the medical practitioner was therein substituted for that of the medical practitioner formerly named therein.

6. (1) A transfer notice shall specify the name and address of the medical practitioner to whom the contact proposes to transfer, and, in the event of any change or proposed change in the address of the contact, shall also specify the new address of the contact.

(2) A contact by whom a transfer notice is given shall within seven days after giving the notice attend for and submit to medical examination by the medical practitioner named in the notice.

7. Medical practitioners shall furnish free of charge any certificates required for the purposes of this Ordinance.

to medical examination.

Schedule, Form 2.

Examination of contact. Duty of medical practitioner to issue clearance certificate or treatment notice.

Schedule, Forms 3 & 4.

Transfer notices.

Supply of certificate to be free of charge.

Service of
notice to be
personal.

8. Any examination notice and any treatment notice shall be served upon the person on whom it is required to be served personally, except in any case in which service by post is authorized by the Deputy Director on being satisfied that all reasonable steps to effect personal service have been taken.

Power to
amend the
Schedule.

9. The Governor in Council may amend the forms in the Schedule and may add further forms.

Applica-
tion of
law of
defamation.

10. If a patient found by a medical practitioner to be suffering from a venereal disease gives to him information as to a person from whom the patient suspects that the disease was contracted, such information shall be deemed for the purposes of the law relating to defamation to have been communicated in pursuance of a statutory duty.

Offences.

11. (1) Any patient found by a medical practitioner to be suffering from venereal disease who furnishes to such practitioner information which such patient knows or has reasonable cause to believe to be false in a material particular or recklessly makes any statement which is false in a material particular; or

(2) any contact who contravenes the provisions of a treatment notice; or

(3) any contact who, having given a transfer notice fails within seven days after giving such notice to attend for and submit to medical examination by the medical practitioner named in such notice; or

(4) any contact who contravenes the provisions of subsection (2) of section 4 or who fails to attend for and submit to medical examination within the time prescribed for such examination in the examination notice by the medical practitioner whom he has specified as the medical practitioner upon whom he intends to attend for medical examination;

Penalty. shall be guilty of an offence: Penalty: A fine of one thousand dollars and imprisonment for six months.

Restriction
upon
prosecution.

12. A prosecution for an offence shall not be instituted except by or with the consent of the Attorney General.

SCHEDULE.

FORM 1—(section 3).

Report to Deputy Director of Health Services by Medical Practitioner.

(under section 3 of the Venereal Disease Ordinance, 1952).

To: Deputy Director of Health Services,
Medical Department Headquarters.

In pursuance of section 3 of the Venereal Disease Ordinance, 1952, I(insert name of medical practitioner)..... hereby give notice of the following particulars, namely:—

- (1) Name of patient
- (2) Name of disease
- (3) Name or description of person
from whom it is suspected that
the disease was contracted
- (4) Address of such person, or, if
unknown, full description of place
where disease was contracted

Dated this day of , 19 .

(Signed)
Medical Practitioner.

FORM 2—(section 4).

Examination Notice.

(under section 4 of the Venereal Disease Ordinance, 1952).

To:

According to information received in pursuance of section 3 of the Venereal Disease Ordinance, 1952, I, the Deputy Director of Health Services have reason to believe that you may require treatment in respect of venereal disease.

I therefore, in pursuance of section 4 of the said Ordinance, give you notice that you are required to attend for, and submit to medical examination within days of the day of 19 , by a medical practitioner. Medical examination under this heading will be made free of charge if undergone in a government social hygiene clinic.

FORM 3—(section 5).

Clearance Certificate.

(under section 5 of the Venereal Disease Ordinance, 1952).

To: Deputy Director of Health Services,
Medical Department Headquarters.

I
(medical practitioner) hereby certify that I have this day examined
(insert name of contact) and I am of opinion that :

- * (a) the said is not, at the date hereof, suffering from a venereal disease in a communicable form ;
- * (b) the said does not require any further treatment.

* strike out whichever is not applicable.

Dated this day of , 19 .

(Signed)
Medical Practitioner.

*Note:—*The contact may be informed by the medical practitioner of the contents of the certificate but it should not be handed to the contact.

FORM 4—(section 5).

Treatment Notice.

(under section 5 of the Venereal Disease Ordinance, 1952).

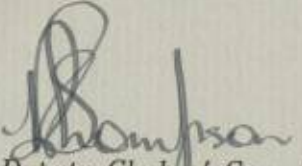
To :

In pursuance of section 5 of the Venereal Disease Ordinance, 1952, I hereby give you notice to attend for and submit to further examination and treatment of in accordance with direction given by and to continue to do so, until a clearance certificate in respect of yourself has been issued.

Dated this day of , 19 .

(Signed)
Medical Practitioner.

Passed the Legislative Council of Hong Kong, this 9th day of January, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 2 OF 1952.



I assent.

[Handwritten signature]
Governor.

24th January, 1952.

An Ordinance to provide for the incorporation of the Trustees of the Church of Christ in China, Wanchai Church.

[25th January, 1952.]

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

1. This Ordinance may be cited as the Church of Christ in China, Wanchai Church, Incorporation Ordinance, 1952. Short title.

2. The trustees for the time being of the Church of Christ in China, Wanchai Church, shall be a body corporate, hereinafter called "the corporation", and shall have the name "The Trustees of the Church of Christ in China, Wanchai Church" and in that name shall have perpetual succession and shall and may sue and be sued in all courts in the Colony and shall and may have and use a common seal, and may from time to time break, charge, alter and make anew the said seal as to the corporation may seem fit. Description and incorporation.

Powers
of corpora-
tion.

3. (1) The corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and where-soever situated and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements or upon the mortgages, debentures, stocks, funds, shares or securities of any Government, municipality, corporation, company or person, and also to purchase, acquire and possess vessels and other goods and chattels of what nature and kind soever.

(2) The corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities, or vessels or other goods and chattels, which are for the time being vested in or belonging to the corporation, upon such terms as to the corporation may seem fit.

Vesting of
property
and rights.

4. (1) All that piece or parcel of ground known and registered in the Land Office as Kowloon Inland Lot No. 2649 and all the buildings erected thereon known as Nos. 282, 284 and 286 Tai Nan Street Shamshuipo with all rights, easements and appurtenances thereunto belonging and together with all the estate, right, title and interest held upon trust by the corporation as heretofore constituted, shall vest in the corporation for the residue now unexpired of the term of seventy-five years created therein by the Crown lease thereof, subject to the payment of the rent reserved by the said Crown lease and the performance and observance of the lessee's covenants and conditions therein contained, upon trust to permit the said premises to be used for the purpose of this Ordinance and for such other purposes not inconsistent with the provisions of the said Crown lease as to the corporation may seem fit and subject also to the same trusts as were reserved and contained in a Deed of Assignment dated the 15th day of April, 1935, and registered in the Land Office by Memorial No. 146,140.

(2) All other property, goods, and chattels, and all rights which immediately before this Ordinance belonged to or vested in the Trustees of the Church of Christ in China, Wanchai Church, are hereby transferred to and vested in the corporation.

Number of
trustees.

5. The number of trustees shall not be less than two or more than four.

6. The office of any trustee shall be automatically vacated if such trustee shall die or shall resign his office or if a resolution be passed at a general meeting of members of the said Wanchai Church requiring the resignation of such trustee or if his term of office shall come to an end.

Vacation
of office by
trustees.

7. (1) New trustees shall be proposed for election by committee at a general meeting of the members of the said Wanchai Church and when elected shall, subject to the provisions of the last preceding section, hold office for the term of five years from the date of such election. Trustees whose term of office has expired shall be eligible for re-election.

New
trustees;
their
appoint-
ment and
tenure of
office.

(2) Whenever any person or persons are appointed as trustees, such person or persons shall, within three weeks after their respective appointments or within such further time as may be allowed by the Governor, furnish to the Governor satisfactory evidence of their appointments.

(3) A notification in the *Gazette* under the hand of the Colonial Secretary or Deputy Colonial Secretary that such evidence has been furnished to the Governor by such persons shall be conclusive evidence of such appointments.

8. All deeds, documents and other instruments requiring the seal of the said corporation shall be sealed in the presence of two trustees, and shall also be signed by the same two trustees so present, and such signing shall be and be taken as sufficient evidence of the due sealing thereof.

Execution
of deeds.

9. A committee of management, hereinafter called "the committee" shall be elected from among and at a meeting of the said Wanchai Church to be held within three months of the coming into force of this Ordinance and those elected shall appoint a Chairman, a Vice Chairman, a Secretary and a Treasurer from those elected. One third of the committee shall retire annually but shall be eligible for re-election.

Committee
of manage-
ment.

10. The committee may appoint a clergyman or pastor to perform and carry on divine worship and the services usual in the other churches of the Church of Christ in China and may also remove him and appoint a successor and all matters connected with the religious services of the said Wanchai Church shall be under the immediate direction of the clergyman or pastor subject to the control of the committee.

Appoint-
ment and
removal of
clergyman
or pastor.

Committee to operate and maintain a vernacular school. (26 of 1913).

Committee to control temporal affairs.

Power of committee to make regulations.

11. It shall be lawful for the committee to operate and maintain a vernacular school for the purpose of education under the name of "Wanchai Church School" and to collect tuition fees and to employ teachers subject to the provisions of the Education Ordinance, 1913, and any enactments made thereunder.

12. The temporal affairs of the said Wanchai Church shall be managed, directed and governed by the committee: Provided however that the members of the committee shall not be deemed personally liable for any payments of money in excess of that provided or available for the purposes of the said Wanchai Church.

13. It shall be lawful for the committee to make regulations relating to the following matters—

- (a) the number, qualification and disqualification of members of the committee;
- (b) the holding of meetings of the committee and the conduct of business thereat;
- (c) the temporary appointment of a clergyman or pastor during the absence from any cause of the substantive holder of that post;
- (d) the election and tenure of office of an auditor and the filling up of casual vacancies among the committee;
- (e) the appointment, tenure of office, salary and duties of any organist, vergers or other officer or servant as the committee may think necessary or expedient;
- (f) the keeping of a register of members of the said Wanchai Church and of baptisms, marriages and burials;
- (g) the holding of meetings of members, the right of voting and the taking and recording of the votes at such meetings and the conduct of business thereat;
- (h) the appropriation, allotment, arrangement and use of the sittings in the said Wanchai Church;
- (i) the rents and subscriptions (if any) to be paid for sittings in the said Wanchai Church and the mode of collection thereat, the fees to be taken for baptisms, marriages and burials or other services and the collection and disposition of money, offerings, offertories and donations;
- (j) the keeping of accounts of monies received and expended by the committee;
- (k) the erection and maintenance of monuments, tablets, or other memorials in the said Wanchai Church or in the precincts thereof and the fees to be taken therefor; and

- (l) all other matters relating to the temporal affairs of the said Wanchai Church or of the committee otherwise than where specifically provided for by the Ordinance.

14. No regulations made by the committee under the last preceding section shall be binding on the members of the said Wanchai Church until such regulations have been passed by a majority of members present and voting at a general meeting of members.

Regulations not binding until approved.

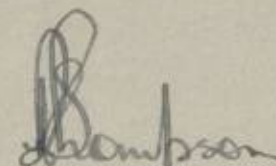
15. A certificate under the hand of the chairman of the committee that any person therein named is a member of the said Wanchai Church shall be accepted for all purposes as sufficient proof of the fact that such person is a member of the said Wanchai Church.

Proof of membership.

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

Saving of rights of the Crown.

Passed the Legislative Council of Hong Kong, this 23rd day of January, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 3 OF 1952.



I assent.

McHann
Governor.

24th January, 1952.

An Ordinance to amend the Societies Ordinance, Chapter 151.

[25th January, 1952.]

1. This Ordinance may be cited as the Societies (Amendment) Ordinance, 1952. Short title.

2. Section 2 of the principal Ordinance is hereby amended by deleting the words "ten or more" in the second line of the definition of "society" therein. Amendment of section 2 of Cap. 151.

3. Subsection (7) of section 5 of the principal Ordinance is hereby amended by the insertion therein of the words "within 30 days from the date of such refusal or decision" between the words "may" and "appeal" in the fifth line thereof. Amendment of section 5(7) of Cap. 151.

4. Section 11 of the principal Ordinance is hereby amended by the insertion of the words "or who pays or gives any aid to or for the purposes of an unlawful society" between the words "society" and "shall" in the second and third lines thereof. Amendment of section 11 of Cap. 151.

Insertion
of new
sections
12A and
12B after
section 12
of Cap.
151.

5. The principal Ordinance is hereby amended by the insertion of the following new sections as sections 12A and 12B immediately after section 12 thereof—

12A. Any person who incites, induces or invites another person to become a member of or assist in the management of an unlawful society and any person who uses any violence, threat or intimidation towards any other person in order to induce him to become a member or to assist in the management of an unlawful society shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for one year.

12B. Any person who procures or attempts to procure from any other person any subscription or aid for the purposes of an unlawful society shall upon summary conviction be liable to a fine of five hundred dollars and to imprisonment for six months."

Amendment
of section
14 of Cap.
151.

6. Section 14 of the principal Ordinance is hereby amended by the addition of the following subsection immediately after subsection (2) thereof—

"(3) When it appears to a magistrate that there is reasonable cause to suspect that any place entered or searched under any power conferred by or under this Ordinance was immediately before or at the time of such entry being used by or for the purposes of an unlawful society, it shall, until the contrary is proved, be presumed that all persons found in such place at any time during such search, or found escaping therefrom immediately before or at the time of such entry, are members of an unlawful society."

Passed the Legislative Council of Hong Kong, this 23rd day of January, 1952.

R. Thompson

Deputy Clerk of Councils.

HONG KONG

No. 4 OF 1952.



I assent.

Robert Gordon
Governor.

7th February, 1952.

An Ordinance to amend the Nursing and Maternity Homes Registration Ordinance, Chapter 165.

[8th February, 1952.]

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

1. This Ordinance may be cited as the Nursing and Maternity Homes Registration (Amendment) Ordinance, 1952. Short title.

2. Section 8 of the principal Ordinance is hereby amended by the deletion of the word "resolution" and the substitution therefor of the word "order" in the first and eighth lines thereof. Amendment of section 8 of the principal Ordinance.

Passed the Legislative Council of Hong Kong, this 6th day of February, 1952.

R. Thompson
Deputy Clerk of Councils.

HONG KONG

No. 5 OF 1952.



I assent.

W. S. Ho
Governor.

21st February, 1952.

An Ordinance to amend the Mental Hospitals Ordinance,
(Chapter 136).

[22nd February, 1952.]

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

1. This Ordinance may be cited as the Mental Hospitals Short title.
(Amendment) Ordinance, 1952.

2. Section 16 of the principal Ordinance is hereby amended
by the addition of the following subsection as subsection (5)
thereof—

“(5) If any person who has been removed to a mental
hospital under the provisions of subsection (1) shall in the
opinion of the medical practitioner in charge of the mental
hospital become of sound mind the Governor may by warrant
under his hand direct his discharge either conditionally or,

Addition
of new
subsec-
tion (5) to
section 16
of Cap.
136.

if such medical practitioner so recommends, subject to such conditions as to supervision, periodic medical examination, the care and control of such person or otherwise as the Governor may think fit."

Addition
of new
sections 18
and 19 to
Cap. 136.

3. The principal Ordinance is hereby amended by the addition thereto of the following new sections as sections 18 and 19 thereof—

"Order of
discharge
may be
condi-
tional.

18. Where a medical practitioner in charge of a mental hospital is of opinion that a person detained therein under the provisions of section 10 or of section 17 has become of sound mind but that it is desirable in the interest of such person or in the public interest that the discharge of such person should be conditional on the observance of one or more of the following conditions—

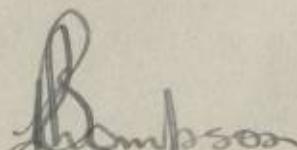
- (a) periodic mental examination;
- (b) the care or control or supervision of such person by some responsible person or body,

the Governor may order that the discharge of such person shall be conditional on the observance of such condition or conditions.

Revoca-
tion of
condi-
tional
warrant or
condi-
tional
order of
discharge.

19. In any case in which a warrant under sub-section (5) of section 16 or an order under section 18 has been given upon condition it shall be lawful for the Governor to revoke such warrant or order and such revocation shall operate and have the same effect as if a magistrate had made a valid order for the detention in a mental hospital of the person to whom the warrant or order related."

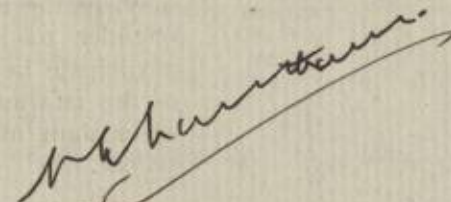
Passed the Legislative Council of Hong Kong, this 20th day of February, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 6 OF 1952.

I assent.


Governor.

6th March, 1952.

An Ordinance to amend the Industrial and Reformatory Schools Ordinance, Chapter 225.

[7th March, 1952.]

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

1. This Ordinance may be cited as the Industrial and Reformatory Schools (Amendment) Ordinance, 1952.

2. The following sections shall be added immediately after section 21 of the principal Ordinance—

Addition
of two new
sections to
Cap. 225.

"Leave of
absence.

21A. (1) The manager of a reformatory school may grant any youthful offender leave of absence from the reformatory school for such periods as may be prescribed.

(2) A youthful offender granted leave of absence shall reside during his leave at the address directed by the manager. Any youthful offender who contravenes the provisions of this subsection shall be liable to be punished in the manner prescribed by the rules of the reformatory.

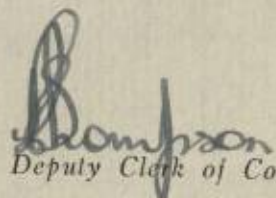
(3) Any youthful offender who without due cause does not return to the reformatory school at or before the expiration of the period for which he has been granted leave shall be deemed to have escaped from the reformatory and the provisions of sections 26 and 28 shall apply and the said youthful offender shall be liable to be punished in the manner prescribed by the rules of the reformatory school.

Classes of instruction outside reformatory.

21B. (1) The manager of a reformatory school may, in the interests of training, order any youthful offender to attend any class of instruction or to participate in any other activity outside the precincts of the reformatory school and conducted by persons other than members of the staff of the reformatory school.

(2) Any youthful offender shall be deemed, while absent from the reformatory school in pursuance of an order under this section, to be in legal custody."

Passed the Legislative Council of Hong Kong, this 5th day of March, 1952.


Deputy Clerk of Councils.

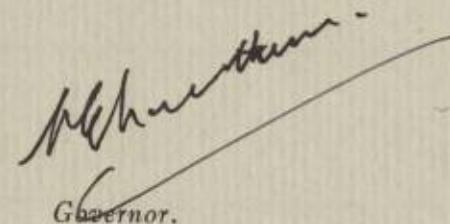
(Secretariat 1/3231/52)

HONG KONG

No. 7 OF 1952.



I assent.


Governor.

6th March, 1952.

An Ordinance to amend the Trade Marks Register (Reconstruction) Ordinance, Chapter 262.

[7th March, 1952.]

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

1. This Ordinance may be cited as the Trade Marks Register (Reconstruction) Amendment Ordinance, 1952.

2. Section 3(1) and section 7 of the Trade Marks Register (Reconstruction) Ordinance are hereby amended by the deletion of the words "two years" therein and the substitution thereof of the words "seven years and ten months".

Amendments to sections 3 and 7 of Cap. 262.

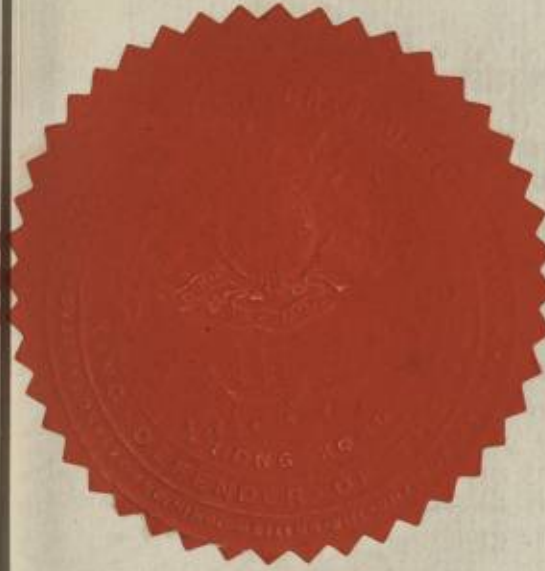
Passed the Legislative Council of Hong Kong, this 5th day of March, 1952.


Deputy Clerk of Councils.

(Secretariat 47/3231/47)

HONG KONG

No. 8 OF 1952.



I assent.

[Signature]
Governor.

6th March, 1952.

An Ordinance to remedy certain abuses resulting from the exclusion of new buildings and certain reconstructed buildings from the operation of the Landlord and Tenant Ordinance, Chapter 255.

[7th March, 1952.]

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

1. This Ordinance may be cited as the Tenancy (Prolonged Short title. Duration) Ordinance, 1952.

2. In this Ordinance—
"landlord" and "tenancy tribunal" shall have the meanings assigned to them by the Landlord and Tenant Ordinance; (Cap. 255).
"material date" means the 22nd day of December, 1950;
"tenancy" includes any agreement enforceable at law or in equity for the letting of any premises, whether oral or in writing.

Interpreta-
tion.

Notice to quit to be inoperative in tenancies to which the Ordinance applies, subject to power of exemption in certain cases by order of the Governor in Council.

3. (1) Subject as hereinafter provided if and so long as this Ordinance applies to any tenancy and the tenant pays the rent reserved by the tenancy and performs any covenants express or implied applicable to such tenancy any notice to quit given by the landlord prior to the expiration of a period of three years from the commencement of the tenancy shall be and be deemed to have been inoperative.

(2) Nothing in subsection (1) shall affect the validity of any notice to quit given by a landlord to a person other than the original tenant in whose favour the tenancy was created: Provided that such notice may only validly be given to any person deriving title from the original tenant if this Ordinance has ceased to apply to the original tenancy.

(3) The Governor in Council may in any special case in which he considers—

- (a) that the tenant has by his conduct forfeited the right to be protected from eviction;
- (b) that, having regard to the quantum of construction money, key money or other premium paid by or on behalf of the tenant and the rent reserved and to any other matter which he may consider material, such exemption should be granted,

by order declare that this Ordinance shall as from such date as may be specified in such order cease to apply to such tenancy. The Governor in Council may, in his discretion, refer any application hereunder to a tenancy tribunal in which event such tribunal shall record any relevant evidence and the submissions of the parties and forward the same to the Governor in Council with its recommendations for his decision.

Power of Governor in Council to declare by order that implied agreement shall cease to apply.

4. The Governor in Council may by order declare that section 3 shall cease to apply to such class or classes of premises as may be specified in the order.

Application and effect on legal proceedings. (Cap. 255).

5. (1) Subject as hereinafter provided this Ordinance shall apply to any tenancy of premises to which the Landlord and Tenant Ordinance does not or would not apply by virtue of paragraph (a) or (b) of subsection (1) of section 3 of that Ordinance whether such tenancy was created before or after the commencement of this Ordinance.

(2) This Ordinance shall not apply—

- (a) to any tenancy in writing or evidenced in writing for a term certain being a term of more than one month;
- (b) to any case in which the court is satisfied by evidence that no key or construction money or other premium of a similar nature has been paid;
- (c) where the person who but for this Ordinance would be entitled to possession of the premises or would be so entitled upon giving notice to quit to the tenant is not the original landlord and has become so entitled by or under an assignment mortgage charge or other disposition executed or created prior to the material date;
- (d) to any tenancy from the Crown or from the Custodian of Property or the Custodian of Enemy Property.

(3) In any legal proceeding commenced before the material date no defence shall be available which would not have been available had this Ordinance not been passed.

(4) In any legal proceedings commenced after the material date and pending after the commencement of this Ordinance it shall be lawful for any party to set up any defence which would have been available had this Ordinance been enacted prior to the commencement of such proceedings but the court shall deal with any costs incurred in such proceedings prior to the commencement of this Ordinance in like manner as if this Ordinance had not been passed.

(5) Any judgment in legal proceedings commenced after the 19th day of December, 1951, which would have been erroneous had this Ordinance then been in force shall on the application of the person against whom such judgment was obtained be set aside by the court which delivered such judgment: Provided that no previous order as to costs shall be liable to be set aside and that the costs of any such application shall be borne by the applicant.

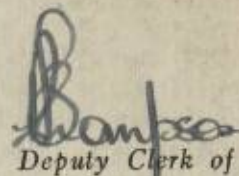
(6) Nothing in this Ordinance contained shall be deemed to warrant the setting aside of any judgment already obtained before the 19th day of December, 1951, or to confer any right upon a tenant who has quitted the premises the subject of the tenancy prior to the commencement of this Ordinance.

(7) The onus of satisfying the court under paragraph (b) of subsection (2) shall lie on the landlord and those claiming under him.

(8) It shall be lawful for the Chief Justice to make rules prescribing the procedure for making and disposing of any application under subsection (4), for giving effect to subsection (3) and subsection (5), and for the procedure to be followed where there has been a reference to a tenancy tribunal under subsection (3) of section 3.

Saving. 6. Nothing in this Ordinance contained shall be construed (Cap. 255). as making the Landlord and Tenant Ordinance apply to any premises to which it did not apply prior to the commencement of this Ordinance or save as expressly mentioned be deemed to confer any jurisdiction on a tenancy tribunal or a magistrate which such tribunal or magistrate could not have exercised prior to such commencement.

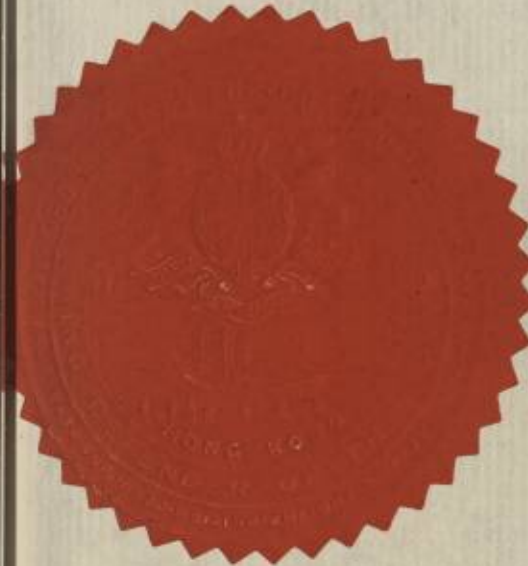
Passed the Legislative Council of Hong Kong, this 5th day of March, 1952.


Deputy Clerk of Councils.

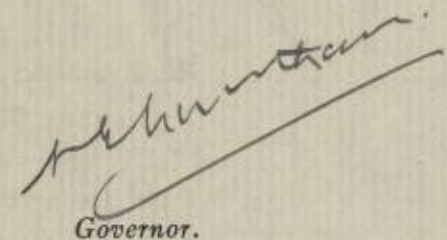
(Secretariat 42/52C)

HONG KONG

No. 9 OF 1952.



I assent.


Governor.

27th March, 1952.

An Ordinance to apply a sum not exceeding two hundred and eighty-eight million six hundred and seventy-three thousand and twelve dollars to the Public Service of the financial year ending 31st March, 1953.

[28th March, 1952.]

WHEREAS the expenditure required for the service of this Colony for the financial year ending on the 31st March, 1953, has been estimated at the sum of two hundred and eighty-eight million six hundred and seventy-three thousand and twelve dollars.

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

1. This Ordinance may be cited as the Appropriation for Short title. 1952-1953 Ordinance, 1952.

2. A sum not exceeding two hundred and eighty-eight million six hundred and seventy-three thousand and twelve dollars shall be and the same is hereby charged upon the revenue and Appropriation from general revenues.

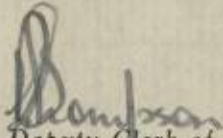
other funds of the Colony for the service of the financial year commencing on the 1st of April, 1952, and ending on the 31st of March, 1953, and the said sum so charged may be expended in the manner expressed in the Schedule to this Ordinance.

SCHEDULE.

<i>Number of Vote</i>	<i>Title of Vote</i>	<i>Amount of Vote \$</i>
1.	His Excellency the Governor	283,333
2.	Agriculture, Fisheries, and Forestry Department	2,619,657
3.	Audit Department	484,137
4.	Civil Aviation Department	1,605,564
5.	Colonial Development and Welfare Schemes	2,368,200
6.	Colonial Secretariat and Legislature	2,229,292
7.	Commerce and Industry Department	3,553,468
8.	Cooperatives and Marketing Department	362,893
9.	Defence	29,562,473
10.	Education Department	10,026,075
11.	Fire Brigade	2,386,260
12.	Inland Revenue Department	1,876,482
13.	Judiciary	1,391,290
14.	Kowloon Canton Railway	5,193,370
15.	Labour Department	624,496
16.	Legal Department	731,343
17.	Marine Department	16,353,690
18.	Medical Department	21,952,371
19.	Miscellaneous Services	6,222,168
20.	New Territories, District Administration	766,960

<i>Number of Vote</i>	<i>Title of Vote</i>	<i>Amount of Vote \$</i>
21.	Pensions	9,645,000
22.	Police Force	30,653,147
23.	Post Office	8,361,629
24.	Printing Department	1,739,074
25.	Prisons Department	6,370,795
26.	Public Debt	3,792,836
27.	Public Relations Office	1,124,409
28.	Public Services Commission	27,248
29.	Public Works Department	14,892,141
30.	Public Works Recurrent	17,315,500
31.	Public Works Non-Recurrent	37,844,600
32.	Quartering Authority	200,735
33.	Rating and Valuation Department	274,338
34.	Registrar General's Department	492,570
35.	Royal Observatory	797,260
36.	Sanitary Department and Urban Council	15,749,169
37.	Secretariat for Chinese Affairs	3,089,405
38.	Stores Department	4,748,540
39.	Subventions	19,334,830
40.	Treasury	1,626,264
Total		\$288,673,012

Passed the Legislative Council of Hong Kong, this 27th day of March, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 10 OF 1952.



I assent.

Governor.

1st May, 1952.

An Ordinance to authorize the appropriation of a supplementary sum of seventy-six million one hundred and forty-two thousand nine hundred and forty-five dollars to defray the charges of the financial year ending 31st March, 1951.

WHEREAS it has become necessary to make further provision for the public service of the Colony for the financial year ending 31st March, 1951, in addition to the charge upon the revenue of the Colony for the service of the said financial year already provided for.

[2nd May, 1952.]

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

1. This Ordinance may be cited as the Supplementary Short title. Appropriation for 1950-51 Ordinance, 1952.

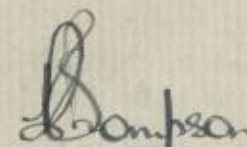
Appropriation.

2. A sum of seventy-six million one hundred and forty-two thousand nine hundred and forty-five dollars is hereby charged upon the revenue and other funds of the Colony for the service of the financial year ending 31st March, 1951, the sum so charged being expended as hereinafter specified; that is to say—

SCHEDULE.

<i>Number of Vote</i>	<i>Title of Vote</i>	<i>Amount of Vote</i> \$
1.	His Excellency the Governor	14,510
5.	Colonial Secretariat and Legislature	16,014
11.	Fisheries Department	11,314
19.	Magistracies	20,130
22.	Miscellaneous Services	72,352,449
23.	Pensions	126,910
25.	Post Office	1,869,423
36.	Secretariat for Chinese Affairs	1,434,663
37.	Statistical Department	253,947
41.	Supreme Court	4,112
47.	Cooperatives Department	39,473
Total		\$76,142,945

Passed the Legislative Council of Hong Kong, this 30th day of April, 1952.

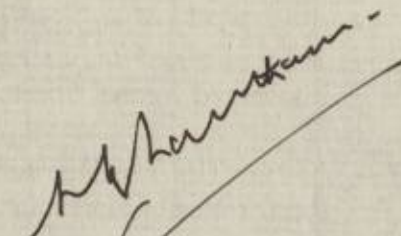

Deputy Clerk of Councils.

HONG KONG

No. 11 OF 1952.



I assent.


Governor.

1st May, 1952.

An Ordinance to provide for the marketing of agricultural products, to encourage co-operative markets and for purposes connected therewith.

[2nd May, 1952.]

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

1. This Ordinance may be cited as the Agricultural Products (Marketing) Ordinance, 1952. Short title.

2. In this Ordinance—
“Advisory Board” means the persons appointed to form a Marketing Advisory Board;
“agricultural product” includes any product of agriculture or horticulture and any article of food or drink wholly or partly manufactured or derived from any such products, and fleeces and the skins of animals;

Inter-pretation.
21 and 22
Geo. 5,
c. 42, s. 18.

"Director" means the officer appointed as Director of Marketing;

"producer" means in relation to any product the person who produces an agricultural product and any other person who employs such a person;

"regulated product" means any product the marketing of which is regulated under this Ordinance whether produced within the Colony or otherwise.

Appoint-
ment of
Director of
Marketing
and
Marketing
Officer.

3. (1) The Governor may appoint, by name or office, an officer to be Director of Marketing and he may further appoint, by name or office, an officer to be Marketing Officer.

(2) The Director may authorize the Marketing Officer to exercise any of the powers and discretions vested in the Director hereunder and to discharge any of the duties required to be discharged by the Director.

Seal, style
and acts of
Director.
[cf. 9 & 10
Geo. 5,
c. 21, s. 7].

4. (1) The Director may sue and be sued by the name of the Director of Marketing, and may for all purposes be described by that name.

(2) The Director shall have an official seal, which shall be officially and judicially noticed, and shall be authenticated by the signature of the Director or of any person authorized by the Director to act in that behalf.

(3) For the purpose of acquiring and holding property, the Director for the time being shall be a corporation sole, and all property vested in the Director shall be held in trust for the Government for the purposes of his office.

(4) Upon and by virtue of the appointment of any person to be Director, the benefit of all deeds, contracts, bonds, securities or things in action vested in his predecessor at the time of his predecessor ceasing to hold office shall be transferred to and vested in and ensure for the benefit of the person so appointed, in the same manner as if he had been contracted with instead of his predecessor, and as if his name had been inserted in all such deeds, contracts, bonds or securities instead of the name of his predecessor.

(5) For the purpose of contracts entered into prior to the commencement of this Ordinance by or on behalf of any person who has been exercising functions analogous to those of the Director at the time of entering into the said contract, such contracts shall be deemed to have been lawfully entered into by the Director and for the purpose of subsection (4) of this section shall be deemed to have been entered into by the predecessor of the Director.

(6) If any question arises as to who is or was at any time the Director or whether a person has been exercising functions analogous to those of the Director prior to the commencement of this Ordinance, a certificate under the hand of the Deputy Colonial Secretary shall be conclusive evidence for all purposes whatsoever as to who is or was the Director or whether a person has been exercising such functions.

5. (1) The Director in his corporate capacity shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situated, and also to purchase, acquire and possess goods and chattels of what nature and kind soever.

Power to
acquire
and
dispose of
property.

(2) The Director in his corporate capacity shall further have power by deed under his seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuage or other goods and chattels whatsoever, which are for the time being vested in or belonging to the Director.

6. (1) There shall be a Marketing Advisory Board which shall be a consultative body for advising the Governor upon any matters referred to it by the Governor or the Director.

Marketing
Advisory
Board.

(2) The Advisory Board shall consist of the Director and four other persons appointed by the Governor by notice in the *Gazette*.

(3) The Director shall be *ex officio* the Chairman of the Advisory Board, but in the event of his absence from any meeting the members present shall appoint any other of its members as Chairman.

(4) A member appointed by the Governor shall hold office for one year.

(5) Three members of the Advisory Board shall form a quorum.

(6) The Marketing Officer shall be *ex officio* the secretary to the Advisory Board.

Financial
control.

7. (1) All moneys received by the Director shall be paid into a fund which shall be administered by the Director for the purposes of this Ordinance and any moneys standing to the credit of the fund may be left on current or deposit account with any bank or invested in any securities in which a trustee may from time to time lawfully invest moneys.

(2) The Director with the consent of the Governor in Council may, for the purpose of exercising any functions under this Ordinance borrow money in such manner and on such security as may be arranged by him with the person from whom money is borrowed.

(3) The Director shall cause proper accounts to be kept of all income and expenditure and such accounts shall be audited at least once in every year by an auditor appointed from time to time by the Governor and such accounts together with the auditor's report thereon shall be laid before the Governor by the auditor on completion of his report.

(4) The Director shall submit to the Governor annually estimates of income and expenditure for his approval. The Director shall not incur expenditure above that of the approved estimates without the prior approval of the Governor.

Regula-
tions.

8. (1) It shall be lawful for the Governor in Council to make regulations for—

(a) empowering the Director to buy agricultural products and to sell, grade, pack, store, adapt for sale, process, insure, advertise and transport such products;

(b) requiring producers of agricultural products to sell such products or any kind, variety or grade of any agricultural product as may be prescribed only to or through the

agency of the Director and at a particular place and enabling the Director to establish and regulate the conduct of markets for this purpose;

(c) controlling the landing and transport of agricultural products and the import of such products into the Colony;

(d) empowering the Director to buy and to sell or to let out for hire to producers anything required for the production, adaption for sale or sale of agricultural products;

(e) enabling the Director to advance money on any agricultural products received by his agents for disposal and to lend money to producers of agricultural products for the purposes of such business;

(f) empowering the Director to use funds under his control for the improvement of the standard of marketing of agricultural products, the encouragement of cooperation in agriculture and the social welfare of persons employed therein;

(g) generally for the purposes not inconsistent with the provisions of the Ordinance for which funds under the control of the Director may be used;

(h) requiring producers and persons purchasing from or through the agency of the Director to furnish to the Director such estimates, returns or other information relating to products regulated under this Ordinance as the Director considers necessary;

(i) prescribing fees, commissions, deposits and guarantees which may be levied or required by the Director for or in connexion with the issue of any licence and for prescribing the limits within which the Director may regulate the payment of fees, deposits, commissions and guarantees for services rendered or facilities offered or other matters prescribed or permitted by this Ordinance;

(j) prescribing such forms as may be required for any matter prescribed or permitted by this Ordinance;

- (k) empowering the Director to co-operate with any other person in doing or authorizing any other person to do anything which the Director is empowered to do by virtue of this section;
- (l) generally carrying into effect the provisions of this Ordinance and of any regulations made hereunder.

(2) Any regulation made under this Ordinance may provide that a contravention thereof shall be an offence and that a person guilty of such offence shall be liable on conviction to a fine of two thousand dollars and to imprisonment for one year. Any such regulation may provide that the burden of proving whether agricultural products are for sale wholesale or not, or that they have been purchased retail or at a wholesale market shall lie upon the person accused.

Schedule.

(3) The regulations in the Schedule shall be in force except in so far as they may be rescinded or amended by regulations made under this section.

Powers of search and seizure on contravention of the regulations.

9. (1) It shall be lawful for any person authorized in writing by the Director for the purpose of securing compliance with regulations made hereunder to enter and inspect at any time on production of his authority any building, land or other place, vehicle or vessel which he has reason to believe is used for producing any regulated products or for doing any of the things regulated under this Ordinance that is to say, selling, grading, marking, packing, storing, landing or transporting any such product or adapting it for sale. Notification of any authorization as aforesaid shall be published in the *Gazette*.

(2) It shall be lawful for any such authorized person who may reasonably suspect any person of contravention of the provisions of any regulation made hereunder—

- (a) to require such person to accompany him forthwith to a police station and on failure to comply with such request to use such force as may be necessary to compel his attendance at a police station forthwith;
- (b) to seize any regulated product and container thereof, the subject of the suspected contravention of regulations made hereunder.

(3) Whenever any person is brought to a police station under sub-section (2) the facts shall forthwith be reported to the officer in charge of the police station who shall take the action prescribed by section 47 of the Police Force Ordinance in like manner as if that person had been arrested by a constable without a warrant on reasonable suspicion of being guilty of an offence. (Cap. 232).

(4) It shall be lawful for any regulated products seized under subsection (2) to be sold through the agency of the Director and the proceeds thereof shall be held by the Director pending an order by a magistrate.

10. (1) A magistrate shall, on application being made to him by or on behalf of the Director, order to be forfeited to the Director any regulated product seized in accordance with the provisions of section 9 or the proceeds of sale of such regulated product sold in accordance therewith, if he is of opinion that an offence against any regulation made hereunder has been committed in respect of such regulated product, whether or not any person has been convicted of any offence and whether or not the owner or other interested party is then before him. Forfeiture.

(2) If within one month of the date of an order of forfeiture made under subsection (1), any person claiming or appearing to the magistrate to be the owner or otherwise interested in such regulated product shall apply to the magistrate for a review of his order, the magistrate shall review his order and may rescind or confirm his order.

(3) If the magistrate in exercise of his powers under subsection (2) rescinds his order of forfeiture he shall order that the regulated product or the proceeds of sale thereof, the subject of such order shall be returned or paid to the person establishing a right thereto.

(4) If no application is made to the magistrate in accordance with subsection (2) for a review of his order of forfeiture or if upon review the magistrate confirms his order the regulated product or the proceeds of sale thereof the subject of the order shall become the property of the Director free from all rights of any person.

SCHEDULE.
THE AGRICULTURAL PRODUCTS (MARKETING)
ORDINANCE, 1952.

REGULATIONS BY THE GOVERNOR IN COUNCIL
(under section 8).

- Citation. 1. These regulations may be cited as the Agricultural Products (Vegetable) (Marketing) Regulations, 1952.
- Inter-pretation. 2. In these regulations—
“collecting centre” means any place from time to time designated as such by the Director by notice displayed in a wholesale vegetable market;
“Kowloon Area” means all Kowloon and that portion of New Kowloon lying southward of the following boundary—from the sea at the junction of Tung Chau Street and Kweilin Street (Shamshuipo), thence along Kweilin Street to its junction with Castle Peak Road, thence along Castle Peak Road to its junction with Tai Po Road, thence along Tai Po Road to its junction with Boundary Street, thence along Boundary Street to its junction with Prince Edward Road, thence along Prince Edward Road to its junction with Tam Kung Road, and thence in a direct east and west line to Kowloon Bay;
“market manager” means a person appointed by the Director to be manager of a wholesale vegetable market and includes any other person authorized by the Director to maintain a market register;
“market register” means the register of purchasers maintained by the market manager;
“market salesman” means the person appointed by the Director to make sales as the agent of sellers at a wholesale vegetable market;
“New Territories Area” means all the New Territories outside the Kowloon Area;
Schedule. “vegetables” means the vegetables listed in the Schedule to these regulations;
“wholesale” means sale for resale;
“wholesale vegetable market” means a market established by the Director for the sale wholesale of vegetables.

3. (1) The Director may by notice in the *Gazette* establish wholesale vegetable markets in the Kowloon Area and in the New Territories Area. Establish-ment of wholesale vegetable markets.
(2) The Director shall appoint a manager for any market so established.
4. (1) No person shall move any vegetables out of the New Territories Area except to the Kowloon Area. Movement of vegetables from the New Territories Area.
(2) Vegetables moved out of the New Territories Area shall be moved in one of the following ways only—
(a) if moved by road, such vegetables shall be moved by motor lorry to a wholesale vegetable market or to a collecting centre;
(b) if moved by railway, such vegetables shall be off-loaded at Yaumati Station, Kowloon;
(c) if moved by water, such vegetables shall be landed at the water front between Sheklung Street and Tung Kung Street.
5. Any vegetables moved to the Kowloon Area from any place other than the New Territories Area shall be landed only— Landing of vegetables from places other than the New Territories Area.
(a) at the water front between Sheklung Street and Tung Kung Street; or
(b) at the Vehicular Ferry Wharf, Yaumati.
6. No person shall move any vegetables from Yaumati Station or from the water front between Sheklung Street and Tung Kung Street or from the Vehicular Ferry Wharf, Yaumati, except to a wholesale vegetable market. Movement of vegetables landed.
7. No person shall move by vehicle any vegetables in the New Territories Area or in the Kowloon Area except under and in accordance with a permit in writing issued by or on behalf of the Director. Movement by motor lorry.
8. (1) No person shall, except under and in accordance with a permit in writing issued by or on behalf of the Director sell vegetables wholesale in the Kowloon Area or in the New Territories Area, except at a wholesale vegetable market. Control of wholesale of vegetables.
(2) For the avoidance of doubts it is declared that the provisions of the Public Health (Food) Ordinance and of the New Territories Ordinance shall apply to the sale of vegetables wholesale under a permit in writing issued by or on behalf of the Director. (Cap. 140). (Cap. 97).

Cancellation of permits.

9. The Director may in his discretion cancel any permit issued under regulations 7 and 8 of these regulations.

Retail sales and movement of vegetables purchased retail or at vegetable markets.

10. Nothing in these regulations shall be deemed to prevent or restrict within the New Territories Area or the Kowloon Area—

- (a) the sale retail of any vegetables by the producer, or
- (b) the sale retail of any vegetables purchased at a vegetable market, or
- (c) the movement of any vegetables purchased retail from the producer or purchased at a vegetable market.

Market register and registration.

11. (1) The market manager shall maintain a register to be known as the market register of persons entitled to purchase vegetables at such market.

(2) The market register shall be kept at the market office of every wholesale vegetable market.

(3) The market register shall be available for inspection by any member of the public between the hours of 10 a.m. and 4 p.m. daily, except on Saturdays and general holidays.

(4) An applicant for registration shall furnish to the market manager information as to his name, his business name if he carries on business in a name other than his own, his business and private address, and if such applicant be an employee or agent of another person in addition all the foregoing information relating to his employer or principal.

(5) Entry upon and deletion of persons from the market register shall be made in the discretion of the market manager, subject to appeal to the Director.

(6) The market manager may supply an identity badge to each person whose name is entered in the market register.

Person entitled to purchase at wholesale vegetable market.

12. No person may purchase vegetables at a wholesale vegetable market unless his name is included in the market register.

Conduct of sales at wholesale vegetable markets.

13. (1) All sales at a wholesale vegetable market shall be made through the agency of a market salesman appointed in writing for the purpose by the Director.

(2) A seller may by notice to the market salesman prior to the commencement of the sale place a reserve price upon the vegetables to be sold.

(3) Completion of sales shall be signified by the signature of the market salesman and no sale shall be complete until so signified: Provided that where a reserve price has been notified by the seller the vegetables shall not be the subject of a completed sale if such price is not offered by a purchaser.

14. (1) Subject to the provisions of sub-regulation (2) no person may remove vegetables purchased at a wholesale vegetable market until the price thereof has been paid in cash.

Payment for purchase.

(2) Any purchaser at a wholesale vegetable market who has produced guarantees to the satisfaction of the market manager that any liabilities incurred by such purchaser will be met in default of payment by such purchaser by the person giving such guarantees may be granted permission by the market manager to purchase on credit in accordance with conditions laid down from time to time by the Director.

15. (1) A commission, being a percentage not exceeding 10% of the purchase price of vegetables purchased in a wholesale vegetable market, shall be deducted from the said price prior to payment of the seller.

Commission payable to the Director. Payment of seller.

(2) The commission as aforesaid shall be determined from time to time by the Director and notice thereof shall be prominently displayed in each wholesale vegetable market.

(3) The seller shall be paid the purchase price less commission as aforesaid as soon as is practicable after the sale and not later than three days thereafter.

16. (1) All vegetables handed in at a collecting centre shall be transported free of charge to the wholesale vegetable market by the Director.

Transport to and from wholesale vegetable market.

(2) Vegetables purchased at a wholesale vegetable market falling within the description laid down from time to time by the Director and published by notice at such market as being accorded free transportation may be transported free of charge to the purchaser's place of business within the Kowloon Area by the Director at his discretion.

Supply of goods and services to improve standard of marketing of agricultural products.

17. The Director may make available to sellers from time to time fertilizers, implements of husbandry, food, labour and any article or service which in his opinion is conducive to the improvement of the standard of marketing in the Colony and to encourage agricultural co-operation.

Applying funds for improving standard of marketing.

18. The Director may use funds under his control for experiment in or to examine or demonstrate methods of marketing which in his opinion may be conducive to an improvement in the standard of marketing in the Colony and to encourage agricultural co-operation.

Applying funds for educational and social welfare purposes.

19. The Director may use funds under his control to encourage education and improve the social welfare of persons employed in agricultural works.

Transport.

20. The Director may hire or purchase vehicles and equipment for the purpose of giving effect to the provisions of these regulations and may establish a place for the maintenance and repair of such vehicles.

Employment of staff.

21. The Director may employ staff for the purpose of giving effect to these regulations.

Offences and penalties.

22. (1) Any person who contravenes the provisions of regulations 4, 5, 6, 7, 8 (1), 12, 14 (1) shall be guilty of an offence.

(2) Any person who makes any statement or furnishes any information to the Director or a person acting on his behalf or to a market manager under the provisions of these regulations, whether such statement or information be verbal or in writing, which is false in any material particular and which he either knows or has reason to believe is false, shall be guilty of an offence and shall be liable to a fine of two thousand dollars and imprisonment for one year.

(3) In any proceedings under these regulations the burden of proving—

- (a) that any vegetables moved within the New Territories Area or the Kowloon Area are not for sale wholesale; or
- (b) that any vegetables have been purchased at a wholesale vegetable market;

shall lie upon the person accused.

SCHEDULE.

AGRICULTURAL PRODUCTS (VEGETABLE) (MARKETING)

REGULATIONS, 1952.

(Regulation 2).

List of vegetables to which the regulations apply.

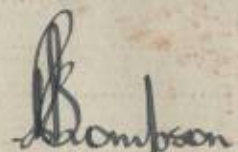
Arrowhead	茭菇
Arrowroot	竹薯
Artichokes	朝鮮薊
Asparagus	露荀
Asparagus Lettuce	火耳心
Balsam Pear or Bitter Cucumber	苦瓜
Bamboo Shoots	竹筍
Beans, All green beans in pod	其他有莢青豆
Beans, All kinds string	豆角
Beans, French	邊豆, 肉豆, 菜豆
Beans, Lima	細棉豆
Bean Sprouts	芽菜
Beans, Sword & Jack	刀豆
Beetroot	紅菜頭
Beet, Sugar	甜紅菜頭
Bringal or Egg Plant	茄, 矮瓜
Broccoli, Sprouting	洋芥蘭花, 洋椰菜花 意大利芥蘭
Brussels Sprouts	椰菜仔, 抱子甘藍
Cabbage, Chinese flowering	白菜心
Cabbage, Chinese White	白菜
Cabbage, Dried & Salted	梅菜
Cabbage, Leaf mustard	芥菜
Cabbage, Round, white & purple	椰菜
Cabbage, Salted Tuber	頭菜
Cabbage, Savoy	鶴葉椰菜
Cabbage, Tientsin	紹菜, 黃牙白
Capsicum or Bell Pepper	燈籠椒
Carrot	甘荀

Cauliflower	椰菜花
Celery	芹菜
Chillies, Fresh green & red	青紅椒
Chillies Leaf	辣椒菜
Chillies, Round	圓椒
Chinese Chives (Kau Ts'oi)	韭菜
Chinese Chives Stem	韭王
Chives (Heung Kui Ts'oi)	香椿菜
Chrysanthemum, Garland	塘蒿菜
Condiment & Flavouring plants, all green ...	各種香料例如芫茜， 紫蘇，香花菜
Corn, Sweet, white & yellow	甜黃白粟米
Cucumbers, green & white	青瓜，白瓜
Garlic, small & Rocambole	蒜頭，大蒜
Gherkins	茶瓜
Ginger, old	老姜
Ginger, stem	子姜
Kale, European and Chinese	芥蘭
Kohlrabi	芥蘭頭
Leeks	生蒜
Lettuce, Cabbage	包心生菜
Lettuce, Chinese	生菜
Lettuce, Cos	立木生菜
Lettuce, Indian	苦麥菜
Lotus roots (or rhizome)	蓮藕
Lotus seeds, Fresh	生蓮子
Luffa, Angled	絲瓜
Luffa, smooth	水瓜
Marrow, Bottle Gourd	蒲瓜
Marrow, Snake Gourd	蛇瓜
Marrow, Vegetable	番南瓜
Matrimony vine	枸杞
Melon, Chinese Preserving	冬瓜(糖冬瓜)
Melon, Oriental pickling	酸菜
Mushrooms, Fresh	草菇，白菌
Okra or Ladies' fingers	茭茄
Onions, Chinese Bulbous	蔥頭

Onions, Chinese green	水蔥
Onions, Large round	洋葱
Onions, Spring	生蔥
Papayas, Green	青木瓜
Parsley	洋芫茜
Parsnip	白荷
Peas, all green	青豆
Peas, sugar	荷蘭豆
Potatoes, Irish	薯仔
Potatoes, Sweet	蕃薯
Pumpkins	番瓜
Radishes, all kinds	紅蘿蔔
Rhubarb	大黃
Shallots	乾蔥頭
Spinach	菠菜
Spinach-beet	君達菜，豬齒菜
Spinach, Ceylon	潺菜
Spinach, Chinese	莧菜
Spinach, New Zealand	紐絲蘭菠菜，洋菠菜
Spinach, Water	水莧菜
Sugar Peas' Shoots	豆苗
Tapioca	木薯
Taroos, Large and small	芋頭
Tomatoes	蕃茄
Tubers, all edible	各種薯類
Turnips, Chinese	蘿蔔
Turnips, Salted	咸蘿蔔
Water chestnuts	馬蹄
Watercress	西洋菜
Water Oats	膠荷

Yam, big, small and starch	大薯, 苕薯
Yam beans	沙葛
Yan Lin, Green	仁面
And all other green, dried and salted vegetables used for food	其他各種佐膳青菜, 菜乾; 咸菜

Passed the Legislative Council of Hong Kong, this 30th
day of April, 1952.

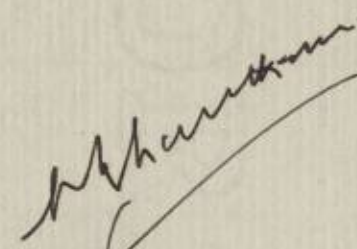

Deputy Clerk of Councils.

HONG KONG

No. 12 OF 1952.



I assent.


Governor.

1st May, 1952.

An Ordinance to amend the Places of Public Entertainment
Ordinance, Chapter 172.

[2nd May, 1952.]

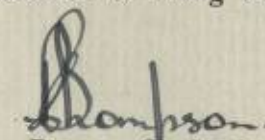
BE it enacted by the Governor of Hong Kong, with the
advice and consent of the Legislative Council thereof:

1. This Ordinance may be cited as the Places of Public Short title.
Entertainment (Amendment) Ordinance, 1952.

2. Subsection (1) of section 4 of the principal Ordinance is Amendment
hereby amended by the deletion of the words "one thousand of section
dollars" at the end thereof and the substitution therefor of the 4 of
words "two thousand dollars". Cap. 172.

3. Section 5 of the principal Ordinance is hereby repealed. Repeal of
section 5
of Cap.
172.

Passed the Legislative Council of Hong Kong, this 30th
day of April, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 13 OF 1952.



I assent.

Governor.

1st May, 1952.

An Ordinance to repeal and replace the Passport (Miscellaneous Offences) Ordinance, Chapter 213.

[2nd May, 1952.]

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

1. This Ordinance may be cited as the Passport Ordinance, Short title. 1952.

2. In this Ordinance—

"false" means incorrect to the knowledge of the holder of a passport;

"forgery" has the meaning assigned to it by the Forgery (Cap. 209) Ordinance;

"holder" means the person to whom the passport or other document purports to have been issued but where there is any conflict between the particulars of such person and the photograph appearing in the passport or other document shall mean the person whose photograph that is;

Inter-
pretation.

"material particular" includes particulars of the name, national status, place and date of birth, photograph and signature or other mark;

"passport" means a passport issued by or on behalf of (a) Her Majesty's Government in the United Kingdom or (b) the Governor of any Colony, Territory under Her Majesty's protection through Her Majesty's Government in the United Kingdom, or United Kingdom Trust Territory.

Forgery
of passport
or making
of untrue
statement
to procure
a passport.
15 & 16
Geo. 5,
c. 86,
s. 36.

3. The forgery of any passport, or the making by any person of a statement which is to his knowledge untrue for the purposes of procuring a passport, whether for himself or any other person, shall be a misdemeanor punishable with a fine of five thousand dollars and imprisonment for two years.

Posses-
sion of
passport
false in a
material
particular
to be an
offence and
onus of
proving
falsity
or
otherwise
to shift
in certain
circum-
stances.

4. (1) It shall be an offence to be the holder of a passport which is false in any material particular: Penalty: a fine of two thousand dollars and imprisonment for one year.

(2) Whenever a person is charged with an offence against this section and it is proved that any material particular in the passport is incorrect the onus of proving that he was unaware that such material particular was incorrect shall lie upon him and unless he discharges such onus he shall be guilty of an offence against this section.

(3) Whenever the holder of a passport is charged with an offence against this section and it is proved—

(a) that he is the holder of a passport, travel document or identity card which contains any material particular differing from a material particular in the passport alleged to be false; or

(b) that he has given any material particular to any public officer which does not tally with a material particular in the passport alleged to be false;

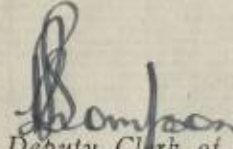
he shall be guilty of an offence against this section unless he can satisfy the magistrate before whom he is charged either that the material particular in the passport is correct or that he was unaware that such material particular was incorrect.

(4) Whenever the holder of a passport is charged with an offence against this section and the passport states that the holder is born in Hong Kong and it is proved that such holder has

given to a police or other public officer any particular concerning any person whom he claims to be his relative which is in conflict with any particular in the register of births kept under the Births and Deaths Registration Ordinance the magistrate shall require (Cap. 174). such holder to prove that he was born in Hong Kong and failing such proof such holder shall be guilty of an offence against this section unless the magistrate is satisfied that such holder genuinely believed he was born in Hong Kong.

5. The Passport (Miscellaneous Offences) Ordinance is hereby repealed. Repeal of
Cap. 213.

Passed the Legislative Council of Hong Kong, this 30th day of April, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 14 OF 1952.



I assent.

[Handwritten signature]
Governor.

15th May, 1952.

An Ordinance to regulate the conduct of business in the Colony.

[16th May, 1952.]

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

1. This Ordinance may be cited as the Business Regulation Ordinance, 1952. Short title.

2. In this Ordinance—
“auctioneer”, “hawker”, “massage establishment”, “public bowling-alley”, “public dance-hall”, “public skating rink” have the same meanings as in the Miscellaneous Licences Ordinance; Inter-pretation.

“business” means any form of trade, commerce, craftsmanship, profession, calling or other activity carried on for the purpose of gain, but does not include an office or employment or any charitable undertaking;

"business registration certificate" means the certificate issued to a person whose business has been registered by the Director;

"Director" means the Director of Commerce and Industry and also includes any public officer appointed by the Governor to exercise and discharge any or all of the discretions, powers and duties of the Director of Commerce and Industry under this Ordinance;

(Cap. 209). "forgery" has the same meaning as in the Forgery Ordinance;

"inspector" means a person appointed in writing by the Director to be an inspector for the purposes of this Ordinance;

(Cap. 155). "licensed bank" has the same meaning as in the Banking Ordinance;

"register" means the register of businesses kept by the Director.

Appoint-
ments.

3. The Governor may appoint, by name or office, officers to exercise any or all of the powers and discretions vested in the Director hereunder and to discharge all or any of the duties required to be discharged by him hereunder.

Compulsory
registra-
tion of all
persons
carrying
on
business in
the Colony.

4. (1) Subject to the provisions of section 5 every person who is carrying on any business in the Colony at the date of the coming into force of this Ordinance shall not later than three months thereafter make written application to the Director for the registration of each and every business so carried on by him.

(2) Subject to the provisions of section 5 every person who subsequent to the coming into force of this Ordinance commences to carry on any business in the Colony shall make like application within one month from commencing to carry on such business.

(3) Every application for registration as aforesaid shall be made in the manner prescribed and shall include all the particulars prescribed.

(4) Upon application being duly made the Director shall register in the manner prescribed each and every business in respect of which such application is made.

Applica-
tion for
registra-
tion of
businesses
carried on
by bodies
corporate
and unin-
corporate.

5. Whenever any business is carried on by a body of persons corporate or unincorporate the liability imposed by subsections (1) and (2) of section 4 shall be deemed to have been discharged as soon as one application in the prescribed manner has been made.

6. It shall be lawful for the Director to summon before him any person upon whom a liability to make an application hereunder appears to the Director to have been imposed by section 4 and require that person to answer any question which the Director may reasonably consider necessary to ask that person for the purpose of carrying out the provisions of this Ordinance and of rules made hereunder and the Director may further require any applicant to make such further declaration or supply such further particulars as the Director may reasonably require.

Power of
Director
to obtain
further
informa-
tion.

7. (1) As soon as conveniently may be after registration of any business the Director shall by writing under his hand require the applicant on the date therein specified which shall be not less than fourteen days as from the date of the requirement to pay to the Director the appropriate fee as set out in the First Schedule to this Ordinance.

Payment
of fees and
issue of
business
registra-
tion
certificates.
First
Schedule.

(2) Upon payment by him of the appropriate fee or, if no fee is payable, then as soon as conveniently may be after registration the Director shall issue to the applicant—

(a) a business registration certificate type 'A' if the person carrying on business carries on one business only at one set of premises; or

(b) a business registration certificate type 'B' if such person carries on either one business only at more than one set of premises or more than one business whether at the same set of premises or not.

(3) A requirement under subsection (1) shall be deemed to have been properly served upon proof either that it has been handed personally to the applicant or that it has been sent by registered post addressed to him at the address given by him in his application for registration of a business.

(4) For the purposes of this section—

(a) a person shall not be deemed to be carrying on more than one business merely by reason of the fact that he is engaged in more than one activity so long as all the activities are capable of being included in a comprehensive description describing such activities as one

business of a character generally recognized in the commercial, professional or other circle of which such business forms part and are in fact so described; and

- (b) a business shall be deemed to be carried on at one set of premises if access can reasonably be obtained to any part thereof from any other part thereof without first entering into any public place.

(5) Notwithstanding anything hereinbefore contained it shall be lawful for the Director upon application in writing, if he is satisfied that having regard to the nature and extent of the business and the profits therefrom payment of the whole fee would constitute a hardship, to direct that the fee for a business registration certificate for any annual or lesser period be remitted in whole or in part.

(6) Applications for remission shall be ignored unless they are made within the following periods—

- (a) in the case of a first application for registration under section 4 within three months from the commencement of this Ordinance or, if the applicant commenced to carry on business after the commencement of this Ordinance, within two months of commencing to carry on business;
- (b) in every other case, prior to the expiry of any current business registration certificate, in which event the remission if granted shall apply only to the annual period following such expiry.

8. (1) A business registration certificate shall be valid for the period set out in the fourth column of the First Schedule.

(2) A person who has been issued with a business registration certificate shall not later than one month after the date of expiry thereof if continuing to carry on a business included upon such certificate pay the appropriate fee for and take out a fresh certificate. The date of issue of such certificate shall be the day subsequent to the one on which the former certificate expired.

9. Every business registration certificate shall be prominently displayed at the address set out on the certificate as the address at which it is to be displayed.

Period of validity of business registration certificate. Duty to take out fresh certificate on expiry.

Business registration certificate to be displayed.

10. (1) The Director may authorize in writing any public inspection officer to be an inspector.

(2) Any inspector shall for the purposes of ascertaining whether the provisions of this Ordinance or of any rules made hereunder are being complied with have power at all reasonable times to enter any premises at which he has reason to believe any business is being carried on and there to make such examination and inquiry as may be necessary for such purposes.

11. (1) If any question arises between any person and the Director as to the registration as a business of any concern operated by that person, or as to the type of business registration certificate to be issued in respect of any business or as to the fee payable therefor, or in the event of refusal by the Director to register a business or to issue a business registration certificate, that person may require the Director to express his opinion thereon in writing.

Power to require Director to express an opinion on certain matters and to require him to state a case for the opinion of the Court.

(2) Any such requirement shall be made in writing not later than the date upon which such person is required to pay the appropriate fee under subsection (1) of section 7 and shall be accompanied by a signed statement setting out all the facts considered relevant to the issue by that person.

(3) Any opinion in writing given by the Director under this section shall set out his reasons for being of such opinion.

(4) Any person who having required the Director to express his opinion is dissatisfied therewith may within twenty-eight days after the date of such opinion appeal therefrom to the Court and may for that purpose require the Director to state a case.

(5) The Director shall thereupon state and sign a case and deliver the same to the person by whom it is required and the case may, within seven days thereafter and after service thereof on the Attorney General, be set down by that person for hearing.

(6) Where the Director has stated a case and it appears to the Court that there are disputed questions of fact the determination of which is necessary for the proper determination of the case stated the Court may direct that evidence be adduced whether by affidavit or by oral testimony in relation thereto and may determine any such question of fact.

(7) Upon the hearing of the case the Court shall determine the question submitted and may award costs to the successful party.

(8) In this section "the Court" means the Supreme Court in its summary jurisdiction.

(Cap. 4)
(Cap. 4,
rules)
(Cap. 2). (9) Appeals from decisions of the Court under this section shall be governed by the provisions of the Supreme Court Ordinance, the Code of Civil Procedure and the Full Court Ordinance.

(10) Whenever any person in accordance with the provisions of this section requires the Director to express an opinion it shall not be incumbent upon such person to pay the appropriate fee on the date specified by the Director in a requirement made by him in accordance with subsection (1) of section 7, but if after receipt of the Director's opinion in writing he either does not appeal therefrom to the Court in accordance with subsection (4) of this section or his appeal is dismissed by the Court, he shall pay the appropriate fee not later than fourteen days after the time provided in subsection (4) of this section for appeal to the Court or not later than fourteen days after dismissal of his appeal by the Court as the case may be: Provided that in the event of the dismissal of his appeal by the Court if such person within fourteen days of such dismissal notifies the Director that he intends to appeal therefrom the date for payment shall be fourteen days after final dismissal of such appeal if such appeal be dismissed.

(11) Whenever any person by reason of subsection (10) pays the appropriate fee on a date other than that specified in the requirement of the Director made under subsection (1) of section 7, the date of issue of the business registration certificate shall be the date upon which the certificate would have been issued had such person paid on the date specified in the first instance.

Restriction
upon
action by
person

12. (1) No person who is required under the provisions of this Ordinance to be in possession of a business registration certificate shall be entitled to recover any debt, fees, costs or

other remuneration in any cause of action arising from such business unless he was in possession of a business registration certificate in respect of such business at the time when the cause of action arose.

carrying
on business
not in
possession
of business
registration
certificate.

(2) In such action any such certificate purporting to be under the hand of the Director shall be deemed to be a valid certificate until the contrary is proved.

13. (1) The Governor in Council may by rules prescribe or provide for—

Power to
make
rules.

- (a) the manner in which application for registration of business under this Ordinance shall be made;
- (b) the forms which may be used for carrying out the provisions of this Ordinance;
- (c) the information to be furnished to the Director;
- (d) dates of issue;
- (e) the form of and the particulars to be entered in the register;
- (f) the forms of business registration certificates;
- (g) the amendment of the register and business registration certificates;
- (h) the issue of duplicate business registration certificates;
- (i) the production to specified persons of business registration certificates;
- (j) the exemption of any person or category of persons or business either wholly or in part from the provisions of this Ordinance;
- (k) fees for the inspections, certification and issue of documents;
- (l) generally the carrying into effect of the provisions of this Ordinance in relation to any matter, whether similar or not to those in this subsection mentioned.

(2) Any rule made under this Ordinance may provide that a contravention thereof shall be an offence and may provide penalties for such offence not exceeding a fine of one thousand dollars and imprisonment for six months.

Second
Schedule.

(3) The rules in the Second Schedule shall be in force except so far as they may be amended by rules made under this section.

Burden of
proof.

14. Without prejudice to any law relating to estoppel, the burden of proving the truth of the contents of any written application for registration or the contents of any business registration certificate shall (save as provided in subsection (2) of section 12) lie on the person making such application or on the person to whom such certificate was issued, as the case may be, and on any other person alleging the truth of such contents.

Exemption.

15. (1) The following persons shall be exempted from the provisions of this Ordinance—

- (a) hawkers;
- (b) shoe-blacks;
- (c) any person exempted by rules made under section 13.

(2) The following persons are hereby exempted from the requirement of paying the appropriate fee set forth in the First Schedule—

(Cap. 114).

- (a) persons carrying on any business specified from time to time in the Schedule to the Miscellaneous Licences Ordinance save and except persons carrying on the business of timber stores;
- (b) any persons exempted by any rules made under section 13:

Provided that the burden of proving that a person is exempted from the provisions of this Ordinance shall be on the person claiming exemption and that such exemption shall not apply to any such person in respect of any other business carried on by him.

Offences.

16. (1) Any person who—

- (a) fails to make application under section 4 for registration of a business carried on by him; or

- (b) fails to comply with a summons or a requirement of the Director made under section 6; or
- (c) without lawful authority contravenes a requirement made by the Director under subsection (1) of section 7; or
- (d) contravenes subsection (2) of section 8; or
- (e) contravenes section 9; or
- (f) commits forgery of any document provision for which is made in this Ordinance or in rules made hereunder; or
- (g) makes any statement or furnishes any information to the Director under the provisions of this Ordinance or of rules made hereunder or in any application for remission under section 7 whether such statement or information is verbal or in writing, which is false in any material particular or by reason of the omission of any material particular and which he either knows or has reason to believe is false; or
- (h) resists or obstructs an inspector in the performance of his duties under this Ordinance,

shall be guilty of an offence: Penalty: a fine of two thousand dollars and imprisonment for one year.

(2) Whenever any person is convicted of an offence contrary to either paragraph (c) or paragraph (d) of subsection (1) the magistrate shall, if such person has not prior to the date of conviction paid the fees due by him under the provisions of this Ordinance, in addition to any penalty he may impose, make an order that such person shall pay the fees due forthwith to the Director and in default of payment thereof may impose a period of imprisonment calculated in accordance with section 67 of the Magistrates Ordinance.

(Cap. 227).

17. Whenever the person who commits an offence against this Ordinance or against any rule hereunder is a firm every partner and any manager or apparent manager thereof shall be deemed to commit such offence unless he proves that the offence was committed without his knowledge or consent.

Liability
of
partners.

18. Any person may on payment of such fees as may be prescribed require the Director to certify a copy or extract of any document kept by the Director under this Ordinance or under rules made hereunder or of any business registration certificate and issue him therewith and the Director shall certify and issue accordingly.

Certifica-
tion and
issue of
documents.

Amendment
of First
Schedule
by
Legislative
Council
resolution.

19. The provisions of the First Schedule may from time to time be amended by the Legislative Council by resolution.

Commence-
ment of
certain
sections.

20. Sections 9, 10 and 12 shall not come into force until such date or such respective dates as the Governor in Council may by order, to be signified in the *Gazette*, specify.

Unlawful
business
not to be
registered.

21. (1) Nothing contained in this Ordinance shall be deemed to require the Director to register or to issue a business registration certificate in respect of any business which is unlawful.

(2) The issue of a business registration certificate in respect of any business shall not be deemed to imply that the requirements of any law in relation to such business or to the persons carrying on such business or employed therein have been complied with.

FIRST SCHEDULE.

THE BUSINESS REGULATION ORDINANCE, 1952.

(Section 7(1)).

Item	Business Registration Certificate	Fee	Period in respect of which fee payable and in respect of which business registration certificate is valid.
1	Type 'A'	\$200	12 months or any portion thereof as from the date of issue.
2	Type 'B'	\$600	— do —

SECOND SCHEDULE.

THE BUSINESS REGULATION ORDINANCE, 1952.

(Section 13).

RULES.

1. These rules may be cited as the Business Regulation Citation. Rules, 1952.

2. Application for the registration of every business carried on by any one individual shall be made by such individual to the Director in accordance with Form 1(a) of the Appendix completed in duplicate.

Applica-
tion for
registra-
tion of
business
carried on
by an
individual.
Form 1(a).

3. Application for the registration of every business carried on by any body corporate shall be made by a director or the secretary or other officer of such body in accordance with Form 1(b) of the Appendix completed in duplicate.

Applica-
tion for
registra-
tion of
business
carried on
by a body
corporate.
Form 1(b).

4. Application for the registration of every business carried on by any firm or other body of persons unincorporate shall be made by a partner or manager or other official of such body in accordance with Form 1(c) of the Appendix completed in duplicate.

Applica-
tion for
registra-
tion of
business
carried on
by a body
of persons
un-
incorporate.
Form 1(c).

5. On receipt of any duly completed Form 1(a), 1(b) or 1(c) the Director shall cause to be inserted thereon a serial number, the business registration certificate number, the address at which the business registration certificate is to be displayed and the date of issue thereof.

Entry of
certain
item by
Director
on Applica-
tion Form.

6. The Director shall cause to be filed all duly completed Forms 1(a), 1(b), and 1(c) and all duly completed Forms 3 as hereunder provided and such files shall form the register.

The
register.

Making out of business registration certificates. Forms 2(a) and 2(b).

Fresh business registration certificate to be issued on expiry.

Report of changes. Form 3.

Fees for certification and issue of documents.

7. The Director shall cause business registration certificates to be prepared in accordance with Form 2(a) or 2(b) of the Appendix.

8. Any person to whom a business registration certificate has been issued shall if he continues to carry on a business included upon such certificate subsequent to the expiry thereof forward his said certificate to the Director within one month of the date of expiry set out thereon and such certificate shall, on payment of the appropriate fee, be replaced by a fresh certificate.

9. (1) Any person to whom has been issued a business registration certificate shall report in accordance with Form 3 completed in duplicate to the Director any change of the particulars set out on Forms 1(a), 1(b) and 1(c) or on Form 2(a) or 2(b). Such report shall be made within 14 days of the occurrence of such change and the Director shall on payment of a fee of three dollars cause to be amended the business registration certificate accordingly.

(2) Any person who fails to report a change of particulars as provided by this rule shall be guilty of an offence: Penalty: a fine of one thousand dollars and imprisonment for six months.

10. The fee to be paid for certification and issue of any one document or of any business registration certificate shall be ten dollars.

APPENDIX.

THE BUSINESS REGULATION RULES, 1952.

THE BUSINESS REGULATION RULES, 1952. [Rule 2].

FORM 1(a).

Application by an individual for registration of business(es) carried on by him in the Colony.

Note 1. SECTION A

Pursuant to the provisions of the Business Regulation Ordinance, 1952, I do hereby certify that the particulars set out below are

true and contain a complete record of all businesses carried on by me in the Colony and that I have no partners in any of the said businesses.

(a) Name and all aliases:

(b) Identity Card Serial Number:

(c) Residential address:

(d) Business carried on : (1) (a) Name in which carried on :..... Note 2.
(b) Address :.....
(c) Description and nature of business :.....
(d) Date commenced :.....
(2) (a) Name in which carried on :.....
(b) Address :.....
(c) Description and nature of business :.....
(d) Date commenced :.....
(3) (a) Name in which carried on :.....
(b) Address :.....
(c) Description and nature of business :.....
(d) Date commenced :.....
(4) (a) Name in which carried on :.....
(b) Address :.....
(c) Description and nature of business :.....
(d) Date commenced :.....

- (5) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....
- (6) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....

Date :

Signed :

SECTION B

For official use only.

Note 1.

Section A to be completed by individual applying for registration of business.

Note 2.

If the same business is carried on at more than one address, or more than one business at the same address, separate entries must be made. If the space on this form is not sufficient, complete on separate sheet.

THE BUSINESS REGULATION RULES, 1952. [Rule 3].

FORM 1(b).

*Application by a body corporate for registration
of business(es) carried on by such body
in the Colony.*

SECTION A

Note 1.

Pursuant to the provisions of the Business Regulation Ordinance, 1952, I do hereby certify that the particulars set out below are true and contain a complete record of all businesses carried on in the Colony by the
of which I am Note 2.
Note 3.

(a) Address of registered office :

(b) Business carried on : (1) (a) Name in which

Note 4.

- carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....
- (2) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....
- (3) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....
- (4) (a) Name in which
carried on :.....
(b) Address :.....

- (c) Description and nature of business :.....
- (d) Date commenced :.....
- (5) (a) Name in which carried on :.....
- (b) Address :.....
- (c) Description and nature of business :.....
- (d) Date commenced :.....
- (6) (a) Name in which carried on :.....
- (b) Address :.....
- (c) Description and nature of business :.....
- (d) Date commenced :.....

Date :

Signed :

SECTION B

For official use only.

Note 1.

Section A to be completed by a director, the secretary or other officer of the body corporate.

Note 2.

Set out registered name of the body corporate.

Note 3.

Set out position in the body corporate of the officer filling in this form. (See also Note 1).

Note 4.

If the same business is carried on at more than one address, or more than one business at the same address, separate entries must be made. If the space on the form is insufficient, complete on separate sheet.

THE BUSINESS REGULATION RULES, 1952. [Rule 4].

FORM 1(c).

Application by firm or by other body unincorporate for registration of business(es) carried on by such body in the Colony.

SECTION A

Note 1.

Pursuant to the provisions of the Business Regulation Ordinance, 1952, I do hereby certify that the particulars set out below are true and contain a complete record of all businesses carried on in the Colony by the of which I am (and that I have listed below all the partners of the said firm).

Note 2.

Note 3.

Note 4.

(a) Address of main office :

(b) Name and residential address of manager :

(c) Business carried on : (1) (a) Name in which

Note 5.

carried on :.....

(b) Address :.....

(c) Description and nature of business :.....

(d) Date commenced :.....

(2) (a) Name in which carried on :.....

(b) Address :.....

(c) Description and nature of business :.....

(d) Date commenced :.....

(3) (a) Name in which carried on :.....

(b) Address :.....

(c) Description and nature of business :.....

(d) Date commenced :.....

- (4) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....
- (5) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....
- (6) (a) Name in which
carried on :.....
(b) Address :.....
(c) Description
and nature
of business :.....
(d) Date
commenced :.....

Note 6. (d) Partners

- : (1) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (2) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....

- (3) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (4) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (5) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (6) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (7) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (8) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
- (9) (a) Name :.....
(b) Aliases :.....

(c) Identity Card
Serial Number :.....
(d) Residential
address :.....
(10) (a) Name :.....
(b) Aliases :.....
(c) Identity Card
Serial Number :.....
(d) Residential
address :.....

Date :

Signed :

SECTION B

For official use only.

Note 1.

Section A to be completed by a partner, manager or other official

Note 2.

Set out name of firm or other body unincorporated.

Note 3.

Set out position in the firm or other body unincorporated of the person filling in this form. (See also Note 1).

Note 4.

Delete if body is NOT a firm.

Note 5.

If more than one business is carried on at the same address, separate entries must be made. If the space on the form is insufficient, complete on separate sheet.

Note 6.

Delete if a body unincorporate which is not a firm.
If there are more partners than can be set out in the space provided on the form, complete on a separate sheet.

Audit No.
.....

Audit No.

ORIGINAL

Certificate No.

THE BUSINESS REGULATION RULES, 1952.

[Rule 7].

FORM 2(a).

Business Registration Certificate, Type 'A'.

NAME OF HOLDER

ADDRESS OF BUSINESS

NATURE OF BUSINESS

VALID FROM..... To.....
(Date of issue) (Date of expiry).

.....
Director of Commerce & Industry.

FEE: \$200.00

Note:—(1) This certificate must be prominently displayed at the address given above and must be produced for inspection when requested by an authorized business inspector.

(2) This certificate does not excuse non-compliance with any other provision of law.

COLOURED PAPER

Audit No.
.....

Audit No.

ORIGINAL

Certificate No.

THE BUSINESS REGULATION RULES, 1952.

[Rule 7].

FORM 2(b).

Business Registration Certificate, Type 'B'.

NAME OF HOLDER

ADDRESS OF BUSINESS

NATURE OF BUSINESS

VALID FROM..... To.....
(Date of issue) (Date of expiry).

.....
Director of Commerce & Industry.

FEE: \$600.00

Note:—This certificate must be prominently displayed at the address given above and must be produced for inspection when requested by an authorized business inspector.

ORIGINAL
Duplicate

THE BUSINESS REGULATION RULES, 1952. [Rule 9].

FORM 3.

Audit No.

Application for the amendment and/or addition to an application form, business registration certificate and/or any document or record.

To be completed, in duplicate, by the applicant.

SECTION A

(a) Name of applicant or firm

(b) Residential address

(c) Business address

Pursuant to the provisions of the Business Regulation Rules, 1952, I hereby make application for the under-mentioned changes to be made to the register and to business registration certificate No.

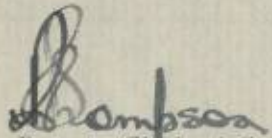
Particulars of amendments and /or additions required—

FEE: \$3.00

SECTION B

For official use only.

Passed the Legislative Council of Hong Kong, this 14th day of May, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 15 OF 1952.



I assent.

[Handwritten signature]
Governor.

15th May, 1952.

An Ordinance to amend the Miscellaneous Licences Ordinance,
Cap. 114.

[16th May, 1952.]

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

1. This Ordinance may be cited as the Miscellaneous Short title.
Licences (Amendment) Ordinance, 1952.

2. Section 2 of the principal Ordinance is hereby amended—
(a) by the addition of the following definition after the
definition of "auctioneer"—

Amendment
of section 2
of Cap.
114.

" "dancing school" means any place opened, kept or used
for the purpose of giving instruction in dancing
except—

(i) a place of public entertainment licensed as
such under the Places of Public Entertainment
Regulations Ordinance; or

(Cap. 172).

(ii) a public dance hall licensed as such under this Ordinance; or

(iii) dancing schools for children under the age of 16; or

(iv) dancing schools where the aggregate number of instructors, persons under instruction and dancing partners present at one time does not habitually exceed twelve;";

- (b) by the substitution of a colon for the semicolon at the end of the definition of "public dance hall" and the addition after such colon of the following proviso—

"Provided that a place shall not be deemed to be opened, kept or used for the purpose of dancing if it is opened kept or used primarily for some other lawful purpose to which dancing is merely an incidental attraction for which no charge is made and no instructors or dancing partners are provided or made available;"; and

- (c) by the addition of the following definition after the definition of "sale"—

"table tennis saloon" means any place opened, kept or used for the purpose of playing table tennis or ping pong, to which the general public are admitted with or without payment for admission;";

Amendment
of section
3 of Cap.
114.

3. Section 3 of the principal Ordinance is hereby amended—

- (a) by inserting the word "undertaking" after the word "business" in paragraph (a) thereof;

- (b) by inserting the following paragraph immediately after paragraph (b) thereof—

"(bb) the particulars which an applicant for any licence granted under this Ordinance shall furnish to any officer empowered to issue a licence hereunder;"; and

- (c) by inserting the symbols and figure (1) immediately before the word "It" in the first line thereof and adding at the end thereof the following subsection as subsection (2)—

"(2) Such regulations may prescribe that the contravention of any particular regulation shall constitute an offence and may prescribe penalties for breach of the regulations not exceeding a fine of one thousand dollars or imprisonment for six months."

4. Section 6 of the principal Ordinance is hereby amended—

- (a) by the addition of the words "or a justice of the peace" immediately after the word "magistrate" in the first line thereof; and
- (b) by the addition of the words "or justice of the peace" immediately after the word "magistrate" in the fourth line thereof.

Amendment
of section
6 of
Cap. 114.

5. The following section is hereby substituted for sections 7 and 8 of the principal Ordinance—

"Offences
and
penalties.

7. Any person who—

- (a) contravenes the provisions of section 4; or
- (b) fails to comply with any condition in a licence issued hereunder; or
- (c) in furnishing any particulars which he is required by regulation made hereunder to furnish, furnishes any information which he knows or has reason to believe to be false in any material particular or by reason of the omission of any material particular or furnishes any information without any belief in the truth or accuracy of the information supplied;

shall be guilty of an offence: Penalty: A fine of one thousand dollars or imprisonment for six months.

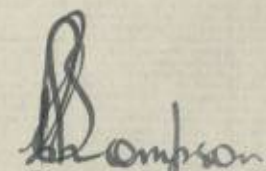
Repeal and
replacement
of sections
7 and 8
of Cap.
114.

6. The Schedule to the principal Ordinance is hereby amended—

- (a) by the insertion of the words "Dancing School" immediately under the word "Auctioneer"; and
- (b) by the insertion of the words "Table tennis saloon" under the words "Public skating rink".

Amendment
of the
Schedule
to Cap.
114.

Passed the Legislative Council of Hong Kong, this 14th day of May, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 16 OF 1952.

I assent.

Governor.

15th May, 1952.

An Ordinance to amend the Motor Vehicles Insurance (Third Party Risks) Ordinance, 1951.

[16th May, 1952.]

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

1. This Ordinance may be cited as the Motor Vehicles Insurance (Third Party Risks) (Amendment) Ordinance, 1952. Short title.

2. Section 2 of the principal Ordinance is hereby amended by the substitution for the definition of "road" therein of the following definition— Amendment of section 2 of the principal Ordinance.

" "road" means any highway and any other road to which the public have access and includes any road upon which a member of the public is allowed to drive a vehicle only if in possession of a permit issued by the Commissioner of Police;".

Passed the Legislative Council of Hong Kong, this 14th day of May, 1952.

Deputy Clerk of Councils.

No. 17 OF 1952.

I assent.

Governor.

15th May, 1952.

An Ordinance to amend the Pensions Ordinance, Chapter 89.

[16th May, 1952.]

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

1. This Ordinance may be cited as the Pensions Short title. (Amendment) Ordinance, 1952.

2. Subsection (2) of section 5 of the principal Ordinance is hereby amended by the deletion of the full-stop appearing at the end thereof and the addition of the following—

"and any such direction may, irrespective of the wishes of the officer concerned, also determine whether a pension so granted shall be awarded in the form of a reduced pension and gratuity."

Amendment
of
subsection
(2) of
section 5
of Cap. 89.

3. Section 6 of the principal Ordinance is hereby amended by the substitution of a comma for the semi-colon appearing at the end of paragraph (b) thereof and the addition of the following—

Amendment
of
paragraph
(b) of
section 6
of Cap. 89.

"provided that if his service in such other public service is superannuated under the Federated Superannuation System for Universities or a similar insurance scheme, he has retired on one of the grounds mentioned in paragraphs (a) (c) (d) (e) and (f) of this section;"

Amendment
of section
8 of Cap.
89.

4. Section 8 of the principal Ordinance is hereby amended as follows—

- (a) by the deletion of the words "other than a judge" wherever they occur;
- (b) in subsection (1), by the substitution of a comma for the full-stop appearing at the end thereof and by the addition of the following—

"which approval shall, in the case of a judge, be given in accordance with the directions of the Secretary of State."

Amendment
of
subsection
(1) of
section 17
of Cap. 89.

5. Subsection (1) of section 17 of the principal Ordinance is hereby amended by the substitution of the words "seven hundred and eighty" for the words "four hundred and eighty" appearing in the fourth and fifth lines of sub-paragraph (i) thereof.

Addition
of new
section
17A to
Cap. 89.

6. The following new section shall be inserted immediately after section 17 of the principal Ordinance—

"Awards
in respect
of service
while on
abnormal
duty.

(Cap. 233)
(G.N.A.
270/50)

(25 of
1951)

(Cap. 197)

17A. (1) Where an officer is serving as a member of the Police Reserve Force under the provisions of the Police Reserve Ordinance, or as a special constable under the provisions of the Emergency (Special Constabulary) Regulations, 1950, or as an officer or member of the Defence Force under the provisions of the Royal Hong Kong Defence Force Ordinance, 1951, or as a member of the Essential Services Corps under the provisions of the Essential Services Corps Ordinance, and is killed or injured in such circumstances that a pension, gratuity or other award is grantable in respect of such service, a pension gratuity or other award may at the option of the beneficiary be granted either under this Ordinance under the provisions relating to death resulting from injuries received or permanent injuries received in the actual discharge of his duty, as the case may be, in like manner as if the service herein-

before mentioned had been public service within the meaning of this Ordinance and as if such officer had been killed or injured in the discharge of his duty under this Ordinance or under the provisions of such of the aforesaid Ordinances or Regulations as the case may be as may be applicable:

Provided that—

- (a) where the beneficiaries consist of
 - (i) his widow and her child or children, or
 - (ii) his widow and a child or children of such widow and a child or children of his previous wife or wives, or
 - (iii) his widow and a child or children of his previous wife or wives,

the option shall be exercised by the widow save that if the Governor in Council is of opinion that the option exercised by the widow is less beneficial to the interests of the beneficiaries as a whole than if she had opted differently then the Governor in Council may direct that the widow shall be deemed to have exercised the option which is more beneficial as aforesaid and the pension gratuity or other award shall be payable as if she had in fact so opted;

- (b) where the beneficiary is a child who is fatherless and motherless the option shall be exercised by the legal guardian of such child or in default thereof by the legal personal representative of the deceased person in respect of whose death the pension gratuity or other award is payable or in default of such guardian or personal representative by the official administrator.

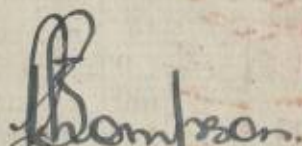
(2) If under the provisions of the appropriate enactment applicable to the Police Reserve Force, the Special Constabulary, the Royal Hong Kong Defence Force or the Essential Services Corps a pension gratuity or other award may be granted in respect of death or injury sustained during training or instruc-

tion or other form of service, then the expression "service" in subsection (1) shall include training instruction or other form of service in such Force, Constabulary or Corps, as the case may be.

Saving.

7. Nothing in section 4 of this Ordinance shall apply to a judge appointed to the service of the Colony before the commencement of this Ordinance.

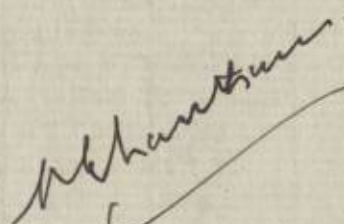
Passed the Legislative Council of Hong Kong, this 14th day of May, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 18 OF 1952.

I assent.


Governor.

29th May, 1952.

An Ordinance to make provision for the granting of pensions to certain public officers transferred on the 1st day of September, 1950, from the public service to the service of Cable and Wireless, Limited.

WHEREAS in pursuance of and in accordance with an agreement made between the Governor of Hong Kong and Cable and Wireless, Limited (hereinafter referred to as "the company") the operation and maintenance of certain technical services (hereinafter referred to as "the services") were on the 1st day of November, 1948, transferred from the Government to the company;

AND WHEREAS in further pursuance of and in accordance with the said agreement certain public officers employed in the operation and maintenance of the services were seconded to the service of the company and remained so seconded until the 1st day of September, 1950;

AND WHEREAS it was further agreed between the Governor and the company that it was essential to the continued efficient operation and maintenance of the said services that the said public officers should, with their consent, be transferred from the public service to the service of the company;

AND WHEREAS it was further agreed between the Governor and the company that such of the said public officers transferred as aforesaid as should be appointed to the pensionable staff of the company should, on retirement from the service of the company in circumstances in which they would be permitted by the regulations of the company to retire on pension, be granted pensions or other similar benefits to which they would have been entitled under the Pensions Ordinance and regulations made thereunder, or under any subsequent enactment relating to pensions, had they remained in the public service;

(Cap. 89).

AND WHEREAS it was further agreed that the pensions of such transferred officers should be apportioned between the Governor and the company in the manner following, namely, that the Governor should in the case of each such transferred officer grant a pension of such an amount as should bear the same proportion to the amount of the pension for which such officer would have been eligible had his service been wholly in the public service in the Colony, as the aggregate amounts of his pensionable emoluments during his service in the public service in the Colony should bear to the aggregate amounts of his pensionable emoluments in the public service in the Colony and in the service of the company and that the company should similarly grant to each such transferred officer a pension of such an amount as should bear the same proportion to the amount of the pension for which such officer would have been eligible had his service been wholly in the service of the company, as the aggregate amounts of his pensionable emoluments during his service in the company should bear to the aggregate amounts of his pensionable emoluments in the public service in the Colony and in the service of the company;

AND WHEREAS the persons named in the Schedule to this Ordinance consented to be transferred from the public service of the company;

AND WHEREAS in pursuance of and in accordance with the said agreement between the Governor and the company the said persons named in the Schedule hereto were with their consent as aforesaid transferred on the 1st day of September, 1950, from the public service to the service of the company;

AND WHEREAS the laws of the Colony do not contain provision whereby the said persons in respect of their public service may be

granted pensions or other similar benefits on retirement from the service of the company;

[30th May, 1952.]

BE IT THEREFORE 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 Pensions (Special Short title. Provisions) Ordinance, 1952.

2. In this Ordinance—
“the company” means Cable and Wireless, Limited;
“transferred officer” means a person transferred from the public service to the service of the company on the 1st day of September, 1950.

Inter-
pretation.

3. The Pensions Ordinance and any regulations made thereunder shall apply to such of the transferred officers named in the Schedule to this Ordinance as shall be appointed to the pensionable staff of the company as though service in the company were included in the definition of public service contained in section 2 of the Pensions Ordinance and as though the company were included in the Schedule to the Pensions Regulations and any subsequent enactment shall in like manner apply to transferred officers as aforesaid.

The
Pensions
Ordinance
and
regulations
and sub-
sequent
enactments
to apply to
transferred
officers.
(Cap. 89).
(Vol. IX,
p. 28).

4. This Ordinance shall be deemed to have had effect from the 1st day of September, 1950.

Commence-
ment.

SCHEDULE.

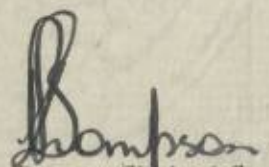
AU Kam Moon
AU Shiu Kow
AU Wing Kit
CHAI Man
CHAN, Daniel
CHAN Ho Yin
CHAN Kok Min

CHANG Kee Lim
CHE Ting Fan
CHEUNG Ping Hung
CHEUNG Yau Kee
CHEUNG King Piu
CHEUNG Hon
CHIU Bud Yee

CHIU Ying Keung
CHOW Woon Man
CHOY Sang
CHUNG Kum Tung
CRUZ, Luiz
DEW Boon Seng
FUNG Hun
Ho Kee
HU Moo Teh
HUANG Kwok Hung
IP Yee
ISMAIL, Omar
KWAN Kin Wing
KWOK Kam Sing
LAM Kwok Choi
LAM Pak Yeung
LAM Shiu Kee
LAM Yu Kong
LAW Shee Fai
LEE Ching Iu
LEE Yick Cho
LEI Hon Ming
LEUNG Tso Chi
LI Chung
LI Chung
LI So

LI Lin Keung
LI Pui Lam
LIANG Way E
LIM, Henry
LIN Ping Chi
Lo, Henry
Lo Lai Keung
Loo Kam Chi
MAK Sik Kwan
PON Chiu Yeung
POON Benedic Ho Chak
PUN Sai Kam
SIU Cokge
So Kam To
TAM Kwong Tien
TANG Ming Shu
TONG Shiu Lung
UN Leung Wai
WONG Hi Hung
WONG Wai
WONG Man Ying
WONG Keung
YAM Bor
YAU Kam Sin
YUNG Heng Suet

Passed the Legislative Council of Hong Kong, this 28th day of May, 1952.

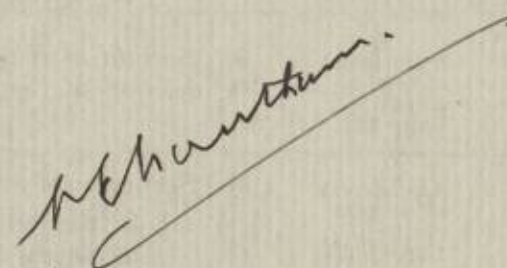

Deputy Clerk of Councils.

HONG KONG

No. 19 OF 1952.



I assent.


Governor.

12th June, 1952.

An Ordinance to amend the Waterworks Ordinance, Chapter 102.

[13th June, 1952.]

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

1. This Ordinance may be cited as the Waterworks (Amendment) Ordinance, 1952. Short title.

2. Section 25 of the principal Ordinance is hereby amended as follows— Amendment of section 25 of Cap. 102.

- (a) by substituting the symbols and figure “(3)” for the symbols and figure “(2)” at the beginning of subsection (2) thereof; and
- (b) by inserting the following new subsection (2) immediately after subsection (1) thereof—

"(2) Any person who erects or inhabits or allows to be erected or inhabited any structure whether of a permanent or temporary nature on any part of the waterworks, save under a Crown Lease or who inhabits any cave cavity depression or hole in any part of the waterworks shall be liable to a fine of one thousand dollars and if such structure is allowed to remain or habitation to continue after notice in writing from the water authority requiring such structure to be removed or habitation terminated has been given to such person he shall be liable to a further fine of one hundred dollars for each day during which the offence continues."

Amendment
of section
26 of
Cap. 102.

3. Section 26 of the principal Ordinance is hereby amended by the deletion of the words "or regulations" in the first line thereof.

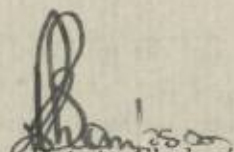
Amendment
of section
29 of
Cap. 102.

4. Section 29 of the principal Ordinance is hereby amended—

- (a) by the insertion of the symbols and figure "(1)" immediately before the word "The" in the first line thereof; and
- (b) by the insertion of the following subsection as subsection (2) thereof—

"(2) Such regulations may provide that contraventions of any specified regulation shall constitute an offence and may prescribe penalties not exceeding a fine of five hundred dollars for such contraventions."

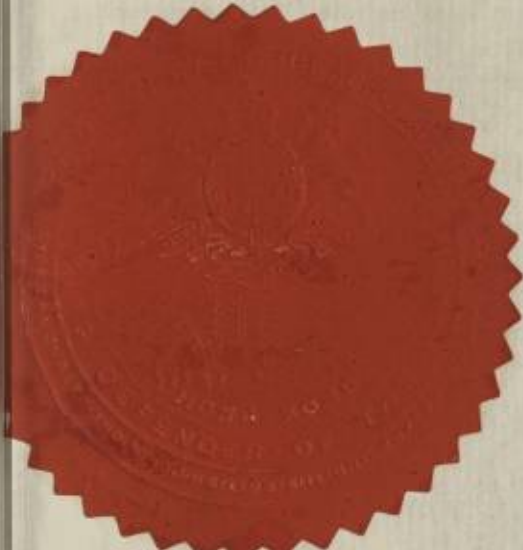
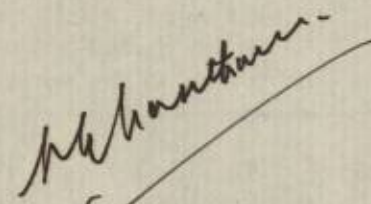
Passed the Legislative Council of Hong Kong, this 11th day of June, 1952.


Deputy Clerk of Councils.

HONG KONG

No. 20 OF 1952.

I assent.



Governor.

26th June, 1952.

An Ordinance to declare the terms and conditions applicable to loans authorized to be raised by the Government of Hong Kong and to provide for the creation of Hong Kong stock.

[27th June, 1952.]

Whereas it is expedient to define in one Ordinance the terms and conditions applicable to loans hereinafter authorized to be raised by the legislature of Hong Kong and whereas it is expedient to provide for the creation of stock and to enable the Colony of Hong Kong to take advantage of the provisions of the Acts of the Imperial Parliament entitled the Colonial Stocks Acts, 1877 to 1948, and any Act amending the same:

Now therefore be it enacted by the Governor of Hong Kong with the advice and consent of the Legislative Council thereof—

(40 & 41
Vict. c. 59;
50 & 56
Vict. c. 35;
63 & 64
Vict. c. 62;
24 & 25
Geo. 5 c.
47; 12, 13
& 14 Geo.
6 c. 1).

Short title. 1. This Ordinance may be cited as the General Loan and Stock Ordinance, 1952.

Inter-pretation. 2. In this Ordinance, unless the context otherwise requires—
the expression "Crown Agents" means the persons for the time being acting as Crown Agents for the Colonies in England, or any of them;
the expression "stock" includes both inscribed and registered stock;
the expression "registered stock" means stock transferable by instrument in writing.

Loans to be raised by debentures or stock. 3. Whenever by any Ordinance authority shall have been given, or shall hereafter be given, to raise any sum of money for the purposes mentioned in such Ordinance, the Governor, or the Crown Agents acting on his behalf, may from time to time, as he or they may deem expedient, raise such sum either by debentures or by stock, or partly by debentures and partly by stock.

Loans to be a charge upon general revenue. 4. The principal moneys and interest represented by debentures or stock issued under the provisions of this Ordinance are hereby charged upon and shall be payable out of the general revenues and assets of the Colony of Hong Kong.

Borrowing upon debentures. 5. When the Governor, or the Crown Agents acting on his behalf, shall deem it expedient to raise money by debentures, such debentures shall be issued in the United Kingdom on behalf of the Government of Hong Kong by the Crown Agents, upon the best and most favourable terms that can be obtained, and shall be signed by any one of them on that behalf.

Amount of each debenture. 6. Every debenture issued under the provisions of this Ordinance shall be for the sum of not less than one hundred pounds sterling.

Debentures may be redeemed by annual drawings or by purchase in the market or on a date fixed. 7. The debentures shall be redeemable either—
(a) at par on a fixed date to be declared on the issue of the debentures such date not being later than sixty years from the date of issue:
Provided that the Governor, or the Crown Agents acting on his behalf, may reserve the option to redeem the debentures prior to such date on such conditions as may be declared at the time of issue; or

(b) by annual drawings at par or at the option of the Governor, or the Crown Agents acting on his behalf, by purchase at or below par.

8. There shall be attached to every debenture coupons for the payment of the interest to become due in each half-year upon the principal represented by the debenture. The coupons shall be sufficient in number to provide for the payment of the interest, either during the whole period for which the debenture has to run, or for such limited period as the Crown Agents, acting on behalf of the Government of Hong Kong may determine.

Interest coupons.

9. The debentures and the coupons thereto shall be in such form as the Governor, or the Crown Agents acting on his behalf, may direct or approve.

Form of debenture and coupons.

10. Every debenture and coupon, and the right to receive the principal and interest represented thereby, shall be transferable by delivery.

Debentures and coupons transferable by delivery.

11. Every debenture shall, before being issued, be registered in a register book to be kept for that purpose at the office in London of the Crown Agents.

Registry of debentures.

12. The interest upon the principal represented by each debenture shall run from the day named in that behalf in the debenture, and shall be paid half-yearly on the days named in that behalf in the debenture, at the office in London of the Crown Agents.

Payment of interest.

13. So long as any of the debentures remain outstanding, the Governor shall, in each half-year ending with the day on which the interest on the debentures falls due, appropriate out of the general revenues and assets of the Colony of Hong Kong a sum equal to one half year's interest on the whole of the debentures issued, including any which may have been redeemed, but exclusive of any which may have been at any time exchanged for stock, and shall remit that sum to the Crown Agents at such time as will enable them to pay thereout the then current half-year's interest on the day on which it falls due. Debentures shall not be deemed to be outstanding for the purpose of this Ordinance by reason only that one or more of the debentures have not been presented for payment on the day appointed for payment and have, in consequence, not been paid.

Mode of providing for payment of interest on debentures.