

(2) The supervisor and principal shall ensure that no instruction is given in the use of tools or the operation of machines or in science experiments except by a responsible teacher.

Consent for installation.

22. No machinery or machine tools shall be installed or used in a school workshop except in accordance with the written consent of the Director.

Plan of layout.

23. Wherever it is desired to install any machinery or machine tools in a school workshop the supervisor shall submit to the Director a plan of the proposed layout of the workshop.

Limit on number of pupils.

24. The Director may limit the number of pupils who may at any one time receive instruction in any school workshop or science laboratory.

Master switches.

25. In any school workshop in which machinery is installed there shall also be installed remote control switches whereby the teacher may stop all machines.

Maintenance and suitability.

26. All machinery, machine tools, hand tools and other equipment in a school workshop or science laboratory shall be suitable for the courses and shall be maintained in proper working order.

Presence of teacher.

27. No pupil shall be permitted to enter any school workshop or science laboratory unless a teacher is present.

Number of pupils.

28. Not more than 20 pupils may be taught in a school workshop at the same time by any one teacher without the approval of the Director.

Workshops.

29. Every school workshop in which power machinery is installed shall contain windows on opposite sides of the workshop and the total area of such windows shall be not less than 1/8th of the floor space of the workshop.

Lighting.

30. Machines and work-benches shall be in such positions that they are adequately lighted.

Storage of poisons and dangerous substance.

31. No poisonous or dangerous substance shall be kept without the permission of the Director in any place in school premises except in a science laboratory or a store room that has been approved in writing for such purpose by the Director.

Appointment of teacher in charge of laboratory or store room.

32. The principal of every school shall appoint a teacher to be in charge of every science laboratory and store room which has been approved by the Director under regulation 31.

33. A teacher who is appointed under regulation 32 to be in charge of a science laboratory or a store room shall—

(a) cause every poisonous substance and dangerous substance in such laboratory or store room—

(i) to be kept in a proper container clearly marked with the name of the substance, and with the word "Dangerous" or any word or words of similar meanings; and

(ii) to be stored in a locked room or cupboard, except when the substance is being used for the purpose of a lawful experiment in practical science which is carried out under the control of a teacher; and

(b) keep the key to such locked room or cupboard in his control.

PART VI.

FIRE PRECAUTIONS.

34. (1) Any officer of the Fire Services Department may at all reasonable times enter and inspect any school premises.

(2) No person shall obstruct an officer of the Fire Services Department in the exercise of his powers under paragraph (1).

35. (1) Any officer of the Fire Services Department may at all reasonable times enter and inspect—

(a) any premises in or in part of which a school is operated; and
(b) any premises in the neighbourhood of any school premises,

if it appears to such officer that a risk of fire to the school premises may arise in such other premises.

(2) No person shall obstruct an officer of the Fire Services Department in the exercise of his powers under paragraph (1).

36. Officers of the Fire Services Department shall report to the Director on the fire precautions available and may make recommendation as to any further precaution necessary to preclude danger from fire.

37. The Director may by notice in writing require the installation of any apparatus or equipment necessary as a safeguard against fire or the implementation of any other steps recommended by the officers of the Fire Services Department and within a period to be specified in such notice the management committee shall comply therewith.

Duties of teacher in charge of laboratory or store room.

Fire officers may inspect school premises.

Fire officers may inspect buildings in neighbourhood of schools if fire risk suspected.

Reports thereon.

Notice requiring safety equipment against fire.

Fire drills,
exits.

38. (1) The principal of every school shall draw up a practical scheme for the evacuation of the school premises in case of fire, shall ensure that fire drill including the use of all exits from the school premises is carried out by the teachers and pupils at least once in every month, and shall keep a written record of all such drills in a school log book. The written record shall record the time taken to evacuate the school premises during the monthly fire drill.

(2) The principal of every school shall ensure that exits from all classrooms and the school premises are free from obstruction at all times.

Extinguishers.

39. The principal of every school shall ensure that all fire extinguishers in the school premises are kept in good condition and re-charged annually.

PART VII.

HEALTH AND SANITATION.

Floor space.

40. (1) If the premises of a school—

- (a) were designed and constructed for the purposes of a school; or
- (b) not having been so designed and constructed, are in the opinion of the competent authority for the purposes of section 12 of the Ordinance nevertheless suitable for the purposes of a school having regard to the loading for which they were designed and constructed,

every classroom in the school premises shall have—

- (i) a floor space at least 5 feet in width for the use of the teacher, extending along the whole length of the wall in front of the pupils; and
- (ii) an area of floor space of not less than 10 square feet for each pupil in the classroom.

(2) If the premises of a school were not designed and constructed for the purposes of a school and are not, in the opinion of the competent authority for the purposes of section 12 of the Ordinance, suitable for the purposes of a school having regard to the loading for which they were designed and constructed, every classroom in the school premises shall have—

- (a) a floor space at least 5 feet in width for the use of the teacher, extending along the whole length of the wall in front of the pupils in the classroom;

- (b) if the classroom is to be used by pupils undergoing kindergarten or primary education, an area of floor space of not less than 10 square feet for each pupil; and
- (c) if the classroom is to be used by pupils undergoing secondary or post-secondary education or any other educational course, an area of not less than 12 square feet for each pupil.

(3) In calculating the area of floor space which is required for each pupil under paragraph (1)(ii) or under paragraph (2)(b) or (c)—

- (a) the floor space required for the use of the teacher under paragraph (1)(i) or under paragraph (2)(a); and
- (b) any area which appears to the Director to be unsuitable for any reason,

shall be excluded.

41. All classrooms and the blackboards therein shall be adequately illuminated and the blackboards shall be so placed as to cause the least eyestrain to the pupils and shall not have a surface that reflects light.

Blackboards to be adequately illuminated.

42. Every school shall provide adequate, open-air recreation to the satisfaction of the Director for its pupils.

Recreation for pupils.

43. (1) Every school shall be provided with latrine accommodation and sanitary arrangements of a type approved by the Director, which shall conform with the requirements of the First Schedule.

Latrines, etc.

First Schedule.

(2) Every room used for latrine accommodation shall—

- (a) be provided with an opening or openings into the external air having a total area of at least 1/10th of the area of the floor of the room;
- (b) at all times be kept in a clean and sanitary condition;
- (c) not be used for any other purposes;
- (d) have its floor and its walls to a height of not less than 3 feet rendered in cement, mortar or other suitable impervious material.

(3) In any school premises in which water closets are installed no other type of latrine accommodation shall be used.

(4) In every latrine not fitted with a flush system—

- (a) every pan shall have a capacity of at least 3 gallons; and

(b) every urinal vessel shall have a capacity of at least 4 gallons.

(5) In the premises of every co-educational school separate latrines and adequately screened approaches thereto shall be provided for each sex.

Improvements to sanitation.

44. The supervisor shall carry out such alterations and improvements to the sanitary arrangements in the school premises as may be required by the Director by notice in writing within a period specified in such notice.

Water supply.

45. An adequate and wholesome supply of water shall be provided in the premises of every school.

Ablutions.

46. (1) The premises of every school shall be equipped with adequate washing facilities for pupils and teachers.

(2) Every school in premises designed and constructed for the purposes of a school and providing secondary education shall, in addition, be equipped with adequate changing rooms and bathing facilities for the pupils and teachers concerned in such education, and such facilities shall be situated in close proximity to any gymnasium or other space used for physical education by such school.

Refreshment places.

47. Every shop, canteen, dining-room, kitchen or other place on the school premises where food or drink is prepared, provided or consumed shall be maintained in a clean and hygienic condition.

Cleaning and colour washing.

48. (1) All school premises shall be maintained in a clean and sanitary condition.

(2) The supervisor shall, if so required in writing by the Director, cause the whole or any part of the school premises to be suitably colour-washed or repainted.

Furniture and equipment.

49. All schools shall be provided with adequate and suitable furniture and equipment.

Print in text-books.

50. Text-books used in schools shall contain print of such a type and size as is calculated not to strain the eyes of pupils.

Smoking and spitting.

51. (1) No smoking shall be permitted in any classroom during school hours.

(2) Spitting is prohibited on school premises.

52. (1) The principal of a school shall at the request of a medical officer of schools or a school nurse permit the medical officer or nurse to examine the person and clothing of any pupil upon the school premises.

Medical examination of pupils.

(2) If on such examination a medical officer of schools is of the opinion that the person or clothing of any pupil is infected with vermin or is in a foul or filthy condition, he may require the supervisor to exclude such pupil from the school forthwith until such time as the person and clothing of the pupil have been cleansed to the satisfaction of a medical officer of schools.

53. (1) If a medical officer of schools certifies that any teacher, pupil, or employee should be excluded from school by reason of suffering or having recently suffered from any infectious disease or by reason of having been in contact with or living in the same house as a person suffering from an infectious disease, the supervisor shall, if so required in writing by the medical officer in charge of the school health services, cause such teacher, pupil, or employee to be excluded from school for such period as shall seem necessary.

Infectious diseases.

(2) The principal shall immediately report to a medical officer of schools any suspected or known case of infectious disease amongst teachers, pupils or employees of a school, or when he suspects or knows that any such person has been in contact with a case of infectious disease.

54. (1) The Director may require any person employed in a school as well as any teacher to submit to medical examination.

Medical examination of teachers, pupils and employees.

(2) The Director shall have power to require every teacher to submit to an X-Ray examination by a government radiologist once every year and may issue directions to teachers accordingly.

(3) The Director may require any pupil to submit to a medical examination.

55. (1) There shall be provided in the premises of every school at least one first aid box.

First aid.

(2) At least 2 teachers in every school shall be trained in administering first aid.

(3) First aid boxes must be fitted outside and adjacent to all science laboratories and school workshops. All science teachers, workshop instructors and their assistants must be familiar with the contents and their use.

(4) First aid boxes shall be maintained fully equipped at all times.

(5) The Director may require the provision of a suitable room for medical inspection and first aid in the premises of any school which has more than 100 pupils.

Boarding schools.

56. (1) In the premises of every boarding school a superficial dormitory area of at least 40 square feet shall be provided for each boarder and the ceiling of every dormitory shall be at least 10 feet above the floor.

(2) In every boarding school, at least one suitable room shall be set aside to be used solely as a sanatorium or sick room.

(3) No dormitory shall be in a tenement-house.

(4) In the premises of every boarding school—

(a) the dormitory accommodation;

(b) the washing and bathing arrangements;

(c) the messing and kitchen accommodation;

(d) the latrine accommodation and sanitary arrangements; and

(e) the area provided for open-air recreation,

shall be of adequate standard and properly maintained to the satisfaction of the Director.

(5) The latrine accommodation of every boarding school shall consist of water closets or of water closets and urinals connected to a flush system.

(6) The supervisor of every boarding school shall, if so required by the Director in writing, appoint a matron to be in charge of the boarders.

Medical examination in boarding schools.

57. (1) The supervisor of every boarding school shall ensure that every boarder is medically examined at least once in every 6 months.

(2) The examination shall be conducted by a registered medical practitioner, who shall report in writing to the supervisor on the general health of the boarders. The report shall also give the names of any of the boarders whose state of health is such as to demand special treatment and shall briefly state the nature of the treatment required.

(3) A copy of such report shall be transmitted forthwith by the supervisor to the Director.

PART VIII.

DISCIPLINE.

58. No teacher shall administer corporal punishment to a female pupil.

Corporal punishment of girls prohibited.

59. (1) No teacher shall administer corporal punishment to a male pupil except—

Corporal punishment of boys.

(a) with a light cane; and

(b) on the palms of the hands or on the buttocks over the clothing.

(2) Where there is more than one teacher in a school, no teacher shall administer corporal punishment to a male pupil unless—

(a) the teacher is the principal; or

(b) the principal has authorized the teacher to administer such punishment.

PART IX.

FEEES AND COLLECTIONS.

60. (1) The supervisor of every school shall submit to the Director when required by him particulars of the inclusive fee.

Fees and collections.

(2) Upon receipt of such particulars the Director shall cause the name of the supervisor, the name and address of the school, and the particulars of the inclusive fee to be published in the *Gazette*.

61. No supervisor, manager or teacher shall charge or accept payment of any money or any school fees whatsoever other than the inclusive fees as published in the *Gazette*:

Fees other than inclusive fee prohibited.

Provided that additional fees for entrance examinations and registration may be charged if previously approved by the Director in writing and if such approval is displayed upon the school notice board or at some other public place in the school premises.

62. Unless otherwise permitted in writing by the Director, the inclusive fee shall be collected either—

Method of payment.

(a) in 12 equal monthly payments to be made at the beginning of each of the months September to August inclusive; or

- (b) in 10 equal instalments payable on or after the first school day of each of the months September to June inclusive:

Provided that supervisors may if they wish require pupils to register for the new school year by paying their September instalment not earlier than the 1st August.

Formal receipts.

63. The payment of every sum of money by or on behalf of a pupil to a supervisor, manager or teacher shall be forthwith acknowledged in writing by such supervisor, manager or teacher on a proper form of receipt.

Accounts.

64. The supervisor of every school shall keep proper books of account. Such account books and vouchers for each item shall be available at all reasonable times for inspection by the Director or any inspector of schools.

Approval for change in fee.

65. No change in the inclusive fee shall be made without the written approval of the Director.

Prohibition of collections without permission of Director.

66. (1) No person shall in any school premises—
(a) appeal to any pupils of a school for subscriptions; or
(b) make any collection among any pupils of a school, without the permission in writing of the Director.

(2) No manager or teacher of a school shall in any way whatsoever—

- (a) appeal to any pupils of a school for subscriptions or permit any appeal to be made to or among any pupils of a school for subscriptions; or
(b) make any collection among any pupils of a school or permit any collection to be made by or among any pupils of a school,

without the permission in writing of the Director.

Duty to exhibit certificate.

67. In the premises of every school there shall be kept conspicuously exhibited a certificate, signed by the Director, setting out the inclusive fee for every class in the school. There shall be included in such certificate the following in both English and Chinese—

"No Supervisor, manager or teacher shall charge or
「校監、校董或教師，除收取或接受上
accept payment of any money or any school fees whatsoever
述指定之費用總額外，不得收取或接受任
other than the inclusive fee as above stated."
何金錢或任何學費。」。

PART X.

EDUCATIONAL REQUIREMENTS FOR REGISTERED AND PERMITTED TEACHERS, PRINCIPALS AND TEACHERS OF ENGLISH.

68. The qualifications for a registered teacher shall be the qualifications specified in Part I of the Second Schedule.

Qualifications for registered teachers.
Second Schedule, Part I.

69. The qualifications for a permitted teacher, other than a teacher to whom regulation 70 applies, shall be the qualifications specified in Part II of the Second Schedule.

Qualifications for permitted teachers.
Second Schedule, Part II.

70. The qualifications for a permitted teacher teaching English shall be the qualifications specified in Part III of the Second Schedule.

Qualifications for permitted teachers teaching English.
Second Schedule, Part III.

PART XI.

PUPILS' ASSOCIATIONS.

71. The Director shall keep a register of pupils' associations (hereinafter referred to in this Part as the register).

Register of pupils' associations.

72. (1) No person shall—

- (a) be a member of; or
(b) in any way promote or participate in the activities of; or
(c) in any way assist or encourage,

Pupils' associations to be registered.

any pupils' association which is not entered on the register under regulation 73 or in respect of which any condition imposed under regulation 73 has been contravened.

(2) If any pupil of a school contravenes paragraph (1), the principal and every teacher of the school shall be guilty of an offence unless he satisfies the court—

- (a) where the association is not entered on the register under regulation 73, that he did not know and had no reasonable means of knowing of the existence of the association or that as soon as he knew of its existence he reported that fact to the Director; or
(b) where the association has contravened any condition imposed under regulation 73, that he did not know and had no reasonable means of knowing that the association had contravened such condition or that as soon as

he knew that the association had contravened such condition he reported that fact to the Director.

73. (1) If any pupils' association desires to be entered in the register, the supervisor and principal of the school concerned shall first apply to the Director for his approval of the association.

(2) Where, upon any such application, the Director approves the association, he shall enter the name of the association in the register on such conditions, if any, as he may think fit to impose.

74. (1) The Director may, in his discretion, remove the name of any pupils' association from the register, at any time.

(2) Where, under paragraph (1), he removes the name of any pupils' association from the register, the Director shall notify the supervisor and principal of the school concerned.

PART XII.

SCHOOL MANAGEMENT COMMITTEES AND SUPERVISORS.

75. (1) The Director may, by notice in writing to the supervisor, require the managers of any school to prepare, execute and submit to him for his approval a written constitution in accordance with which the school shall be managed, and within a time to be specified in such notice the supervisor shall comply therewith.

(2) Every such constitution shall, unless the Director otherwise directs—

- (a) define the powers and duties of the managers, make adequate provision for the meetings of the managers, the voting and procedure at such meetings, the keeping of minutes and records thereof and any quorum which may be required;
- (b) define the powers and duties of the supervisor and of each other manager and of the principal;
- (c) provide for the holding and administration of the property of the school, the collection, banking and administration of its revenue and the keeping and audit of accounts; and
- (d) provide for such other matters in relation to the management of the school and the administration of the property and revenues of the school as the Director may specify in such notice.

Approval of pupils' associations, entry in register and power of Director to impose conditions.

Removal of pupils' associations from register.

Constitution of school management committees.

(3) The Director may require by notice to the supervisor any such constitution to be altered or amended, in such manner as he may specify, and such constitution shall be altered or amended accordingly by the managers.

(4) Every such constitution when approved by the Director shall be binding upon the school and the managers and teachers thereof and shall not be altered or amended without the prior approval in writing of the Director.

76. The appointment and dismissal of any member of the teaching staff of any school shall be determined by a majority vote of all the members of the management committee of that school.

77. The supervisor shall be responsible for issuing to all teachers letters of appointment which shall set out—

- (a) conditions of service;
- (b) salary scale; and
- (c) conditions of termination of appointment.

78. The supervisor shall be responsible for ensuring that the salaries of all teachers are paid in full when due.

PART XIII.

HOLIDAYS.

79. The supervisor shall send to the Director before the 15th August in each year notice of all holidays it is intended to give in the coming school year, including any special holidays given in honour of any particular event, and of all dates on which the usual work of the school will be suspended.

80. No holidays shall be given and the usual work of a school shall not be suspended except on a date mentioned in the notice given under regulation 79 or with the permission of the Director.

81. The Director may by notice in writing to the supervisor forbid the granting of a holiday on any specified day and the supervisor and principal shall thereupon ensure that the usual work of the school is continued on that day.

82. The Director may by notice in writing to the supervisor of any school require that a holiday shall be given on any day specified in such notice and the supervisor shall ensure that such holiday is given accordingly.

Majority vote in certain cases.

Appointment of teachers.

Salaries of teachers.

Notice of school holidays.

Restriction on holidays.

Director may disapprove.

Director may require grant of holiday.

List of holidays to be posted.

- 83.** (1) The supervisor of a school shall inform the principal of—
- all holidays of which the supervisor has given the Director notice as required under regulation 79;
 - any notice received from the Director under regulation 81 forbidding the granting of a holiday on any specified day; and
 - any notice received from the Director requiring that a holiday shall be given on any specified day.
- (2) The principal of a school shall cause to be posted at all times in a conspicuous place in the school premises a list specifying every holiday which is to be given in the current school year in accordance with this Part.
- (3) Every list required to be posted under paragraph (2) shall be signed by the principal and countersigned by the supervisor.

PART XIV.

GENERAL.

School name to be displayed.

- 84.** (1) At or near the entrance to the premises of every school there shall be prominently displayed a board or other form of notice bearing in conspicuous lettering the registered name of the school.
- (2) No name except the registered name of a school shall be—
- displayed on the school premises; or
 - used by the school,
- as being the name of the school.

Restriction on locking of entrances to and exists from schools.

- 85.** Except with the permission of the Director, no entrance to or exit from any school premises shall be locked at any time when any pupil who does not reside in the school premises is in the school premises.

Identification of rooms.

- 86.** At the entrance to every classroom there shall be a board or sign bearing an identification number or letter for such room.

Maximum number of pupils.

- 87.** In every classroom there shall be kept exhibited in a prominent place a notice specifying the maximum number of pupils permitted in that room, and no more than such maximum number shall be permitted in that room.

- 88.** Not more than 45 pupils shall be taught at one time by one teacher, except in special cases with the permission of the Director.

Size of classes.

- 89.** (1) No instruction shall be given by any school after 9 p.m. except with the permission of the Director.

Hours of instruction.

- (2) No instruction shall be given by any school during such hours as may be specified by the Director in respect of that school by notice in writing to the supervisor.

- 90.** A separate attendance register in a form approved by the Director shall be kept for each class.

Attendance registers.

- 91.** All schools shall be provided with apparatus, equipment and general facilities adequate for the courses of instruction to be given.

Equipment and educational facilities.

- 92.** (1) No instruction may be given by any school except in accordance with a syllabus approved by the Director.

Syllabus and time-table subject to approval of Director.

- (2) The supervisor of every school shall submit to the Director whenever so required by the Director the syllabus of instruction of each class for his approval.

- (3) The Director may give directions in writing to the supervisor of any school as to the instruction which shall be or shall not be included in any such syllabus.

- (4) Unless with the express permission of the Director in writing, military training by schools is prohibited.

- (5) The Director may by order prohibit—

- the presence of any specified document in school premises; and

- the use of any specified document by schools.

- (6) No person shall use any document for instruction in a class in any school unless particulars of the title, author and publisher of the document and such other particulars of the document as the Director may require have been furnished to the Director not less than 14 days previously.

- (7) The Director may give a direction in writing to the supervisor or to the principal of a school that a copy of any document particulars of which have been furnished to the Director in accordance with the provisions of paragraph (6) shall be deposited with the Director within such period as may be specified in the direction.

(8) The Director may give a direction in writing to the supervisor and to the principal of a school that from such date as may be specified in the direction a document specified in the direction shall not be used for instruction in any class in the school or in such class in the school as may be specified in the direction.

(9) No person shall use any document in contravention of an order made under paragraph (5) or of a direction given under paragraph (8).

(10) The Director may give directions in writing to the supervisor of any school in respect of the preparation of the time-table of work of any class and may require any supervisor to submit for his approval any such time-table.

(11) The time-table of each class shall be displayed in the classroom.

(12) The supervisor shall inform the Director of any change in the hours of school work.

93. No school shall provide courses of training for teachers except with the written permission of the Governor.

94. The supervisor shall submit to the Director, whenever required by the Director, such information concerning the school or pupils thereof as may be required by the Director.

95. (1) The Director may direct that no pupil or pupils other than a pupil or pupils residing on the school premises shall be on the school premises during such periods of time as the Director may specify.

(2) No pupil to whom a direction under paragraph (1) applies shall be on the school premises at any time during any period specified by the Director in such direction.

96. (1) If in the opinion of the Director the behaviour of any pupil is undesirable or improper or contrary to the good of the school or the other pupils, or if any pupil participates in processions, propaganda or political activities or in any dispute between an employer and his employees or in any disorderly assembly, he may, in his absolute discretion, require the supervisor and principal to expel such pupil from the school or to suspend him for such time and under such conditions as the Director may specify.

(2) Nothing in paragraph (1) shall prejudice the right of a principal or supervisor to expel or suspend a pupil from the school.

Permission required for school for teachers.

Information to be given concerning school and pupils.

Non-resident pupils.

Expulsion and suspension of pupils.

97. (1) No pupil who has been expelled from a school under regulation 96(1) shall enter or remain in the school premises without the permission of the Director.

(2) No pupil who has been suspended from a school under regulation 96(1) shall enter or remain in the school premises—

(a) during the period of his suspension; or

(b) in contravention of the conditions of his suspension, without the permission of the Director.

98. (1) No instruction, education, entertainment, recreation or propaganda or activity of any kind which, in the opinion of the Director, is in any way of a political or partly political nature and prejudicial to the public interest or the welfare of the pupils or of education generally or contrary to the approved syllabus, shall be permitted upon any school premises or upon the occasion of any school activity.

(2) No salutes, songs, dances, slogans, uniforms, flags, documents or symbols which, in the opinion of the Director, are in any way of a political or partly political nature shall be used, displayed or worn, as the case may be, upon any school premises or upon the occasion of any school activity except with the permission of the Director and in accordance with such conditions as he may see fit to impose.

99. (1) No person shall be allowed on school premises at any time for the purpose of teaching, examining or taking any part in the conduct of the school or classroom activities, or making any educational inspection or investigation, unless such person has received the written approval of the Director or is permitted there under the provisions of the Ordinance.

(2) No activity shall be allowed on any school premises other than the ordinary activities of a school without the permission of the Director and in accordance with such conditions as he may see fit to impose.

(3) No classes may be held nor any tuition given on school premises during holidays, or out of normal school hours, without the prior permission in writing of the Director.

100. A copy of the Ordinance and these regulations shall be kept in an accessible place in the premises of every school and shall be readily available to all school staff for reference.

101. (1) Any person who contravenes regulation 31, 34(2), 35(2), 66(1), 72(1), 85, 88, 89(1), 92(1), (6) or (9) or 99(1) or (3) shall be guilty of an offence.

Expelled or suspended pupil not to enter school premises without permission.

Political propaganda and symbols.

Unauthorized persons on school premises and use of school premises for unauthorized purposes.

Copy of Ordinance and regulations.

Offences.

(2) Any registered manager of a school who contravenes regulation 61, 63 or 66(2) shall be guilty of an offence.

(3) If regulation 10, 22, 37, 62, 65, 84(1) or (2) or 93 is contravened in respect of any school, the registered managers of the school shall each be guilty of an offence.

(4) Any supervisor of a school who contravenes regulation 21(1) or (2), 53(1), 61, 63, 64, 77, 79, 81, 82, 83(1) or (3) or 92(2) or (12) shall be guilty of an offence.

(5) Any principal of a school who contravenes regulation 21(2), 32, 39, 52(1), 53(2) or 83(2) or (3) shall be guilty of an offence.

(6) If regulation 16, 31, 34(2), 47, 48(1), 80, 85, 88, 89, 90, 92(1), (4), (6) or (9), 95(2) or 99(2) or (3) is contravened in respect of any school, the supervisor and principal of the school shall each be guilty of an offence.

(7) Any teacher who contravenes regulation 33, 58, 59, 61, 63 or 66(2) shall be guilty of an offence.

(8) Any pupil of a school who contravenes regulation 95(2) or 97 shall be guilty of an offence.

Penalties. **102.** Any person who is guilty of an offence under these regulations shall be liable upon conviction to a fine of \$2,000 and to imprisonment for one year.

Forms.
Third Schedule. **103.** The forms in the Third Schedule are prescribed for the purposes of the Ordinance.

Revocation.
(Cap. 279, sub. leg.) **104.** The Education Regulations are revoked.

FIRST SCHEDULE. [reg. 43.]

LATRINES AND URINALS IN SCHOOL PREMISES OTHER THAN BOARDING SCHOOL PREMISES.

1. For latrines and urinals connected to a flush system the requirement shall be—

- (a) For boys—
One pan and 2 urinals for every 30 pupils. Where urinals are not provided one pan shall be provided for every 20 pupils.
- (b) For girls—
One pan for every 20 pupils.

2. For latrines and urinals not connected to a flush system the requirements shall be—

- (a) For boys—
One pan and 2 urinals for every 30 pupils.
- (b) For girls—
One pan for every 20 pupils.

LATRINES AND URINALS IN BOARDING SCHOOL PREMISES.

1. For latrines and urinals connected to a flush system the requirements shall be—

- (a) For boys—
One pan and one urinal for every 15 boarders.
- (b) For girls—
One pan for every 15 boarders.

Note: For the purpose of this Schedule, "urinal" means a separate urinal vessel or a trough not less than 18 inches long.

SECOND SCHEDULE.

PART I. [reg. 68.]

QUALIFICATIONS FOR A REGISTERED TEACHER.

- (1) An approved degree of either the University of Hong Kong, or of The Chinese University of Hong Kong, together with an approved teacher's diploma, certificate, or like qualification to teach;
- (2) a degree in education of either the University of Hong Kong or of The Chinese University of Hong Kong;
- (3) an approved degree of either the University of Hong Kong, or of The Chinese University of Hong Kong, and 3 years approved teaching experience;
- (4) a teacher's certificate issued by the Hong Kong Government;
- (5) a Hong Kong Government normal school certificate and 5 years approved teaching experience;
- (6) a Hong Kong Government evening institute teacher's certificate and 5 years approved teaching experience;
- (7) a certificate of status as "Qualified Teacher" issued by the Hong Kong Education Department to a teacher who has completed an approved course of training and passed a written and practical test, and 5 years approved teaching experience;
- (8) any other educational training and experience which in the opinion of the Director is equivalent to the qualifications specified in paragraph (1), (2), (3), (4), (5), (6) or (7); or

- (9) (a) 10 years approved teaching experience and one or more Hong Kong Certificates of Education with an aggregate of 5 separate subjects at Grade E or a higher grade, including—
- (i) English Language in the Hong Kong Certificate of Education (English), or of a standard which in the opinion of the Director is equivalent to Grade E or a higher grade in that Certificate; or
 - (ii) Chinese Language;
- (b) 10 years approved teaching experience and one or more Hong Kong Certificates of Education with an aggregate of 4 separate subjects, 2 of which are at Grade C or a higher grade and the other 2 of which are at Grade E or a higher grade, including—
- (i) English Language in the Hong Kong Certificate of Education (English), or of a standard which in the opinion of the Director is equivalent to Grade E or a higher grade in that Certificate; or
 - (ii) Chinese Language;
- (c) 10 years approved teaching experience and any educational training which in the opinion of the Director is equivalent to the other qualifications specified in sub-paragraph (a) or (b); or
- (d) 10 years approved teaching experience and a Hong Kong English School Certificate, a Hong Kong Chinese School Certificate, or a Hong Kong School Certificate.

For the purposes of this Part—

- (a) "approved" means approved by the Director;
- (b) a subject is not separate from another subject by reason only that instruction in the first subject is given in a different language to that in which instruction in the second subject is given.

PART II. [reg. 69.]

QUALIFICATION FOR A PERMITTED TEACHER, OTHER THAN A TEACHER
WHO IS PERMITTED TO TEACH ENGLISH.

- (1) The qualifications (other than 10 years approved teaching experience) specified in paragraph (9)(a), (b) or (d) of Part I; or
- (2) any other educational training which in the opinion of the Director is equivalent to the qualifications specified in paragraph (1).

PART III. [reg. 70.]

QUALIFICATIONS FOR A PERMITTED TEACHER WHO IS
PERMITTED TO TEACH ENGLISH.

The qualifications specified in paragraph (1) or (2) of Part II and—

- (1) Grade E or higher grade in English Language in the Hong Kong Certificate of Education (English) Examination;

- (2) a pass in English Language in the Hong Kong English School Certificate, the Hong Kong Chinese School Certificate, or the Hong Kong School Certificate; or
- (3) a knowledge of English of a standard which in the opinion of the Director is equivalent to Grade E in English Language in the Hong Kong Certificate of Education (English).

THIRD SCHEDULE. [reg. 103.]

FORMS.

FORM 1. [s. 11.]
表格第一款 (條例第十一款)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

APPLICATION FOR REGISTRATION OF A SCHOOL.
學校註冊申請書

Address for correspondence
通訊地址

Telephone Number
電話號數

Date
日期

The Director of Education,
Education Department,
Hong Kong.

謹致香港教育司，
逕啟者：

1. I, (Mr./Mrs./Miss):

一、本人(先生/夫人/小姐)

(Name in English)
(英文姓名)

(Name in Chinese)
(中文姓名)

(Residential Address)
(住址)

(Approval Number)
(認可編號)

being approved under section 24(1) of the Education Ordinance 1971 to be
經根據一九七一年教育條例第二十四款第(一)段認可為
a manager, request you to register the undermentioned school.
校董，茲申請准將下述學校註冊。

2. Particulars of school—
二、學校之詳細情節——

(a) Proposed registered name of school

(甲) 擬註冊之校名

(in English)

(英文)

(in Chinese)

(中文)

(b) Description of school, i.e.

(乙) 學校種類，即

- (i) day school;
日校
(ii) evening school; or
夜校；或
(iii) correspondence course.
函授學校。

(c) Method of operation, i.e.

(丙) 授課方式，即

- (i) one sessional; or
全日一部制；或
(ii) two sessional.
上下午二部制。

(d) Type of pupils, i.e.

(丁) 學生種類，即

- (i) male;
男生
(ii) female; or
女生；或
(iii) combined.
男女同校。

(e) Type of education, i.e.

(戊) 教育類型，即

- (i) kindergarten;
幼稚園
(ii) primary;
小學
(iii) secondary;
中學
(iv) post secondary; or
專上學院；或
(v) other educational course.
其他教育課程。

(f) Premises in which school is to be operated

(己) 開設學校之樓宇

(i)

(ii)

(iii)

(iv)

(g) Name and address of landlord of premises in which school is to be operated

(庚) 校舍各樓宇業主之姓名及地址

(i) of

現居於

(ii) of

現居於

(iii) of

現居於

(iv) of
現居於

(h) Name and address of tenant of premises in which school is to be operated

(辛) 校舍各樓宇承租人之姓名及地址

(i) of

現居於

(ii) of

現居於

(iii) of

現居於

(iv) of

現居於

(i) Inclusive fee per pupil per year (to be collected in 10 or 12 instalments)

(壬) 學生每人全年所繳費用(分十期/十二期繳交) made up as follows—
共為 元，詳細數額如下：——

	Kinder- garten 幼稚園	Primary 小學	Secondary 中學	Post Secondary 專上學院	Other Courses 其他課程
Tuition fee per instalment 每期學費					
Incidentals per instalment 每期雜費					

3. I attach applications from the following approved managers for registration as managers of the school—
三、茲將下列認可校董請求註冊為本校校董之申請書附呈——

(a) Name (Mr./Mrs./Miss):

(甲) 姓名(先生/夫人/小姐)

(in English)

(英文)

(in Chinese)

(中文)

Approval Number

認可編號

(b) Name (Mr./Mrs./Miss):

(乙) 姓名(先生/夫人/小姐)

(in English)

(英文)

Application to be
用表格第六
completed on
款填寫申請
Form 6.
書。

(in Chinese)
(中文)

Approval Number
認可編號

(c) Name (Mr./Mrs./Miss):

(丙) 姓名(先生/夫人/小姐)

(in English)
(英文)

(in Chinese)
(中文)

Approval Number
認可編號

(d) Name (Mr./Mrs./Miss):

(丁) 姓名(先生/夫人/小姐)

(in English)
(英文)

(in Chinese)
(中文)

Approval Number
認可編號

(e) Name (Mr./Mrs./Miss):

(戊) 姓名(先生/夫人/小姐)

(in English)
(英文)

(in Chinese)
(中文)

Approval Number
認可編號

4. I recommend Mr./Mrs./Miss

四、本人茲推薦 先生/夫人/小姐
to be the supervisor of the school.
為本校校監。

5. It is proposed that the following registered teachers will be
五、茲擬聘任下列檢定教員為本校
employed in the school—
教師—

Name (Mr./Mrs./Miss) 姓名(先生/夫人/小姐)		Residential address 住址	Registration number 註冊號數	Proposed monthly salary 擬給月薪
in English 英文	in Chinese 中文			

See NOTE 1.
參閱附註一

6. I attach applications for permission to employ the following
六、本人茲將本校擬聘任下列人士為准用
persons in the school as permitted teachers—
教員之申請書附呈—

Name (Mr./Mrs./Miss) 姓名(先生/夫人/小姐)	
in English 英文	in Chinese 中文

7. I attach—

七、本人茲附呈—

(a) the proposed syllabus for each class of the school; and

(甲)本校各級擬採用之課程表，及

(b) the weekly time table for each class of the school.

(乙)本校各級每週上課之時間表。

8. I attach three copies of a plan/diagram (specifying dimensions)

八、本人茲附呈本校校舍之圖則/圖式三份
of the premises in which the school is to be operated.

(註明尺寸)。

9. I attach the certificates and notices required under section 11(b)(ii)

九、本人茲附呈根據教育條例第十一款(乙)段第(二)節所需之
of the Ordinance.

證明書及通知書。

10. The contents of this application are true and complete to the best

十、據本人所知，本申請書內所填報各項均屬
of my knowledge and belief.

詳盡及確實無訛。

(Signed)

申請人簽署

NOTE 1. The person recommended should be one of the applicants for
附註一 所推薦之人士必須係申請註冊為該
registration as managers of the school.
校董者之一。

NOTE 2. Delete if the premises in which the school is to be operated
附註二 如用以開設該校之樓宇在設計及建築方面均係
are designed and constructed for the purposes of a school.
供作校舍用途者，則可將此段刪去。

Applications to be
用表格第十款或
completed on
第十一款填寫申
Form 10 or 11.
請書，視何者適
as appropriate.
合而定。

See NOTE 2.
參閱附註二

WARNING.

警告

1. Attention is drawn to the provisions of the Education Ordinance
一、申請人必須注意一九七一年教育條例之規定，下
1971 and particularly to—
列規定尤應注意——

(a) Section 14—
(甲)第十四款——

"The Director may refuse to register a school if it
「教育司如認為有下述情形者，得拒絕將
appears to him—
任何學校註冊——

(n) that in or in connexion with the application for
在註冊申請書內或與該申
registration any statement has been made or infor-
請書有關之任何方面，所
mation has been furnished which is false in any
作之陳述或所提供之資料中
material particular or by reason of the omission of
有任何重要事項係屬填報失實
any material particular;" and
或遺漏不報者；」；及

(b) Section 87(1)—
(乙)第八十七款第(一)段——

"Any person who—
「無論何人，如——

(k) in or in connexion with any application under this
根據本條例所提出之任何申請書內或
Ordinance makes any statement or furnishes any
與該申請書有關之任何方面，用書面
information, whether such statement or information
或口頭作任何陳述或提供任何資料，但
be verbal or written, which is false in any material
該項陳述或資料中有任何重要事項係
particular and which he knows or reasonably ought
屬失實，而該人係明知或有理由應知
to know is false in such particular,
其為失實者，

shall be guilty of an offence and shall be liable on conviction
即屬違法，一經定罪，可被判罰款
to a fine of twenty-five thousand dollars and to imprisonment
二萬五千元及監禁兩年。」。
for two years."

2. Registration or provisional registration of a school does not
二、學校之註冊或臨時註冊，並不能豁免校
release the owners or managers or any other person from compliance
主、校董或任何其他人士遵守建築物條例或
with any requirement of the Buildings Ordinance or any other Ordinance
其他與學校有關條例之規定，同時亦絕不能

relating to the school, nor does it in any way affect or modify any agree-
對開設該校所用樓宇之合約或契約有所影
ment or covenant relating to any premises in which the school is to be
響或更改。
operated.

FORM 2. [s. 18(1).]
表格第二款 (條例第十八款第(一)段)

EDUCATION ORDINANCE 1971.
一九七一年教育條例

(Registration Number)
註冊號數

CERTIFICATE OF REGISTRATION OF A SCHOOL.
學校註冊證明書

1. I certify that the undermentioned school is registered under
一、茲證明下述學校經根據一九七一年教
section 13 of the Education Ordinance 1971—
育條例第十三款之規定註冊——

Registered name of school: (in English)
學校之註冊名稱：(英文)
(in Chinese)
(中文)

2. The premises in which the school may be operated are—
二、可用以開設該校之樓宇如下——

(i)
(ii)
(iii)
(iv)

as more particularly shown and described on Plan No.
其詳情已在圖則第
deposited with and approved by me.
號內填明。該圖則經本人批准，現由本人保存。此證。

.....
Director of Education.
教育司

Hong Kong, 19.....
香港 一九 年 月 日

WARNING.
警告

Registration of a school does not release the owners or managers or
學校之註冊，並不能豁免校主、校董或任何
any other persons from compliance with any requirement of the Buildings
其他人士遵守建築物條例或其他與學校有

Ordinance or any other Ordinance relating to the school, nor does it in
 關條例之規定，同時亦絕不能對開設該校所
 any way affect or modify any agreement or covenant relating to any
 用樓宇之合約或契約有所影響或更改。
 premises in which the school is operated.

FORM 3. [s. 18(1).]
 表格第三款 (條例第十八款第(一)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

(Provisional Registration Number)
 臨時註冊號數

CERTIFICATE OF PROVISIONAL REGISTRATION OF A SCHOOL.

學校臨時註冊證明書

1. I certify that the undermentioned school is registered provisionally
 一、本人茲證明下述學校經根據一九七一年
 under section 15 of the Education Ordinance 1971—
 教育條例第十五款之規定臨時註冊——

Registered name of school: (in English)
 學校之註冊名稱：(英文)
 (in Chinese)
 (中文)

2. The premises in which the school may be operated are—
 二、可用以開設該校之樓宇如下——

- (i)
 (ii)
 (iii)
 (iv)

as more particularly shown and described on Plan No.
 其詳情已在圖則第
 deposited with and approved by me.
 號內填明。該圖則經本人批准，現由本人保存。

3. This certificate is valid only until the
 三、本證明書之有效期間僅至 一九 年 月 日
 day of 19.....
 為止。此證。

Director of Education,
 教育司

Hong Kong, 19.....
 香港 一九 年 月 日

WARNING.

警告

Provisional registration of a school does not release the owners or
 學校之臨時註冊，並不能豁免校主、校董
 managers or any other person from compliance with any requirement of
 或任何其他人士遵守建築物條例或其他與
 the Buildings Ordinance or any other Ordinance relating to the school, nor
 學校有關條例之規定，同時亦絕不能對開設
 does it in any way affect or modify any agreement or covenant relating
 該校所用樓宇之合約或契約有所影響或更
 to any premises in which the school is operated.
 改。

FORM 4. [s. 23.]
 表格第四款 (條例第二十三款)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

APPLICATION FOR APPROVAL TO BE A MANAGER.

請求認可為校董申請書

Signed full face
 在此貼上申請
 photograph of applicant
 人簽署之正面
 to be affixed here.
 半身照片

Address for correspondence
 通訊地址

Telephone Number
 電話號數

Date
 日期

The Director of Education,
 Education Department,
 Hong Kong.

謹致香港教育司，
 逕啟者：

1. I forward the following particulars of myself and request you
 一、茲將本人之詳細情節開列如下，並請准
 to approve me to be a manager.
 予認可本人為校董。

2. Particulars—

二、詳細情節——

- (a) Name (Mr./Mrs./Miss):
姓名(先生/夫人/小姐)
(in English)
(英文)
(in Chinese)
(中文)
- (b) Aliases
別名
- (c) Residential Address
住址
- (d) Identity Card Number
身份證號數
- (e) Date of birth
出生日期
- (f) Place of birth
出生地點
- (g) Particulars of education
學歷詳情
- (h) Experience in or knowledge of educational matters
有關教育方面之經驗或知識
.....
.....
- (i) Occupation
職業
- (j) Other relevant information
其他有關資料
.....
.....

See NOTE 1.
參閱附註一

3. I affix above a signed full face photograph of myself and
三、本人已在上面貼上經簽署之本人正面半身照片一
attach two signed copies of such photograph to this application.
張，並隨同本申請書夾附本人簽署之同樣照片兩張。

See NOTE 2.
參閱附註二

4. The following persons who are/are not aware of the statements
四、關於本人之品格以及是否適合為校董等情，請向下
made on this form may be referred to as regards my character and suit-
列兩位諮詢人查詢。該兩位諮詢人，對本表格內所陳各節均
ability to be a manager—
已知悉/並未知悉。

- (a) Name (Mr./Mrs./Miss)
(甲) 姓名(先生/夫人/小姐)
Address
地址

Occupation
職業

- (b) Name (Mr./Mrs./Miss)
(乙) 姓名(先生/夫人/小姐)
Address
地址
Occupation
職業

5. The contents of this application are true and complete to the
五、據本人所知，本申請書內所填報各項，均屬詳盡及
best of my knowledge and belief.
確實無訛。

(Signed)
申請人簽署

NOTE 1: If the applicant has been convicted of a criminal offence
附註一 申請人倘曾被判犯有刑事罪而致有損其品格，
affecting his character, or has been refused previously approval
或會遭拒絕認可為校董，或會遭拒絕註冊為校
to be a manager, registration as a manager or teacher, or a
董或教員，或遭拒絕發給准用教員之暫准教學
permit to teach as a permitted teacher, or has had his approval
許可證，或會遭當局將其認可校董之資格撤回，
to be a manager withdrawn or his registration as a manager
或將其校董或教員之註冊或准用教員之暫准教
or teacher or his permit to teach as a permitted teacher can-
學許可證取消者，必須將該事之詳細情形據實
celled, the full circumstances of such matter must be disclosed.
填報。

NOTE 2: Two referees are required. They must be persons of standing,
附註二 申請人必須有諮詢人兩名，該兩名諮詢
e.g. members of the Executive or Legislative Council, Justices
人必須為有地位人士，例如行政局或立
of the Peace, barristers-at-law, solicitors, ministers of religion,
法局議員，太平紳士，大律師，律師，
chartered or incorporated accountants, persons on the list of
教士，特許會計師，特別陪審員名單內
special jurors, registered teachers, doctors or dentists, etc., and
之人士，檢定教員，醫生或牙醫等，且
must have known the applicant well for at least three years.
須熟識申請人最少三年。

WARNING.
警告

Attention is drawn to the provisions of the Education Ordinance 1971
申請人必須注意一九七一年教育條例之規定，下列規
and particularly to—
定尤應注意——

(a) Section 25—
(甲) 第二十五款

"The Director may refuse to approve an applicant to be
「教育司在下述情形得拒絕核准任何申請人
a manager if it appears to him that the applicant—
為校董，此即在其認為該申請人——

- (k) in making or in connexion with any application—
於申請或涉及申請——
- (i) for approval to be a manager;
認可為校董時；或
 - (ii) for registration of a school;
將學校註冊時；或
 - (iii) for registration as a manager or a teacher; or
註冊為校董或教員時；或
 - (iv) to employ a person as a permitted teacher in
准予聘用任何人士在校為准用
a school,
教員時，
has made any statement or furnished any informa-
所作之陳述或所提供之資料中
tion which is false in any material particular or by
有任何重要事項係屬填報失實
reason of the omission of any material particular.”;
或遺漏不報者。」；
and
及

(b) Section 87(1)—
(乙) 第八十七款第一(一)段

"Any person who—
「無論何人，如——

- (k) in or in connexion with any application under this
根據本條例所提出之任何申請書
Ordinance makes any statement or furnishes any
內或與該申請書有關之任何方面，
information, whether such statement or information
用書面或口頭作任何陳述或提供任
be verbal or written, which is false in any material
何資料，但該項陳述或資料中有任
particular and which he knows or reasonably ought
何重要事項係屬失實，而該人係明
to know is false in such particular,
知或有理由應知其為失實者，

shall be guilty of an offence and shall be liable on conviction
即屬違法，一經定罪，可被判罰款
to a fine of twenty-five thousand dollars and to imprisonment
二萬五千元及監禁兩年。」。
for two years.”.

FORM 5. [s. 24(2).]
表格第五款 (條例第二十四款第(二)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

CERTIFICATE OF APPROVAL TO BE A MANAGER.

認可校董證明書

(Approval Number)

認可編號

I certify that
茲證明

whose photograph is affixed hereto, is approved under section 24(1) of the
其照片現已附貼於本證明書上，係經根據一九七一年教育條例第二十四款第(一)
Education Ordinance 1971 to be a manager.
段之規定，獲准認可為校董。此證。

Photograph
認可校
of approved
董照片
manager.

.....
Director of Education.
教育司

Hong Kong, 19.....
香港 一九 年 月 日

FORM 6. [s. 28.]
表格第六款 (條例第二十八款)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

APPLICATION FOR REGISTRATION AS A MANAGER OF A SCHOOL.

校董註冊申請書

Signed full face
在此貼上
photograph of
申請人
applicant to be
簽署之正面
affixed here.
半身照片

Address for correspondence
通訊地址

Telephone Number
電話號數

Date
日期

The Director of Education,
Education Department,
Hong Kong.
謹致香港教育司，
逕啟者：

1. I, being approved under section 24(1) of the Education Ordinance
一、本人經根據一九七一年教育條例第二十四款第
1971 to be a manager, forward the following particulars of myself, and
(一)段之規定獲准認可為校董。茲將本人詳細情節開列
request you to register me as a manager of the undermentioned school.
如下，並請准予註冊為下述學校之校董：

2. Particulars—
二、詳細情節——

(a) Name (Mr./Mrs./Miss):

(甲) 姓名(先生/夫人/小姐)

(in English)
(英文)

(in Chinese)
(中文)

(b) Residential Address
(乙) 住址

(c) Approval Number
(丙) 認可編號

(d) Name of school of which I wish to become a registered manager
(丁) 本人所擬擔任為其註冊校董之學校之名稱

(e) Address of school
(戊) 學校地址

(f) Special interest (if any) which I have in the school
(己) 本人與該校之特殊關係(如有此種關係者)

3. I am registered as a manager of the following other schools:

三、本人經註冊為下列其他各校之校董：

(i)
(ii)

4. I affix above a signed full face photograph of myself and attach
四、本人已在上面貼上經簽署之正面半身照片一張，茲並隨
two signed copies of such photograph to this application.
同本申請書夾附本人簽署之同樣照片兩張。

5. The contents of this application are true and complete to the best
五、據本人所知，本申請書內所填報各項，均屬詳
of my knowledge and belief.
盡及確實無訛。

(Signed)
申請人簽署

ENDORSEMENT.

批 註

See NOTE 1.
參閱附註一

The above-mentioned applicant is acceptable to us as a registered
茲接納上述申請人為申請書內所指學校/
manager of the school/proposed school referred to in the application.
擬辦學校之註冊校董。

Date (Signed)
日期 簽署

Date (Signed)
日期 簽署

Date (Signed)
日期 簽署

Date (Signed)
日期 簽署

NOTE 1: The endorsement should be signed by a majority of the manage-
附註一 如該校已註冊者，上述批註應由校董
ment committee in the case of a school which is registered, or
會過半數之校董簽署。如該校尚未註
by a majority of the proposed registered managers if the school
冊者，則由擬申請為註冊校董者之過
is not registered.
半人數簽署。

WARNING.

警告

Attention is drawn to the provisions of the Education Ordinance 1971
申請人必須注意一九七一年教育條例之規定，下列規
and particularly to—
定尤應注意——

(a) Section 30(1)—
(甲) 第三十款第(一)段

"The Director may refuse to register an applicant as a
「教育可在下述情形得拒絕將任何申請人註
manager of a school if—
冊為校董——

(d) it appears to the Director that in making or in
如教育司認為申請人於申請或
connexion with any application—
涉及申請——

- (i) for approval to be a manager;
認可為校董時；或
(ii) for registration of a school;
將學校註冊時；或
(iii) for registration as a manager or a teacher; or
註冊為校董或教員時；或
(iv) to employ a person as a permitted teacher in
准予聘用任何人士在校為准用教員
a school,

時，
the applicant has made any statement or furnished
所作之陳述或所提供之資料中
any information which is false in any material part-
有任何重要事項係屬填報失實
ular or by reason of the omission of any material
或遺漏不報者。」；
particular.”; and

及

(b) Section 87(1)—
(乙) 第八十七款第(一)段

"Any person who—
「無論何人，如——

(k) in or in connexion with any application under this
根據本條例所提出之任何申請書內或
Ordinance makes any statement or furnishes any
與該申請書有關之任何方面，用書面或
information, whether such statement or information
口頭作任何陳述或提供任何資料，但該
be verbal or written, which is false in any material
項陳述或資料中有任何重要事項係屬失
particular and which he knows or reasonably ought
實而該人係明知或有理由應知其為失實
to know is false in such particular,

者，

shall be guilty of an offence and shall be liable on conviction
即屬違法，一經定罪，可被判罰款二
to a fine of twenty-five thousand dollars and to imprisonment
萬五千元及監禁兩年。」。

for two years.”.

FORM 7. [s. 29(2).]
表格第七款 (條例第二十九款第(二)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

CERTIFICATE OF REGISTRATION AS A MANAGER OF A SCHOOL.

校董註冊證明書

I certify that
茲證明

whose photograph is affixed hereto, is registered under section 29(1) of
其照片現已附貼於本證明書上，係經根據一九七一年教育條例第二十九款第(一)
the Education Ordinance 1971 as a manager of the following school—
段之規定註冊為下述學校之校董。此證。

(a) Registered name of school: (in English)
(甲) 學校註冊名稱 (英文)

(in Chinese)
(中文)

(b) Address of school
(乙) 學校地址

Photograph of
註冊校董
registered
照片
manager.

.....
Director of Education.

教育司

Hong Kong, 19.....
香港 一九 年 月 日

FORM 8. [s. 44.]
表格第八款 (條例第四十四款)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

APPLICATION FOR REGISTRATION AS A TEACHER.

檢定教員註冊申請書

Signed full face
在此貼上申
photograph of
請人簽署之
applicant to be
正面半身照片
affixed here.

Address for correspondence
通訊地址

Telephone Number
電話號數

Date
日期

The Director of Education,
Education Department,
Hong Kong.

謹致香港教育司，
逕啟者：

1. I forward the following particulars of myself and request you
一、茲將本人之詳細情節開列如下，並請准
to register me as a teacher.
予本人註冊為教員。

2. Particulars—
二、詳細情節—

- (a) Name (Mr./Mrs./Miss):
姓名(先生/夫人/小姐)
(in English)
(英文)
(in Chinese)
(中文)
- (b) Aliases
別名
- (c) Marital status: Married/Single
婚姻狀況：已婚/未婚
- (d) (i) Maiden name
婚嫁前之姓名
(ii) Husband's name
丈夫姓名
- (e) Residential address
住址
- (f) Identity Card Number
身份證號數
- (g) Date of birth
出生日期
- (h) Place of birth
出生地點

See NOTE 1.
參閱附註一

(i) Places of education:
曾肄業之學校

Name of schools 學校 and 及 universities 大學名稱	Date of entry 入學日期 (month and year) (填明何年何月)	Date of leaving 離校日期 (month and year) (填明何年何月)
(i)		
(ii)		
(iii)		

(j) Educational qualifications (degrees, diplomas, certificates)
學歷資格 (學位、文憑、證書)

(k) Details of occupations, other than teaching, since completion of
離校後所曾從事教學以外之職業詳
education
情

(l) Details of all teaching experience:
教學經驗詳情

School 學校名稱	Date of commence- ment 任職日期 (month and year) (填明何年 何月)	Date of leaving 離職日期 (month and year) (填明何年 何月)	Classes taught 所教 班級	Subjects taught 所教 科目

See NOTE 2.
參閱附註二

(m) Other relevant information
其他有關資料
.....

See NOTE 3.
參閱附註三

3. The following persons who are/are not aware of the statements
三、關於本人之品格，請向下列兩位諮詢人查詢。該
made on this form may be referred to as regards my character;
兩位諮詢人對本表格內所陳各節均已知悉/並未知悉。

(a) Name (Mr./Mrs./Miss)
(甲) 姓名(先生/夫人/小姐)
Address
地址
Occupation
職業

(b) Name (Mr./Mrs./Miss)
(乙) 姓名(先生/夫人/小姐)
Address
地址
Occupation
職業

4. I affix above a signed full face photograph of myself and attach
四、本人已在上面貼上經簽署之正面半身照片一張，現並隨
two signed copies of such photograph to this application.
同本申請書夾附經簽署之同樣照片兩張。

5. I attach—
五、茲附呈
(a) a medical certificate as to my health; and
(甲) 本人體格檢驗證明書；及
(b) my educational certificates.
(乙) 學歷證書。

See NOTE 4.
參閱附註四

6. The contents of this application are true and complete to the
六、據本人所知，本申請書內所填報各項均
best of my knowledge and belief.
屬詳盡及確實無訛。

(Signed)
申請人簽署

NOTE 1: To be completed only if the applicant is a married, divorced
附註一 此項只供已婚、離婚或孀寡之女士填
or widowed woman.
寫。

NOTE 2: If the applicant has been convicted of a criminal offence
附註二 申請人倘曾被判犯有刑事罪而致有損其
affecting his character, or has been refused previously approval
品格，或曾遭拒絕認可為校董，或曾遭拒絕

to be a manager, registration as a manager or teacher, or a
註冊為校董或教員，或遭拒絕發給准用
permit to teach as a permitted teacher, or has had his approval
教員之暫准教學許可證，或曾遭當局將
to be a manager withdrawn or his registration as a manager or
其認可校董資格撤回，或將其校董或教員
teacher or his permit to teach as a permitted teacher cancelled,
之註冊或准用教員之暫准教學許可證取
the full circumstances of such matter must be disclosed.
消者，必須將該事之詳細情形據實填報。

NOTE 3: Two referees are required. They must be persons of standing,
附註三 申請人必須有諮詢人兩名。該兩名諮詢人
e.g. members of the Executive or Legislative Council, Justices
必須為有地位人士，例如行政局或立法局
of the Peace, barristers-at-law, solicitors, ministers of religion,
議員，太平紳士，大律師，律師，教士，特許
chartered or incorporated accountants, persons on the list of
會計師，特別陪審員名單內之人士，檢定
special jurors, registered teachers, doctors or dentists, etc., and
教員，醫生或牙醫等，並須熟識申請人最
must have known the applicant well for at least three years.
少三年。

NOTE 4: If educational certificates are not available at the date of the
附註四 如申請時不能繳出學歷證書者，可將
application, paragraph 5(b) may be deleted. However the
第五段(乙)節刪去，但申請人可能於日
applicant may be required to produce any such certificates at
後須補呈證書以憑審核。
a later date for inspection.

WARNING.

警告

Attention is drawn to the provisions of the Education Ordinance 1971
申請人必須注意一九七一年教育條例之規定，下列規
and particularly to—
定尤應注意——

(a) Section 46—
(甲)第四十六款

"The Director may refuse to register an applicant as a
「教育司可在下述情形得拒絕將申請人註冊為
teacher if it appears to him that the applicant—
教員，此即在其認為該申請人——

- (i) in making or in connexion with any application—
於申請或涉及申請
(i) for approval to be a manager;
認可為校董時；或

(ii) for registration as a manager or a teacher; or
註冊為校董或教員時；或

(iii) to employ a person as a permitted teacher in
准予聘用任何人士在校為准用教員
a school,

時，
has made any statement or furnished any informa-
所作之陳述或所提供之資料中
tion which is false in any material particular or by
有任何重要事項係屬失實或遺
reason of the omission of any material particular.”；
漏不報者。」；

and

及

(b) Section 87(1)—

(乙) 第八十七款第(一)段

“Any person who—

「無論何人，如——

(k) in or in connexion with any application under this
根據本條例所提出之任何申請書內或
Ordinance makes any statement or furnishes any
與該申請書有關之任何方面，用書面或
information, whether such statement or information
口頭作任何陳述或提供任何資料，但該
be verbal or written, which is false in any material
項陳述或資料中有任何重要事項係屬失
particular and which he knows or reasonably ought
實，而該人係明知或有理由應知其為失
to know is false in such particular,
實者，

shall be guilty of an offence and shall be liable on conviction
即屬違法，一經定罪，可被判罰款二
to a fine of twenty-five thousand dollars and to imprisonment
萬五千元及監禁兩年。」。
for two years.”.

FORM 9. [s. 45(2).]

表格第九款 (條例第四十五款第(二)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

CERTIFICATE OF REGISTRATION AS A TEACHER.

檢定教員註冊證明書

(Registration Number)

註冊號數

I certify that

茲證明

whose photograph is affixed hereto, is registered as a teacher under
其照片現已附貼於本證明書上，係根據一九七一年教育條例第四十五款第(一)
section 45(1) of the Education Ordinance 1971.

段之規定註冊為檢定教員。此證。

Photograph of
檢定
registered
教員
teacher.
照片

.....
Director of Education.

教育司

Hong Kong, 19.....

香港 一九 年 月 日

FORM 10. [s. 49(2).]

表格第十款 (條例第四十九款第(二)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

APPLICATION FOR PERMISSION TO EMPLOY AN UNREGISTERED TEACHER.

請求准予聘用非檢定教員申請書

PART I.

第一部份

(To be completed by the supervisor of the school in which it is desired to
(學校如欲聘請准用教員時，此部份應由監督填寫。如係
employ a person as a permitted teacher or, in the case of a proposed
正在申請註冊之學校，則本部份應由學校註冊申請人填
school, by the applicant for registration of the school.)
寫。)

Address for correspondence (see NOTE 1.)
通訊地址 (參閱附註一)

Telephone Number
電話號數
Date
日期

The Director of Education,
Education Department,
Hong Kong.

謹致香港教育司，
逕啓者：

1. I request permission to employ—
一、本人茲請求准予聘任——

Name (Mr./Mrs./Miss):
姓名(先生/夫人/小姐)
(in English)
(英文)
(in Chinese)
(中文)

as a permitted teacher in the School.
為准用教員，在 學校任教。

2. Proposed subjects to be taught by such person:	Proposed classes to be taken by such person:
二、擬教科目	擬教班級
(i)
(ii)
(iii)

3. Proposed monthly salary of such person:
三、擬支給該教員之月薪為

4. In my opinion, there is no suitable registered teacher available for
四、本人認為目前並無適當之檢定教員可
employment as a teacher in the school.
供本校任用。

5. The particulars relating to such person and set out in Part II of
五、據本人所知，在本表格第二部份所填
this form are true and complete to the best of my knowledge and belief.
報有關該人之詳細情節，均屬詳盡及確實無訛。

(Signed)
簽署 (Supervisor, or applicant
for registration of school).
(監督或學校註
册申請人)

PART II.
第二部份

(To be completed by the person to be employed as a permitted teacher.)
(此部份須由受聘為准用教員者填寫。)

Signed full face
在此貼上
photograph of
擬受聘教
proposed teacher to
員簽署之正面
be affixed here.
半身照片

1. I, the person referred to in Part I of this form, forward the
一、本人，即本表格第一部份所指之人，茲謹將本人之
following particulars of myself—
詳細情節開列如下——

- (a) Name (Mr./Mrs./Miss):
姓名(先生/夫人/小姐)
(in English)
(英文)
(in Chinese)
(中文)
- (b) Aliases
別名
- (c) Residential Address
住址
- (d) Identity Card Number
身份證號數
- (e) Marital status: Married/Single
婚姻狀況：已婚/未婚
- (f) (i) Maiden name
婚嫁前之姓名
(ii) Husband's name
丈夫姓名
- (g) Date of birth
出生日期
- (h) Place of birth
出生地點

See NOTE 2.
參閱附註二

(i) Places of education:
曾肄業之學校

Name of schools 學校 and 及 universities 大學名稱	Date of entry 入學日期 (month and year) (填明何年何月)	Date of leaving 離校日期 (month and year) (填明何年何月)
(i)		
(ii)		
(iii)		

(j) Educational qualifications (degrees, diplomas, certificates)
學歷資格 (學位、文憑、證書)(k) Details of occupations, other than teaching, since completion of
離校後所曾從事教學以外之職業
education
詳情(l) Details of all teaching experience:
教學經驗詳情:

School 學校名稱	Date of commence- ment 任職日期 (month and year) (填明何年 何月)	Date of leaving 離職日期 (month and year) (填明何年 何月)	Classes taught 所教 班級	Subjects taught 所教 科目

(m) Other relevant information
其他有關資料See NOTE 3.
參閱附註三2. The following persons who are/are not aware of the statements
二、關於本人之品格，請向下列兩位諮詢人查詢。該兩
made on this form may be referred to as regards my character:
位諮詢人對本表格內所陳各節均已知悉/並未知悉:See NOTE 4.
參閱附註四(a) Name (Mr./Mrs./Miss)
(甲) 姓名(先生/夫人/小姐)Address
地址Occupation
職業(b) Name (Mr./Mrs./Miss)
(乙) 姓名(先生/夫人/小姐)Address
地址Occupation
職業3. I affix above a signed full face photograph of myself and attach
三、本人已在上面貼上經簽署之正面半身照片一張，現並隨
three signed copies of such photograph to this form.
同本表格夾附經簽署之同樣照片三張。4. I attach—
四、茲附呈——(a) a medical certificate as to my health; and
(甲) 本人體格檢驗證明書；及(b) my educational certificates.
(乙) 學歷證書。See NOTE 5.
參閱附註五5. I am aware that if a permit to teach is issued in respect of the
五、本人明悉上述申請如獲批准，則所發給之暫准教學
above application, it will apply only to the school specified in paragraph 1
許可證只限本人在本表格第一部份第一段所指定之學校
of Part I of this form.
任教。6. The contents of this Part of this form are true and complete to
六、據本人所知，本申請書之本部份內所填報
the best of my knowledge and belief.
各項均屬詳盡及確實無訛。Date (Signed)
日期 簽署 (Proposed permitted teacher).
(擬受聘之准用教員)

NOTE 1: If the school is already registered, this should be the address
附註一 如學校經已註冊，此處應填寫該校地址。
of the school.

NOTE 2: To be completed only if the applicant is a married, divorced
附註二 此項只供已婚、離婚或孀寡之女士填寫。
or widowed woman.

NOTE 3: If the person completing Part II has been convicted of a
附註三 填寫本表格第二部份之人士，如曾被判犯有刑事
criminal offence affecting his character, or has been refused
罪而致有損其品格，或曾遭拒絕認可為校董，或
previously approval to be a manager, registration as a manager
曾遭拒絕註冊為校董或教員，或遭拒絕發給准
or teacher, or permit to teach as a permitted teacher, or has
用教員之暫准教學許可證，或曾遭當局將其認
had his approval to be a manager withdrawn or his registration
可校董資格撤回，或將其校董或教員之註冊或准
as a manager or teacher or permit to teach as a permitted
用教員之暫准教學許可證取消者，必須將該事之
teacher cancelled, the full circumstances of such matter must be
詳細情形據實填報。
disclosed.

NOTE 4: Two referees are required. They must be persons of standing,
附註四 申請人必須有諮詢人兩名，該兩名諮
e.g. members of the Executive or Legislative Council, Justices
詢人必須為有地位人士，例如行政局
of the Peace, barristers-at-law, solicitors, ministers of religion,
或立法局議員，太平紳士，大律師，律師，
chartered or incorporated accountants, persons on the list of
教士，特許會計師，特別陪審員名單內
special jurors, registered teachers, doctors or dentists, etc., and
之人士，檢定教員，醫生或牙醫等，並須
must have known the applicant well for at least three years.
熟識申請人最少三年。

NOTE 5: If educational certificates are not available at the date of the
附註五 如申請時不能繳出學歷證書者，簽
application, paragraph 4(b) of Part II of the form may be
署本表格第二部份之人士可將第二
deleted. However, the person signing Part II may be required
部份第四段(乙)節刪去，但可能於日
to produce any such certificates at a later date for inspection.
後須補呈證書以憑審核。

WARNING.

警告

Attention is drawn to the provisions of the Education Ordinance 1971
申請人必須注意一九七一年教育條例之規定，下列規
and particularly to—
定尤應注意——

(a) Section 51—

(甲) 第五十一款

“The Director may refuse to issue a permit to teach
「在下開情形，教育司得根據本條例第五十款第(一)段之規
under subsection (1) of section 50 in respect of any person—
定拒絕發給暫准教學許可證予任何人士——

(d) if it appears to the Director that the applicant or
倘教育司認為申請人
the person in respect of whom the application is
或申請書上所指之人
made has, in making or in connexion with any
士，於申請或涉及申請
application—

(i) for approval to be a manager;

認可為校董時；或

(ii) for registration as a manager or a teacher; or
註冊為校董或教員時；或

(iii) to employ a person as a permitted teacher in
准予聘用任何人士在校為准用教員
a school,

時，

made any statement or furnished any information
所作之陳述或所提供之資料中
which is false in any material particular or by reason
有任何重要事項係屬填報失實
of the omission of any material particular.”; and
或遺漏不報者。」；及

(b) Section 87(1)—

(乙) 第八十七款第(一)段

“Any person who—

「無論何人，如——

(k) in or in connexion with any application under this
根據本條例所提出之任何申請書內或
Ordinance makes any statement or furnishes any
與該申請書有關之任何方面，用書面或
information, whether such statement or information
口頭作任何陳述或提供任何資料，但該
be verbal or written, which is false in any material
項陳述或資料中有任何重要事項係屬失

particular and which he knows or reasonably ought
實，而該人係明知或有理由應知其為失
to know is false in such particular,
實者，

shall be guilty of an offence and shall be liable on conviction
即屬違法，一經定罪，可被判罰
to a fine of twenty-five thousand dollars and to imprisonment
款二萬五千元及監禁兩年。」。
for two years.”.

FORM 11. [s. 49(2).]

表格第十一款 (條例第四十九條第(二)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

APPLICATION FOR PERMISSION TO EMPLOY AN UNREGISTERED TEACHER
WHO HAS PREVIOUSLY BEEN EMPLOYED AS A PERMITTED TEACHER.

請求准予聘用曾為准用教員者作
非檢定教員申請書

(To be completed by the supervisor of the school in which it is desired
(學校如欲聘請准用教員，則本表格應由該校監督填寫。
to employ a person as a permitted teacher or, in the case of a proposed
如係正在申請註冊之學校，則本表格應由學校註冊申請
school, by the applicant for registration of the school.)
人填寫。)

Signed full face
在此貼上擬
photograph of
受聘教員簽
proposed teacher
署之正面半
to be affixed here.
身照片

Address for correspondence (see
通訊地址 (參閱附
NOTE 1.)
註一)
Telephone Number
電話號數
Date
日期

The Director of Education,
Education Department,
Hong Kong.

謹致香港教育司，
逕啟者：

1. I request permission to employ—

一、本人茲請求准予聘任下述人士——

Name known to Education Department:

其前經呈報教育司署之姓名

(Mr./Mrs./Miss)

(先生/夫人/小姐)

(in English)

(英文)

(in Chinese)

(中文)

Residential address

住址

Permitted Teacher Reference Number

准用教員編號

as a permitted teacher in the School.

為准用教員，在

學校任教。

2. Proposed subjects to
be taught by such
person:

二、擬教科目

(i)

(ii)

(iii)

Proposed classes to be taken
by such person:

擬教班級

3. Proposed monthly salary of such person:

三、擬支給該教員之月薪為

4. In my opinion, there is no suitable registered teacher available
四、本人認為目前並無適當之檢定教員可
for employment as a teacher in the school.

供本校任用。

5. I affix above a signed photograph of

五、本人已在上面貼上業經

簽署之

See NOTE 2.
參閱附註二

and attach two signed copies of such photograph to this form.

正面半身照片一張，現並隨同本表格夾附業經該人簽署
之同樣照片兩張。

(Signed)

簽署

(Supervisor, or applicant for
registration of school).

(監督或學校註冊申請人)

NOTE 1: If the school is already registered, this should be the address
附註一 如學校經已註冊，此處應填寫該校地址。
of the school.

NOTE 2: The photographs should be of the person in respect of whom
附註二 照片是指擬受聘為准用教員者之照片，並應由該
the permit to teach is sought, and should be signed by such
人簽署。
person.

WARNING.

警告

Attention is drawn to the provisions of the Education Ordinance 1971
申請人必須注意一九七一年教育條例之規定，下列規
and in particular to—
定尤應注意——

(a) Section 51—

(甲) 第五十一款

"The Director may refuse to issue a permit to teach
「在下開情形，教育司得根據本條例第五十
under subsection (1) of section 50 in respect of any person—
款第(一)段之規定拒絕發給暫准教學許可證予
任何人士——

(d) if it appears to the Director that the applicant or
倘教育司認為該申請人
the person in respect of whom the application is
或申請書上所指之人士，
made has, in making or in connexion with any
於申請或涉及申請——
application—

- (i) for approval to be a manager; or
認可為校董時；或
- (ii) for registration as a manager or a teacher; or
註冊為校董或教員時；或
- (iii) to employ a person as a permitted teacher in
准予聘用任何人士在校為准用教員
a school,

時，
made any statement or furnished any information
所作之陳述或所提供之資料中有任何重
which is false in any material particular or by reason
要事項係屬填報失實或遺漏不報者。」；
of the omission of any material particular."； and
及

(b) Section 87(1)—

(乙) 第八十七款第(一)段

"Any person who—

「無論何人，如——

(k) in or in connexion with any application under this
根據本條例所提出之任何申請書內或與
Ordinance makes any statement or furnishes any
該申請書有關之任何方面，用書面或口

information, whether such statement or information
須作任何陳述或提供任何資料，但該項陳
be verbal or written, which is false in any material
述或資料中有任何重要事項係屬失實，而
particular and which he knows or reasonably ought
該人係明知或有理由應知其為失實者，
to know is false in such particular,

shall be guilty of any offence and shall be liable on conviction
即屬違法，一經定罪，可被判罰款二萬五千元及
to a fine of twenty-five thousand dollars and to imprisonment
監禁兩年。」。
for two years.".

FORM 12. [s. 50(1).]

表格第十二款 (條例第五十款第(一)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

PERMIT TO EMPLOY AN UNREGISTERED TEACHER.

聘用非檢定教員許可證

(Permitted Teacher

准用教員

Reference Number

編號

The Supervisor,

..... School.

謹致 學校監督，

逕啟者：

(Copy to, the permitted teacher)

(此證副本交該准用教員 教執)

1. I hereby give permission to you to employ (Mr./Mrs./Miss)

一、茲特准許 台端聘用

....., whose photograph is affixed

(先生/夫人/小姐)(其照片現已附貼於

hereto, as a permitted teacher in the

本證上者)為准用教員，在

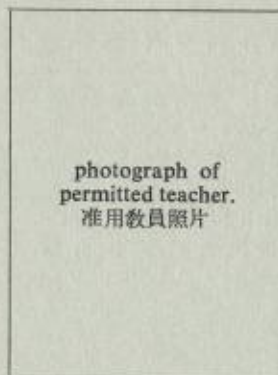
School only.

學校任教。

2. This permit is issued subject to the following conditions—

二、本證之發給係須受下述條件之限制——

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



.....
Director of Education.

教育司

Hong Kong, 19.....
香港 一九 年 月 日

FORM 13.

表格第十三款

[s. 74.]

(條例第七十四款)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

SCHOOL ATTENDANCE ORDER.

入學令

Whereas you, of
查 台端(姓名) 現居於 ,
the parent* of appear to be withholding
為 之家長*, 惟目前 台端
the child from attending primary school without any reasonable excuse.
似缺乏適當理由而不送該童進入小學肄業。

You are hereby required to cause the child within fourteen days from
茲特着令 台端須於本令發出之日起十四天內送該童
the date of this order to attend the following school—
到下述學校上課—

(Insert full name and address of school)

(填寫學校全名及地址)

.....
Director of Education.

教育司

Hong Kong 19.....
香港 一九 年 月 日

* In this order the expression "parent", in relation to the child, includes a guardian
此命令內之「家長」一詞，對該童而言，包括該童之監
and the person having the actual custody of the child.
護人及實際監護該童之人士。

NOTE: If you wish to apply for a review of this order you may apply
附註： 台端如欲申請將本命令再行檢討考慮者，可於本
in person or in writing to the Secretary, Board of Review
令發出之日起十四天內親身或用書面向檢討委員
(address) within fourteen days
會秘書(地址：)
of the date of this order.
提出之。

FORM 14.

[s. 94(2).]

表格第十四款 (條例第九十四款第(二)段)

EDUCATION ORDINANCE 1971.

一九七一年教育條例

REQUEST TO RECORD EXISTENCE OF A SCHOOL UNDER

SECTION 95 OF THE EDUCATION ORDINANCE 1971.

請求根據一九七一年教育條例第九十五

款將學校暫予存案申請書

The Director of Education,
Education Department,
Hong Kong.

謹致香港教育司，

逕啓者：

1. I, of
(full name of applicant). (residential address).
一、本人 (申請人姓名) 現居於 (地址)

....., request you to record the existence of the
(occupation). 茲特請求根據一九七一年教育
職業為 條例第九十五款將下述學校暫予存案
under-mentioned school under section 95 of the Education Ordinance 1971.

2. Particulars—

二、學校詳細情節—

(a) Name in which school is operated

(甲) 學校所採用之名稱

(b) Address of every premises in which the school is operated—

(乙) 用以開設學校之每一樓宇之地址

(i)

(ii)

(iii)

(iv)

(b) Premises in which school is operated:

(乙) 用以開設學校之樓宇

- (i)
- (ii)
- (iii)
- (iv)

as more particularly shown and described on Plan No.

其詳情業經在圖則第

deposited with me.

號內填明，存於教育司署。

(c) Name(s) and address(es) of owner(s):

(丙) 校主之姓名及地址

- (i) (Name) of (Address)
(姓名) 現居於 (地址)
- (ii) (Name) of (Address)
(姓名) 現居於 (地址)

(d) Name(s) and address(es) of manager(s):

(丁) 校董之姓名及地址

- (i) (Name) of (Address)
(姓名) 現居於 (地址)
- (ii) (Name) of (Address)
(姓名) 現居於 (地址)
- (iii) (Name) of (Address)
(姓名) 現居於 (地址)
- (iv) (Name) of (Address)
(姓名) 現居於 (地址)
- (v) (Name) of (Address)
(姓名) 現居於 (地址)

(e) Type of education provided by school:

(戊) 學校所提供之教育類型

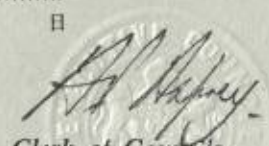
.....

.....
Director of Education.

教 育 司

Hong Kong, 19.....

香 港 一 九 年 月 日


Clerk of Councils.

COUNCIL CHAMBER,

7th September 1971.

Explanatory Note.

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

These regulations re-enact the Education Regulations with certain modifications consequential upon the enactment of the new Education Ordinance 1971.

2. Regulations 31 and 32 introduce new provisions which require poisonous substances and dangerous substances used in schools to be kept only in approved science laboratories and store rooms, under the control of specifically appointed teachers who will be responsible for the proper care of such substances.

3. Regulations 68, 69 and 70 prescribe the qualifications for teachers. A person who has ten years teaching experience together with secondary school academic qualifications at a specified level will be qualified to be a registered teacher. The qualifications for permitted teachers are also altered to include subjects of specified grades in Hong Kong Certificates of Education.

4. Under regulation 72, any person who is a member of or promotes, participates in or encourages an unregistered pupils' association will be guilty of an offence.

5. Regulation 83 requires the supervisor of a school to notify the principal of any holidays, and any days on which the Director of Education requires the school to remain open. The principal must cause a list of the approved holidays to be conspicuously displayed in the school premises.

6. Under regulation 97, a pupil who has been expelled or suspended from a school commits an offence if he enters the school premises without the Director's permission.

7. Regulation 103 prescribes the forms for the purposes of the Ordinance.

一九七一年教育條例（即香港法例一九七一年第五十二條）
一九七一年教育規例

註釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例將原有教育規例予以重訂，以便作若干修改，此舉乃由於一九七一年教育條例之新訂而引起者。

二、 規例第三十一及第三十二兩款所增訂之條文規定學校所使用之有毒物質及危險物質祇准存放於核准之理科實驗室及儲物室內，並由特別指定之教員管理及負責予以妥善保管。

三、 規例第六十八、第六十九及第七十各款規定教員之資格。凡具有十年教學經驗及達到指定程度之中學學歷者均有資格成為註冊教員，至於准用教員之資格亦有修改，以便將其香港會考證書中凡成績達到規定等級之科目亦包括在內。

四、 根據規例第七十二款，凡加入未經註冊之學生會為會員、或促進、或參加或鼓勵該會之活動者，均屬違法。

五、 規例第八十三款規定校監須將假期及教育司規定該校必須上課之日期通知校長。校長則須將核准之假期表張貼在校舍內當眼處。

六、 根據規例第九十七款，凡已被學校開除或暫令停學之學生，如未得教育司之許可而擅自進入該校校舍內者即屬違法。

七、 規例第一零三款對本條例所需用之各款表格加以規定。

EDUCATION ORDINANCE 1971.

(No. 52 of 1971).

EDUCATION (AMENDMENT) REGULATIONS 1971.

In exercise of the powers conferred by section 84 of the Education Ordinance 1971, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Education Citation. (Amendment) Regulations 1971.
2. Regulation 48 of the principal regulations is amended by deleting "Schedule" and substituting the following—
"First Schedule". Amendment of regulation 48. (Cap. 279, sub. leg.)
3. The Schedule to the principal regulations is amended by being renumbered as the First Schedule. Amendment of Schedule.
4. The principal regulations are amended by adding, after the First Schedule, the following new Schedule— Addition of new Second Schedule.

"SECOND SCHEDULE. [s. 74.]

EDUCATION ORDINANCE 1971.

一九七一年教育條例

SCHOOL ATTENDANCE ORDER.

入學令

Whereas you, of
查台端(姓名) 現居於
the parent* of appear to be withholding the
為 之家長*, 惟目前 台端
child from attending primary school without any reasonable excuse.
似缺乏適當理由而不送該童進入小學肄業。

You are hereby required to cause the child within fourteen days
茲特着令 台端須於本令發出之日起十四天內送該
from the date of this order to attend the following school—
童到下述學校上課——

(Insert full name and address of school).

(填寫學校全名及地址)

.....
Director of Education.

教 育 司

Hong Kong 19.....
香港一九 年 月 日

* In this order the expression "parent", in relation to the child, includes a guardian and the person having the actual custody of the child.
此命令內之「家長」一詞，對該童而言，包括該童之監護人及實際監護該童之人士。

NOTE: If you wish to apply for a review of this order you may apply in person or in writing to the Secretary, Board of Review
附註：台端如欲申請將本命令再行檢討考慮者，可於本命令發出之日起十四天內親身或用書面向檢討委員會秘書（地址：.....）within fourteen days of the date of this order.
提出之。


Clerk of Councils.

COUNCIL CHAMBER,
7th September 1971.

Explanatory Note.

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

These regulations introduce into the principal regulations the form of a school attendance order which the Director may serve upon the parent of a child under section 74 of the Education Ordinance 1971.

一九七一年教育條例（即香港法例一九七一年第五十二條）
一九七一年教育（修訂）規例

註釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例在原有規例內加插一項入學令之格式。教育司可根據一九七一年教育條例第七十四款將該命令送達有關兒童之家長。

EDUCATION ORDINANCE 1971.

(No. 52 of 1971).

EDUCATION (EXEMPTION) (AMENDMENT) ORDER 1971.

In exercise of the powers conferred by section 9(3) of the Education Ordinance 1971, the Governor in Council has made the following order—

1. This order may be cited as the Education (Exemption) (Amendment) Order 1971 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.


Citation and commencement.

2. The principal order is amended by deleting paragraph 2 and substituting the following—

Amendment of paragraph 2.
(Cap. 279, sub. leg.)

"Exemption from compliance. (52 of 1971.) (L.N. 104/71.)

2. Every school which is carried on in any vessel shall be exempt from the provisions of section 11(b)(ii) of the Education Ordinance 1971 and of Part II of the Education Regulations 1971, other than regulation 5, regulation 9(1) and (2) and regulation 10, so long as such school complies with the conditions set forth in the Schedule hereto."


Clerk of Councils.

COUNCIL CHAMBER,
7th September 1971.

It is hereby notified that the Public Transport Services (Kowloon and New Territories) Ordinance (Chapter 318), published as Government Notice No. 2009 on 3rd September 1971 is superceded by the following:—

PUBLIC TRANSPORT SERVICES (KOWLOON AND NEW TERRITORIES) ORDINANCE.

(Chapter 318).

WHEREAS—

- (a) by subsection (1) of section 17 of the Public Transport Services (Kowloon and New Territories) Ordinance (hereinafter referred to as the Ordinance) it is provided that the Kowloon Motor Bus Company (1933) Limited (hereinafter referred to as the Company) and the Governor in Council may agree to the variation of the fares set forth in the Schedule of Services;
- (b) the Company and the Governor in Council have agreed that the fare in respect of each route specified in the Schedule hereto being a route specified in the Schedule of Services shall be varied in the manner hereinafter mentioned:

NOW THEREFORE in exercise of the powers conferred by subsection (1) of section 17 of the Ordinance the Governor in Council has ordered that—

- (a) with effect from the 15th day of September 1971—
 - (i) the fare for each route specified in the first column of Part I of the Schedule hereto, being a route specified in the Schedule of Services, shall be the flat fare specified in respect of that route in the third column of Part I of the Schedule hereto irrespective of the distance travelled; and
 - (ii) the minimum fare for a single journey on any route specified in Part II of the Schedule hereto being a route specified in the Schedule of Services shall be 20 cents; and
- (b) with effect from the 15th day of October 1971 the fare by student monthly ticket in the month of issue shall be nine dollars per student.



SCHEDULE.

PART I.

URBAN ROUTES.

Route No.	Destination.	Flat Fare Cents
1A	Star Ferry—Sau Mau Ping	40
40	Tsuen Wan—Kwun Tong Ferry	40
1	Star Ferry—Kowloon City	30
2	Star Ferry—So Uk	30
2A	So Uk—Ngau Tau Kok	30
2B	Kowloon City Ferry—Sham Shui Po Ferry	30
2C	Star Ferry—Yau Yat Chuen	30
2D	Shek Kip Mei—Choi Hung	30
2E	Kowloon City Ferry—Shek Kip Mei	30
2F	Cheung Sha Wan—Chuk Yuen	30
3	Jordan Road Ferry—Chuk Yuen	30
3B	Hung Hom Ferry—Tsz Wan Shan	30
3C	Jordan Road Ferry—Tsz Wan Shan	30
3D	Tsz Wan Shan—Kwun Tong (Yue Man Sq.)	30
4	Jordan Road Ferry—Cheung Sha Wan	30
4A	Jordan Road Ferry—Tai Hang Tung	30
5	Star Ferry—Choi Hung	30
5B	Hung Hom Ferry—Kwun Tong Ferry	30
6	Star Ferry—Lai Chi Kok	30
6B	Chuk Yuen—Cheung Sha Wan (Mei Fu)	30
6C	Kowloon City Ferry—Lai Chi Kok	30
6D	Cheung Sha Wan—Ngau Tau Kok	30
7	Star Ferry—Kowloon Tong	30
7A	Star Ferry—Wang Tau Hom	30
7B	Hung Hom Ferry—Wang Tau Hom	30
9	Star Ferry—Choi Hung	30
11	Jordan Road Ferry—Chuk Yuen	30
11B	Kowloon City Ferry—Kwun Tong (Tsui Ping Road)	30
11C	Wang Tau Hom—Kwun Tong (Tsui Ping Road)	30
11D	Kwun Tong Ferry—Lo Fu Ngam	30
12	Jordan Road Ferry—Lai Chi Kok	30
12A	Hung Hom Ferry—Sham Shui Po Ferry	30
12B	Cheung Sha Wan—Wang Tau Hom	30
13	Jordan Road Ferry—Choi Hung	30
13A	Kowloon City Ferry—Sau Mau Ping	30
13D	Mongkok Ferry—Sau Mau Ping Central	30
14	Jordan Road Ferry—Yau Tong	30
14B	Ngau Tau Kok—Yau Tong	30
15	Hung Hom Ferry—Ham Tin	30
15A	Tze Wan Shan—Ham Tin	30
16A	Jordan Road Ferry—Tsuen Wan Ferry	30

Route No.	Destination.	Flat Fare Cents
16B	Jordan Road Ferry—Kwai Chung North	30
31A	Kwai Chung North—Tsuen Wan West	30
31B	Sham Shui Po Ferry—Kwai Chung North	30
33	Sham Shui Po Ferry—Tsuen Wan Ferry	30
33A	Sham Shui Po Ferry—Kwai Chung Central	30
34	Kwai Chung Central—Tsuen Wan West	30
35A	Sham Shui Po Ferry—Shek Yam	30
36A	Sham Shui Po Ferry—Lei Muk Shu	30
3A	Tsz Wan Shan—Chuk Yuen	20
13B	Kwun Tong Ferry—Sau Mau Ping Central	20
13C	Kwun Tong Ferry—Sau Mau Ping Central	20
14C	Kwun Tong (Yue Man Sq.)—Lei Yue Mun	20
15B	Kwun Tong Ferry—Ham Tin	20
31	Kwai Chung North—Tsuen Wan Ferry	20
32	Tsuen Wan Ferry—Shing Mun Reservoir	20
35	Tsuen Wan Ferry—Shek Yam	20
36	Tsuen Wan Ferry—Lei Muk Shu	20

PART II.

NEW TERRITORIES ROUTES.

Route No.	Destination.
16	Jordan Road Ferry—Yuen Long East
17	Yuen Long—Sheung Shui
18	Yuen Long—Sheung Shui
18A	Yuen Long—Sheung Tsuen
19A	Jordan Road Ferry—Sheung Shui
20	Sheung Shui—Sha Tau Kok
21	Choi Hung—Tai Au Mun
22	Choi Hung—Sai Kung
23	Yuen Long—Tai Po Market
24	Yuen Long—Deep Bay (Lau Fau Shan)
25	Tai Po Market—Tai Mei Tuk
26	Jordan Road Ferry—Yuen Long
28	Sai Kung—Tai Mong Tsai
29	Sheung Shui—Ta Kwu Ling



Clerk of Councils.

COUNCIL CHAMBER,
7th September 1971.

PROCLAMATION.

No. 1 of 1971.

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

WHEREAS it is provided by paragraph (3) of Order 5 of the Standing Orders of the Legislative Council of Hong Kong that the sessions of the Legislative Council shall be held at such place and shall begin at such time as the Governor may from time to time appoint by proclamation published in the *Gazette*:

NOW, THEREFORE I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that the next session of the Legislative Council of Hong Kong shall be held at the Legislative Council Chamber in the City of Victoria in Hong Kong and shall commence at half past two o'clock in the afternoon of Friday, the first day of October 1971.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 13th day of September 1971.



David Clive Crosbie Trench
Governor.

GOD SAVE THE QUEEN.



**FIXED PENALTY (TRAFFIC CONTRAVENTIONS)
ORDINANCE.**
(Chapter 237).

**FIXED PENALTY (TRAFFIC CONTRAVENTIONS)
(AMENDMENT) (NO. 2) REGULATIONS 1971.**

In exercise of the powers conferred by section 25 of the Fixed Penalty (Traffic Contraventions) Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Fixed Penalty (Traffic Contraventions) (Amendment) (No. 2) Regulations 1971.

Citation.

2. The Schedule to the principal regulations is amended in Form 2 by deleting "by motor vehicle registration mark of which you are the registered owner." and substituting the following—

Amendment of the Schedule.
(Cap. 237, sub. leg.)

"in respect of motor vehicle registration mark of which you were then the registered owner."

J.A. Hammond
Clerk of Councils.

COUNCIL CHAMBER,
14th September 1971.

Explanatory Note.

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

The amendment to Form 2 clarifies the reference to the registered owner of a motor vehicle at the time a contravention is committed in respect of that motor vehicle.

定額罰款(交通違例事項)條例(即香港法例第二三七章)
一九七一年定額罰款(交通違例事項)(修訂)(第二號)規例

註 釋

(本文並非該規例之任何部份,而祇係以簡述該規例之大意為目的)。

本規例將表格第二款修訂,對其內所提及在違例事項發生時之有關摩托車輛之註冊車主一詞之意義予以澄清。



INTERPRETATION AND GENERAL CLAUSES
ORDINANCE.

(Chapter 1).

SPECIFICATION OF PUBLIC OFFICES.

In exercise of the powers conferred on him by section 43 of the Interpretation and General Clauses Ordinance, the Governor hereby specifies the public office mentioned in the first column of the Schedule hereto for the purpose of the provisions of the Ordinance mentioned in the second column of the Schedule.

SCHEDULE.

Public Office.	Provision of Ordinance for which specified.
Commissioner of Preventive Service	Sections 12(2), 17(1), 17(4) and 19 of the Preventive Service Ordinance, (Chapter 342). Regulations 3, 5, 6, 7(a), 8, 10(1) and 10(3) of the Preventive Service (Welfare Fund) Regulations.

By Command,

Hugh Norman-Walker
Colonial Secretary.

10th September 1971.

MERCHANT SHIPPING ORDINANCE.

(Chapter 281).

**MERCHANT SHIPPING (CONTROL OF PORTS)
(AMENDMENT) REGULATIONS 1970 (COMMENCEMENT)
(NO. 2) NOTICE 1971.**

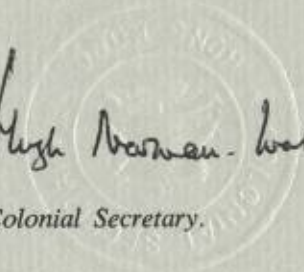
In exercise of the powers conferred by regulation 2(3) of the Merchant Shipping (Control of Ports) (Amendment) Regulations 1970, the Governor hereby appoints the 20th day of September 1971 as the day on which regulation 5 of the said regulations shall come into operation.

By Command,

Mugh Norman-Walton

Colonial Secretary.

13th September 1971.





**FIXED PENALTY (TRAFFIC CONTRAVENTIONS)
ORDINANCE.**

(Chapter 237).

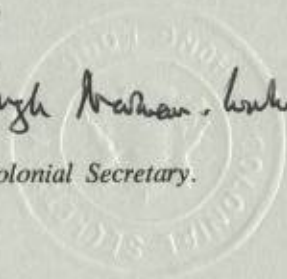
**FIXED PENALTY (TRAFFIC CONTRAVENTIONS)
ORDINANCE (COMMENCEMENT) NOTICE 1971.**

In exercise of the powers conferred by section 1 of the Fixed Penalty (Traffic Contraventions) Ordinance, the Governor hereby appoints the 20th day of September 1971 as the day on which the said Ordinance shall come into operation.

By Command,



Colonial Secretary.



15th September 1971.



NON-CONTENTIOUS PROBATE RULES 1971.

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PROBATE AND ADMINISTRATION ORDINANCE 1971.
(No. 26 of 1971).

NON-CONTENTIOUS PROBATE RULES 1971.

In exercise of the powers conferred by section 72 of the Probate and Administration Ordinance 1971, the Chief Justice has made the following rules—

1. These rules may be cited as the Non-Contentious Probate Rules 1971, and shall come into operation on the 7th October 1971.

2. (1) The Interpretation and General Clauses Ordinance shall apply to the interpretation of these rules as it applies to the interpretation of an Ordinance.

(2) In these rules, unless the context otherwise requires—
“the Ordinance” means the Probate and Administration Ordinance 1971;

“authorized officer” means any person who is for the time being authorized by the Chief Justice to administer any oath or to take any affidavit required for any purpose connected with his duties;

“gross value” in relation to any estate means the value of the estate without deduction for debts, incumbrances, funeral expenses, or estate duty;

“oath” means the oath required by rule 6 to be sworn by every applicant for a grant;

“personal applicant” means a person other than a trust corporation who seeks to obtain a grant without employing a solicitor, and “personal application” has a corresponding meaning;

“union of concubinage” shall have the same meaning ascribed to it as is contained in the Intestates Estate Ordinance 1971;

“will” includes a nuncupative will or a will which is valid according to the provisions contained in the Wills Ordinance and any testamentary document or copy or reconstruction thereof.

(3) The forms referred to in the Schedule to these rules shall be prescribed forms and shall be adhered to with such variations or additions as circumstances may require.

3. (1) A person apply for a grant through a solicitor may apply at the Registry.

Citation and commencement.

Interpretation.
(Cap. 1.)

(26 of 1971.)

(1 of 1971.)

(Cap. 30.)

Schedule.

Applications for grants through solicitors.

(2) Every solicitor through whom an application for a grant is made shall give the address of his place of business within the jurisdiction.

(3) No application for a grant shall be made by post.

4. (1) A personal applicant may apply for a grant at the Registry.

Personal applications.

(2) A personal applicant may not apply through an agent, whether paid or unpaid, and may not be attended by any person acting or appearing to act as his adviser.

(3) No personal application shall be received or proceeded with if—

(a) it becomes necessary to bring the matter before the court on motion or by action;

(b) an application has already been made by a solicitor on behalf of the applicant and has not been withdrawn;

(c) the Registrar otherwise directs.

(4) After a will has been deposited in the Registry by a personal applicant, it may not be delivered to the applicant or to any other person unless in special circumstances the Registrar so directs.

(5) A personal applicant shall produce a certificate of the death of the deceased or such other evidence of the death as the Registrar may approve.

(6) A personal applicant may prepare the papers leading to the grant himself and lodge them in the Registry unsworn, or if the Registrar so directs shall supply all information necessary to enable such papers to be prepared in the Registry.

(7) Unless the Registrar otherwise directs, every oath, affidavit or guarantee required on a personal application shall be sworn or executed by all the deponents or obligors before an authorized officer.

(8) No legal advice shall be given to a personal applicant by any person in the Registry and every such person shall be responsible only for embodying in proper form the applicant's instructions for a grant.

(9) No application for a grant shall be made by post.

(10) Where the gross amount of an estate does not exceed \$20,000 a personal applicant may make an informal application to the official administrator requesting him to administer the estate informally.

Duty of Registrar on receiving application for grant.

5. (1) The Registrar shall not allow any grant to issue until all inquiries which he may see fit to make have been answered to his satisfaction.

(2) The Registrar may require proof of the identity of the deceased or of the applicant for the grant beyond that contained in the oath.

(3) Except with the leave of the Registrar, no grant of probate or of administration with the will annexed shall issue within seven days of the death of the deceased and no grant of administration shall issue within fourteen days thereof.

(4) The Registrar shall not require a guarantee under section 46 of the Ordinance as a condition of granting administration to any person, without giving that person or, where the application for the grant, is made through a solicitor, the solicitor an opportunity of being heard with respect to the requirement.

Oath in support of grant.

6. (1) Every application for a grant shall be supported by an oath in the form applicable to the circumstances of the case, which shall be contained in an affidavit sworn by the applicant, and by such other papers as the Registrar may require.

(2) On an application for a grant of administration the oath shall state whether, and if so, in what manner, persons having a prior right to a grant in accordance with the provisions contained in rule 21 have been cleared off, and whether any minority or life interest arises under the will or intestacy.

(3) Where the deceased died domiciled outside Hong Kong, the oath shall state where the deceased died domiciled.

(4) If the oath states where the deceased died domiciled (whether in or outside Hong Kong) a statement as to the country in which he died domiciled may be included in the grant.

Grant in additional name.

7. (1) Subject to paragraph (2), where it is necessary to describe the deceased in a grant by some name in addition to his true name, the applicant shall state in the oath the true name of the deceased and shall depose that some part of the estate, specifying it, was held in the other name, or as to any other reason that there may be for the inclusion of the other name in the grant.

(2) If the name of the deceased is in accordance with the International Code for Chinese names this name shall be accepted as being the correct name of the deceased.

8. Every will in respect of which an application for a grant is made shall be marked by the signatures of the applicant and the person before whom the oath is sworn, and shall be exhibited to any affidavit which may be required under these rules as to the validity, terms, condition or date of execution of the will:

Marking of wills.

Provided that where the Registrar is satisfied that compliance with this rule might result in the loss of the will, he may allow a photographic copy thereof to be marked or exhibited in lieu of the original document:

Provided also that if a will is not in the English language a translation certified to the satisfaction of the Registrar shall also be filed with the original will.

9. (1) Where the Registrar considers that in any particular case a photographic copy of the original will would not be satisfactory for purposes of record, he may require an engrossment suitable for photographic reproduction to be lodged.

Engrossments for purposes of record.

(2) Where a will contains alterations which are not admissible to proof, there shall be lodged an engrossment of the will in the form in which it is to be proved.

(3) Any engrossment lodged under this rule shall reproduce the punctuation, spacing and division into paragraphs of the will and, if it is one to which paragraph (2) of this rule applies, it shall be made bookwise on durable paper following continuously from page to page on both sides of the paper.

(4) Where any pencil writing appears on a will, there shall be lodged a copy of the will or of the pages or sheets containing the pencil writing, in which there shall be underlined in red ink those portions which appear in pencil in the original.

10. (1) Where a will contains no attestation clause or the attestation clause is insufficient or where it appears to the Registrar that there is some doubt about the due execution of the will, he shall, before admitting it to proof, require an affidavit as to due execution from one or more of the attesting witnesses or, if no attesting witness is conveniently available, from any other person who was present at the time the will was executed:

Evidence as to due execution of will.

Provided always that if a will is in Chinese characters and appears to be satisfactorily executed by the testator the Registrar may assume without further inquiry that the will has been properly executed.

(2) If no affidavit can be obtained in accordance with the last foregoing paragraph, the Registrar may, if he thinks fit having

regard to the desirability of protecting the interests of any person who may be prejudiced by the will, accept evidence on affidavit from any person he may think fit to show that the signature on the will is in the handwriting of the deceased, or of any other matter which may raise a presumption in favour of the due execution of the will.

- (3) If the Registrar, after considering the evidence—
- (a) is satisfied that the will was not duly executed, he shall refuse probate and shall mark the will accordingly;
- (b) is doubtful whether the will was duly executed, he may require the matter to be referred to the court on motion.

11. Before admitting to proof a will in the English language which appears to have been signed by a blind or illiterate testator or a testator not having a literate knowledge of the English language or by another person by direction of the testator, or which for any other reason gives rise to doubt as to the testator having had knowledge of the contents of the will at the time of its execution, the Registrar shall satisfy himself that the testator had such knowledge.

12. (1) Where there appears in a will any obliteration, interlineation, or other alteration which is not authenticated in the manner prescribed by the Wills Ordinance or by the re-execution of the will or by the execution of a codicil, the Registrar shall require evidence to show whether the alteration was present at the time the will was executed and shall give directions as to the form in which the will is to be proved:

Provided that this paragraph shall not apply to any alteration which appears to the Registrar to be of no practical importance.

(2) If from any mark on a will it appears to the Registrar that some other document has been attached to the will, or if a will contains any reference to another document in such terms as to suggest that it ought to be incorporated in the will, the Registrar may require the document to be produced and may call for such evidence in regard to the attaching or incorporation of the document as he may think fit.

(3) Where there is doubt as to the date on which a will was executed, the Registrar may require such evidence as he thinks necessary to establish the date.

13. Any appearance of attempted revocation of a will by burning, tearing, or otherwise, and every other circumstance leading to a presumption of revocation by the testator, shall be accounted for to the Registrar's satisfaction.

Execution of will of blind or illiterate testator.

Evidence as to terms, condition and date of execution of will.
(Cap. 30.)

Attempted revocation of will.

14. The Registrar may require an affidavit from any person he may think fit for the purpose of satisfying himself as to any of the matters referred to in rules 11, 12 and 13, and in any such affidavit sworn by an attesting witness or other person present at the time of the execution of a will the deponent shall depose to the manner in which the will was executed.

16. If it appears to the Registrar that there is *prima facie* evidence that a will is one to which section 6 of the Wills Ordinance, as amended by any subsequent enactment, applies, the will may be admitted to proof if the Registrar is satisfied that it was signed by the testator or, if unsigned, that it is in the testator's handwriting.

18. Where evidence of the law of a country outside England or Hong Kong is required on any application for a grant the affidavit of any person who is an expert of the law of that country or place may be accepted by the Registrar.

19. The person or persons entitled to a grant of probate or administration with the will annexed shall be determined in accordance with the following order of priority, namely—

- (i) the executor;
- (ii) any residuary legatee or devisee holding in trust for any other person;
- (iii) any residuary legatee or devisee for life;
- (iv) the ultimate residuary legatee or devisee or, where the residue is not wholly disposed of by the will, any person entitled to share in the residue not so disposed of (including the Official Administrator) or, subject to rule 25(3), the personal representative of any such person:

Provided that where the residue is not in terms wholly disposed of, the Registrar may, if he is satisfied that the testator has nevertheless disposed of the whole or substantially the whole of the estate as ascertained at the time of the application for the grant, allow a grant to be made (subject however to rule 37) to any legatee or devisee entitled to, or to a share in, the estate so disposed of, without regard to the persons entitled to share in any residue not disposed of by the will;

- (v) any specific legatee or devisee or any creditor or, subject to rule 25(3), the personal representative of any such person or, where the estate is not wholly disposed of by the will, any person who, notwithstanding that the

Affidavit as to due execution, terms, etc. of will.

Wills of persons on military service and seamen.
(Cap. 30.)

Evidence of foreign law.

Order of priority for grant where deceased left a will.

amount of the estate is such that he has no immediate beneficial interest therein, may have a beneficial interest in the event of an accretion thereto;

- (vi) any legatee or devisee, whether residuary or specific, entitled on the happening of any contingency, or any person having no interest under the will of the deceased who would have been entitled to a grant if the deceased had died wholly intestate.

Grants to
attesting
witnesses etc.
(Cap. 30.)

20. Where a gift to any person fails by reason of section 10 of the Wills Ordinance (which provides that gifts to attesting witnesses or their spouses shall be void), such person shall not have any right to a grant as a beneficiary named in the will, without prejudice to his right to a grant in any other capacity.

Order of
priority for
grant in
case of
intestacy.

21. (1) Where a person dies wholly intestate, the persons having a beneficial interest in the estate shall be entitled to a grant to administration in the following order of priority, namely—

- (i) the surviving spouse or the surviving partner or partners to a union of concubinage entered into before the 7th October 1971;
- (ii) the children of the deceased including any children born of a union of concubinage entered into before the 7th October 1971, or the issue of any such child who has died during the lifetime of the deceased;
- (iii) the father or mother of the deceased;
- (iv) brothers and sisters of the deceased or the issue of any deceased brother or sister of the deceased who has died during the lifetime of the deceased.

(2) If no person in any of the classes mentioned in subparagraphs (ii) and (iii) of the last foregoing paragraph has survived the deceased, then, the following persons hereinafter described shall, if they have a beneficial interest in the estate, be entitled to a grant in the following order of priority, namely—

- (i) grandparents;
- (ii) uncles and aunts of the deceased, or the issue of any deceased uncle or aunt of the deceased who has died during the lifetime of the deceased.

All of the persons referred to in classes (i) and (ii) of this paragraph shall be entitled to a grant notwithstanding that the relationship referred to shall have been established by or resulted from a union of concubinage.

(3) In default of any person having a beneficial interest in the estate, the Official Administrator.

(4) If all persons entitled to a grant under the foregoing provisions of this rule have been cleared off, a grant may be made to a creditor of the deceased or to any person who, notwithstanding that he has no immediate beneficial interest in the estate, may have a beneficial interest in the event of an accretion thereto.

(5) Subject to rule 25(3), the personal representative of a person in any of the classes mentioned in paragraphs (1) and (2) of this rule or the personal representative of a creditor shall have the same right to a grant as the person whom he represents:

Provided that the persons mentioned in paragraph (1) and in paragraph (2) of this rule shall be preferred to the personal representative of a spouse who had died without taking a beneficial interest in the whole estate of the deceased as ascertained at the time of the application for the grant.

(6) The provisions of the Adoption Ordinance shall apply in determining the entitlement to a grant as they apply to the devolution of property on intestacy.

(Cap. 290.)

22. (1) Where all the persons entitled to the estate of the deceased (whether under a will or on intestacy) have assigned their whole interest in the estate to one or more persons, the assignee or assignees shall replace, in the order of priority for a grant of administration, the assignor or, if there are two or more assignors, the assignor with the highest priority.

Right of
assignee to a
grant.

(2) Where there are two or more assignees, administration may be granted with the consent of the others to any one or more (not exceeding four) of them.

(3) In any case where administration is applied for by an assignee, a copy of the instrument of assignment shall be lodged in the Registry.

23. (1) An application to join with a person entitled to a grant of administration a person entitled in a lower degree shall, in default of renunciation by all persons entitled in priority to such last-mentioned person, be made to the Registrar and shall be supported by an affidavit by the person entitled by the consent of the person proposed to be joined as personal representative and by such other evidence as the Registrar may require.

Joinder of
administrator.

24. (1) An application under section 25(2) of the Ordinance to add a personal representative shall be made to the Registrar and shall be supported by an affidavit by the applicant by the

Additional
personal
representatives.

consent of the person proposed to be added as personal representative and by such other evidence as the Registrar may require.

Grants where two or more persons entitled in same degree.

25. (1) A grant may be made to any person entitled thereto without notice to any other persons entitled in the same degree.

(2) A dispute between persons entitled to a grant in the same degree shall be brought by summons before the Registrar.

(3) Unless the Registrar otherwise directs, administration shall be granted to a living person in preference to the personal representative of a deceased person who would, if living, be entitled in the same degree and to a person not under disability in preference to an infant entitled in the same degree.

(4) Upon the issue of a summons under paragraph (2) of this rule the person issuing such summons shall enter a caveat.

(5) If a summons is issued under paragraph (2) of this rule the Registrar shall not allow any grant to be sealed until such summons is finally disposed of.

Exceptions to rules as to priority.

26. (1) Nothing in rules 19, 21, 23 or 25 shall operate to prevent a grant being made to any person to whom a grant may or may require to be made under any enactment.

(2) The rules mentioned in the last foregoing paragraph shall not apply where the deceased died domiciled outside Hong Kong, except in a case to which the proviso to rule 29 applies.

Grants to persons having *spes successionis*.

27. When the beneficial interest in the whole estate of the deceased is vested absolutely in a person who has renounced his right to a grant and has consented to administration being granted to a person or persons who would be entitled to his estate if he himself had died intestate, administration may be granted to such person or one or more (not exceeding four) of such persons:

Provided that a surviving spouse shall not be regarded as a person in whom the estate has vested absolutely unless he would be entitled to the whole of the estate, whatever its value may be.

Grants where deceased died outside Hong Kong.

29. Where the deceased died domiciled outside Hong Kong, the Registrar may order that a grant do issue—

(a) to the person entrusted with the administration of the estate by the court having jurisdiction at the place where the deceased died domiciled;

(b) to the person entitled to administer the estate by the law of the place where the deceased died domiciled;

(c) if there is no such person as is mentioned in paragraphs (a) and (b) of this rule or if in the opinion of the Registrar the circumstances so require to such person as the Registrar may direct;

(d) if, by virtue of section 25 of the Ordinance, a grant is required to be made to, or if the Registrar in his discretion considers that a grant should be made to, not less than two administrators, to such person as the Registrar may direct jointly with any such person as is mentioned in paragraph (a) or (b) of this rule or with any other person:

Provided that without any such application as aforesaid where the whole of the estate in Hong Kong consists of immovable property, a grant limited thereto may be made in accordance with the law which would have been applicable if the deceased had died domiciled in Hong Kong.

30. (1) Where a person entitled to a grant resides outside Hong Kong, administration may be granted to his lawfully constituted attorney for his use and benefit, limited until such person shall obtain a grant or in such other way as the Registrar may direct:

Grants to attorneys.

Provided that where the person so entitled is an executor, administration shall not be granted to his attorney without notice to the other executors, if any, unless such notice is dispensed with by the Registrar.

31. (1) Where a person to whom a grant would otherwise be made is an infant, administration for his use and benefit until he attains the age of twenty-one years shall, subject to paragraphs (3) and (5) of this rule, be granted—

Grants on behalf of infants.

(a) to the parents of the infant jointly or to any guardian appointed by the court; or

(b) if there is no such guardian able and willing to act and the infant has attained the age of sixteen years, to any next of kin nominated by the infant or, where the infant is a married woman, to any such next of kin or to her husband if nominated by her.

(2) Any person nominated under sub-paragraph (b) of the last foregoing paragraph may represent any other infant whose next of kin he is, being an infant below the age of sixteen years entitled in the same degree as the infant who made the nomination.

(3) Notwithstanding anything in this rule, administration for the use and benefit of the infant until he attains the age of twenty-one years may be granted to any person assigned as guardian by order of the Registrar in default of, or jointly with, or to the exclusion of, any such person as is mentioned in paragraph (1) of this rule; and such an order may be made on application by the intended guardian, who shall file an affidavit in support of the application and, if required by the Registrar, an affidavit of fitness sworn by a responsible person.

(4) Where by virtue of section 25 of the Ordinance, a grant is required to be made to not less than two administrators and there is only one person competent and willing to take a grant under the foregoing provisions of this rule, administration may, unless the Registrar otherwise directs, be granted to such person jointly with any other person nominated by him as a fit and proper person to take the grant.

(5) Where an infant who is sole executor has no interest in the residuary estate of the deceased, administration for the use and benefit of the infant until he attains the age of twenty-one years shall, unless the Registrar otherwise directs, be granted to the person entitled to the residuary estate.

(6) An infant's right to administration may be renounced only by a person assigned as guardian under paragraph (3) of this rule and authorized to renounce by the Registrar.

32. (1) Where one of two or more executors is an infant, probate may be granted to the other executor or executors not under disability, with power reserved of making the like grant to the infant on his attaining the age of twenty-one years, and administration for the use and benefit of the infant until he attains the age of twenty-one years may be granted under rule 31 if and only if the executors who are not under disability renounce, or, on being cited to accept or refuse a grant, fail to make an effective application therefor.

(2) An infant executor's right to probate on attaining the age of twenty-one years may not be renounced by any person on his behalf.

33. (1) Where the Registrar is satisfied that a person entitled to a grant is by reason of mental or physical incapacity incapable of managing his affairs administration for his use and benefit limited during his incapacity or in such other way may be granted—

(i) if the person incapable is entitled as executor, to the person entitled to the residuary estate of the deceased;

Grants where
infant co-
executor.

Grants in case
of mental or
physical
incapacity.

(ii) if the person incapable is entitled otherwise than as an executor, to the person who would be entitled to a grant in respect of his estate if he had died intestate.

(2) No grant of administration shall be made under this rule unless all persons entitled in the same degree as the person incapable have been cleared off.

(3) In the case of physical incapacity, notice of intended application under this rule shall be given to the person alleged to be incapable.

34. (1) Where a trust corporation applies for a grant through one of its officers such officer shall lodge a certified copy of the resolution authorizing him to make the application and shall depose in the oath that the corporation has been certified as being a trust corporation as provided by section 78 of the Trustee Ordinance and that it has power to accept a grant:

Grants to trust
corporations
and other
corporate
bodies.

(Cap. 29.)

Provided that it shall not be necessary to lodge a certified copy of the resolution where the trust corporation is represented by a person holding an official position if the person through whom the application is made is included in a list filed with the Registrar of persons authorized to make such applications.

(2) Where a trust corporation applies for a grant of administration otherwise than as attorney for some person, there shall be lodged with the application the consents of all persons entitled to a grant and of all persons interested in the residuary estate of the deceased, unless the Registrar directs that such consents be dispensed with on such terms, if any, as he may think fit.

(3) Where a corporation (not being a trust corporation) would, if an individual, be entitled to a grant, administration for its use and benefit, limited until further representation is granted, may be granted to its nominees or, if the corporation has its principal place of business outside Hong Kong, its nominees or lawfully constituted attorney, and a copy of the resolution appointing the nominee or, as the case may be, the power of attorney sealed by the corporation or otherwise authenticated to the Registrar's satisfaction, shall be lodged with the application for a grant, and the oath shall state that the corporation is not a trust corporation.

(4) Where a corporation (not being a trust corporation) applies for a grant the Registrar may, in his discretion, grant administration to its nominee, for its use and benefit, limited until further representation is granted, and a copy of the resolution appointing the nominee sealed by the corporation or otherwise

authenticated to the Registrar's satisfaction, shall be lodged with the application for a grant, and the oath shall state that the corporation is not a trust corporation.

Renunciation of probate and administration.

35. (1) Renunciation of probate by an executor shall not operate as renunciation of any right which he may have to a grant of administration in some other capacity unless he expressly renounces such right.

(2) Unless the Registrar otherwise directs, no person who has renounced administration in one capacity may obtain a grant thereof in some other capacity.

Notice to Crown of intended application for grant.

37. In any case in which it appears that the Crown is or may be beneficially interested in the estate of a deceased person, notice of intended application for a grant shall be given by the applicant to the Official Administrator, and the Registrar may direct that no grant shall issue within a specified time after the notice has been given.

Guarantee.

38. (1) The Registrar shall not require a guarantee under section 46 of the Ordinance as a condition of granting administration except where it is proposed to grant it—

- (a) by virtue of rule 19(v) or rule 21(4) to a creditor or the personal representative of a creditor or to a person who has no immediate beneficial interest in the estate of the deceased but may have such an interest in the event of an accretion to the estate;
- (b) under rule 27 to a person or some of the persons who would, if the person beneficially entitled to the whole of the estate died intestate, be entitled to his estate;
- (c) under rule 30 to the attorney of a person entitled to a grant;
- (d) under rule 31 for the use and benefit of a minor;
- (e) under rule 33 for the use and benefit of a person who is by reason of mental or physical incapacity incapable of managing his affairs;
- (f) to an applicant who appears to the Registrar to be resident elsewhere than in Hong Kong;

or except where the Registrar considers that there are special circumstances making it desirable to require a guarantee.

(2) Notwithstanding that it is proposed to grant administration as aforesaid, a guarantee shall not be required, except in special circumstances, on an application for administration where the applicant or one of the applicants is—

- (a) a trust corporation;
- (b) a solicitor holding a current practising certificate under the Legal Practitioners Ordinance.

(Cap. 159.)

(3) Every guarantee entered into by a surety for the purposes of section 46 of the Ordinance shall be in Form 15.

Form 15.

(4) Except where the surety is a corporation, the signature of the surety on every such guarantee shall be attested by an authorized officer, commissioner for oaths or other person authorized by law to administer an oath.

(5) Unless the Registrar otherwise directs—

- (a) if it is decided to require a guarantee, it shall be given by two sureties, except where the gross value of the estate does not exceed \$7,000 or a corporation is a proposed surety, and in those cases one will suffice;
- (b) no person shall be accepted as a surety unless he is resident in Hong Kong;
- (c) no officer of the Registry shall become a surety;
- (d) the limit of the liability of the surety or sureties under a guarantee given for the purposes of section 46 of the Ordinance shall be the gross amount of the estate as sworn on the application for the grant;
- (e) every surety, other than a corporation shall justify.

(6) Where the proposed surety is a corporation there shall be filed an affidavit by the proper officer of the corporation to the effect that it has power to act as surety and has executed the guarantee in the manner prescribed by its constitution, and containing sufficient information as to the financial position of the corporation to satisfy the Registrar that its assets are sufficient to satisfy all claims which may be made against it under any guarantee which it has given or is likely to give for the purposes of section 46 of the Ordinance:

Provided that the Registrar may, instead of requiring an affidavit in every case, accept an affidavit made not less often than once in every year together with an undertaking by the corporation to notify the Registrar forthwith in the event of any alteration in its constitution affecting its power to become surety under that subsection.

Sureties on
resealing.

41. On an application for the resealing of a grant of administration under Part IV of the Ordinance—

- (a) the Registrar shall not require sureties under section 46 of the Ordinance as a condition of sealing the grant except where it appears to him that the grant is made to a person or for a purpose mentioned in paragraphs (a) to (f) of rule 38(1) or except where he considers that there are special circumstances making it desirable to require sureties;
- (b) rules 5(4) and 38(2), (4), (5) and (6) shall apply with any necessary modifications; and
- (c) a guarantee entered into by a surety for the purposes of the said section 46 shall be in Form 16.

Form 16.

Application
for leave to
sue on
guarantee.

41A. An application for leave under section 47(2) of the Ordinance to sue a surety on a guarantee given for the purposes of section 46 of the Ordinance shall, unless the Registrar otherwise directs under rule 60, be made by summons to the Registrar, and notice of the application shall in any event be served on the administrator, the surety and any co-surety.

Application
for grant to be
supported by
documents
required under
the Estate
Duty Ordinance.
(Cap. 111.)

43. Every application for a grant shall be supported by such documents as may be required under the Estate Duty Ordinance.

Caveats.

44. (1) Any person who wishes to ensure that no grant is sealed without notice to himself may enter a caveat in the Registry.

Form 17.

(2) Any person who wishes to enter a caveat (in this rule called "the caveator") may do so by completing Form 17 in the appropriate book at the Registry and obtaining an acknowledgment of entry from the proper officer, or by sending through the post at his own risk a notice in Form 17 addressed to the Registrar.

(3) Where the caveat is entered by a solicitor on the caveator's behalf, the name of the caveator shall be stated in Form 17.

(4) Except as otherwise provided by this rule, a caveat shall remain in force for six months from the date on which it is entered

and shall then cease to have effect, without prejudice to the entry of a further caveat or caveats.

(5) The Registrar shall maintain an index of caveats entered in the Registry and on receiving an application for a grant, he shall cause the index to be searched.

(6) The Registrar shall again cause the index to be searched before he shall allow any grant to be sealed and shall not allow any grant to be sealed if there is an effective caveat in respect thereof:

Provided that no caveat shall operate to prevent the sealing of a grant on the day on which the caveat is entered.

(7) A caveat may be warned by the issue from the Registry of a warning in Form 18 at the instance of any person interested (in this rule called "the person warning") which shall state his interest and, if he claims under a will, the date of the will, and shall require the caveator to give particulars of any contrary interest which he may have in the estate of the deceased; and every warning shall be served on the caveator.

Form 18.

(8) A caveator who has not entered an appearance to a warning may at any time withdraw his caveat by giving notice at the Registry and the caveat shall thereupon cease to have effect and, if it has been warned, the caveator shall forthwith give notice of withdrawal of the caveat to the person warning.

(9) A caveator having an interest contrary to that of the person warning may, within eight days of service of the warning upon him inclusive of the day of such service, or at any time thereafter if no affidavit has been filed under paragraph (11) of this rule, enter an appearance in the Registry by filing Form 19 and making an entry in the appropriate book, and shall forthwith thereafter serve on the person warning a copy of Form 19 sealed with the seal of the court.

Form 19.

(10) A caveator having no interest contrary to that of the person warning but wishing to show cause against the sealing of a grant to that person may, within eight days of service of the warning upon him inclusive of the day of such service, or at any time thereafter if no affidavit has been filed under paragraph (11) of this rule, enter an appearance to the warning and issue and serve a summons for directions, which shall be returnable before the Registrar.

(11) If the time limited for appearance has expired and the caveator has not entered an appearance, the person warning may file in the Registry an affidavit showing that the warning was duly

served and that he has not received a summons for directions under the last foregoing paragraph, and thereupon the caveat shall cause to have effect.

(11A) Upon the commencement of a probate action the Registrar shall, in respect of each caveat then in force (other than a caveat entered by the plaintiff), give to the caveator notice of the commencement of the action and, upon the subsequent entry of a caveat at any time when the action is pending, shall likewise notify the caveator of the existence of the action.

(12) Unless the Registrar otherwise directs—

- (a) any caveat in force at the commencement of proceedings by way of citation or motion shall, unless withdrawn pursuant to paragraph (8) of this rule remain in force until an application for a grant is made by the person shown to be entitled thereto by the decision of the court in such proceedings, and upon such application any caveat entered by a party who had notice of the proceedings shall cease to have effect;
- (b) any caveat in respect of which an appearance to a warning has been entered shall remain in force until the commencement of a probate action;
- (c) the commencement of a probate action shall, whether or not any caveat has been entered, operate to prevent the sealing of a grant (other than a grant under section 40 of the Ordinance) until application for a grant is made by the person shown to be entitled thereto by the decision of the court in such action, and upon such application any caveat entered by a party who had notice of the action, or by a caveator who was given notice under paragraph (11A) of this rule, shall cease to have effect.

(13) Except with the leave of the Registrar, no further caveat may be entered by or on behalf of any caveator whose caveat has ceased to have effect under paragraph (11) or (12) of this rule.

(14) In this rule, "grant" includes a grant made by any court outside Hong Kong which is produced for resealing by the court.

(15) In this rule "probate action" shall bear the meaning ascribed to it in Order 76 of the Rules of the Supreme Court.

(Cap. 4, sub. leg.)

Citations.

45. (1) Every citation shall be settled by the Registrar before being issued.

(2) Every averment in a citation, and such other information as the Registrar may require, shall be verified by an affidavit sworn by the person issuing the citation (in these rules called "the citor") or, if there are two or more citors, by one of them:

Provided that the Registrar may in special circumstances accept an affidavit sworn by the citor's solicitor.

(3) The citor shall enter a caveat before issuing a citation.

(4) Every citation shall be served personally on the person cited unless the Registrar, on cause shown by the affidavit, directs some other mode of service, which may include notice by advertisement.

(5) Every will referred to in a citation shall be lodged in the Registry before the citation is issued, except where the will is not in the citor's possession and the Registrar is satisfied that it is impracticable to require it to be lodged.

(6) A person who has been cited to appear may, within eight days of service of the citation upon him inclusive of the day of such service, or at any time thereafter if no application has been made by the citor under rule 46(5) or rule 47(2), enter an appearance in the Registry by filing Form 19 and making an entry in the appropriate book, and shall forthwith thereafter serve on the citor a copy of Form 19 sealed with the seal of the court.

Form 19.

46. (1) A citation to accept or refuse a grant may be issued at the instance of any person who would himself be entitled to a grant in the event of the person cited renouncing his right thereto.

Citation to accept or refuse or to take a grant.

(2) Where power to make a grant to an executor has been reserved, a citation calling on him to accept or refuse a grant may be issued at the instance of the executors who have proved the will or of the executors of the last survivor of deceased executors who have proved.

(3) A citation calling on an executor who has intermeddled in the estate of the deceased to show cause why he should not be ordered to take a grant may be issued at the instance of any person interested in the estate at any time after the expiration of six months from the death of the deceased:

Provided that no citation to take a grant shall issue while proceedings as to the validity of the will are pending.

(4) A person cited who is willing to accept or take a grant may apply *ex parte* to the Registrar for an order for a grant on filing an affidavit showing that he has entered an appearance and

that he has not been served by the citor with notice of any application for a grant to himself.

(5) If the time limited for appearance has expired and the person cited has not entered an appearance, the citor may—

- (a) in the case of a citation under paragraph (1) of this rule, apply to the Registrar for an order for a grant to himself;
- (b) in the case of a citation under paragraph (2) of this rule, apply to the Registrar for an order that a note be made on the grant that the executor in respect of whom power was reserved has been duly cited and has not appeared and that all his rights in respect of the executorship have wholly ceased;
- (c) in the case of a citation under paragraph (3) of this rule, apply to the Registrar by summons (which shall be served on the person cited) for an order requiring such person to take a grant within a specified time, or for a grant to himself or to some other person specified in the summons.

(6) An application under the last foregoing paragraph shall be supported by an affidavit showing that the citation was duly served and that the person cited has not entered an appearance.

(7) If the person cited has entered an appearance but has not applied for a grant under paragraph (4) of this rule, or has failed to prosecute his application with reasonable diligence, the citor may—

- (a) in the case of a citation under paragraph (1) of this rule, apply by summons to the Registrar for an order for a grant to himself;
- (b) in the case of a citation under paragraph (2) of this rule, apply by summons to the Registrar for an order striking out the appearance and for the endorsement on the grant of such a note as is mentioned in paragraph (5)(b) of this rule;
- (c) in the case of a citation under paragraph (3) of this rule, apply by summons to the Registrar for an order requiring the person cited to take a grant within a specified time, or for a grant to himself or to some other person specified in the summons,

and the summons shall be served on the person cited.

47. (1) A citation to propound a will shall be directed to the executors named in the will and to all persons interested thereunder, and may be issued at the instance of any citor having an interest contrary to that of the executors or such other persons.

Citation to propound a will.

(2) If the time limited for appearance has expired and no person cited has entered an appearance, or if no person who has appeared proceeds with reasonable diligence to propound the will, the citor may apply on motion for an order for a grant as if the will were invalid.

48. All caveats, citations, warnings and appearances shall contain an address for service within the jurisdiction.

Address for service.

49. (1) An application under section 7(1) of the Ordinance for an order requiring a person to bring in a will or to attend for examination may be made to a judge by summons, which shall be served on every such person as aforesaid.

Application for order to bring in a will or to attend for examination.

(2) An application under section 7(3) of the Ordinance for the issue by the Registrar of a subpoena to bring in a will shall be supported by an affidavit setting out the grounds of the application, and if any person served with the subpoena denies that the will is in his possession or control he may file an affidavit to that effect.

51. An application for an order for—

- (a) a grant of administration under section 36 of the Ordinance, or
- (b) a grant of administration *ad colligenda bona*,

may be made to the Registrar, and shall be supported by an affidavit setting out the grounds of the application.

Grants of administration under discretionary powers of court, and grants *ad colligenda bona*.

52. An application for leave to swear to the death of a person in whose estate a grant is sought may be made to the Registrar and shall be supported by an affidavit setting out the grounds of the application and containing particulars of any policies of insurance effected on the life of the presumed deceased.

Applications for leave to swear to death.

53. (1) An application for an order admitting to proof a nuncupative will, or a will which it is claimed is valid according to the provisions contained in the Wills Ordinance or a will contained in a copy, a completed draft, a reconstruction or other evidence of its contents where the original will is not available, may be made to the Registrar:

Grants in respect of nuncupative wills and of copies of wills. (Cap. 30.)

Provided that where a will is not available owing to its being retained in the custody of a foreign court or official, a duly authenticated copy of the will may be admitted to proof without any such order as aforesaid.

Grants *durante absentia*.

54. An application for an order for a grant of special administration under section 37 of the Ordinance where a personal representative is residing outside Hong Kong shall be made to the court on motion.

Issue of copies of original wills and other documents.

58. (1) Where copies are required of original wills or other documents deposited under section 74 of the Ordinance, such copies may be photographic copies sealed with the seal of the court.

(2) Copies not being photographic copies, of original wills or other documents deposited under the said section shall be examined against the documents of which they purport to be copies only if so required by the person demanding the copy, and in such case the copy shall be certified under the hand of the Registrar and may in addition be sealed with the seal of the court.

Taxation of costs.
(Cap. 159.)

59. (1) Every bill of costs (other than a bill delivered by a solicitor to his client which falls to be taxed under the Legal Practitioners Ordinance) shall be referred to the Registrar for taxation and shall be taxed in accordance with the provisions contained in Order 62 of the Rules of the Supreme Court.

(Cap. 4, sub. leg.)

(2) The fees payable on taxation shall be paid by the party on whose application the bill is taxed and shall be allowed as part of the bill.

Power to require application to be made by summons or motion.

60. The Registrar may require any application made to him to be brought before him by summons, and may require any application made to him, whether by summons or otherwise, to be brought before a judge by summons or before the court on motion.

Time limit for claims.

60A. An executor or administrator may apply to the Registrar by *ex parte* summons for an order limiting the time for creditors or other persons to make claims against the estate of the testator or intestate and the Registrar shall make such order as he thinks fit specifying what notices are to be given of the making of such order and the time thereby limited and make such order thereon as he thinks proper.

62. (1) Any person aggrieved by a decision of the Registrar may appeal by summons to a judge.

Appeals from Registrar.

(2) If any person besides the appellant appeared or was represented before the Registrar from whose decision or requirement the appeal is brought, the summons shall be issued within seven days thereof for hearing on the first available day and shall be served on every such person as aforesaid.

63. (1) A judge or the Registrar may direct that a notice of motion or summons for the service of which no other provision is made by these rules shall be served on such person or persons as the judge or the Registrar may direct.

Service of notice of motion and summons.

(2) Where by these rules or by any direction given under the last foregoing paragraph a notice of motion or summons is required to be served on any person, it shall be served—

- (a) in the case of a notice of motion, not less than five clear days before the day named in the notice for hearing of the motion;
- (b) in the case of a summons, not less than two clear days before the day appointed for the hearing, unless a judge or the Registrar at or before the hearing, dispenses with service on such terms, if any, as he may think fit.

64. Unless the Registrar otherwise directs, or these rules otherwise provide, any notice or other document required to be given to or served on any person may be given or served by leaving it at, or by sending it by prepaid registered post to, that person's address for service or, if he has no address for service, his last known address.

Notices etc.

65. Every affidavit used in non-contentious probate business shall be in the form required by the Rules of the Supreme Court in the case of affidavits to which those rules apply.

Affidavits.

66. The provisions of Order 3 and Order 62 rule 7 of the Rules of the Supreme Court shall apply to the computation, enlargement, and abridgement of time under these rules except that nothing in Order 3 shall prevent time from running in the Long Vacation.

Time.
(Cap. 4, sub. leg.)

67. Subject in any particular case to any direction given by a judge or the Registrar, these rules shall apply to any proceeding which is pending on the date on which they come into operation as well as to any proceeding commenced on or after that date.

Application to pending proceedings.