

certificate in accordance with the provisions of subsection (1) of section 8 of the Legal Practitioners Ordinance, 1964.

OR

During the twelve months immediately preceding the making of this declaration I have not been in practice as a solicitor (otherwise than as a salaried employee). <sup>(d)</sup>

- (4) <sup>(d)</sup> No/The following exemption from compliance with the rules made under section 72 has been granted to <sup>(d)</sup> me/to a firm of solicitors of which I am a partner/<sup>(e)</sup>

I apply for the issue to me of a practising certificate in accordance with the provisions of subsection (1) of section 6 of the Legal Practitioners Ordinance, 1964.

Declared at Hong Kong this \_\_\_\_\_ day  
of \_\_\_\_\_, 196 .

Before me

*A Commissioner, etc./Justice of the Peace.*

- Notes. (a) Names as they appear on the Roll of Solicitors, with the addition of any titles, etc.  
(b) All places of business, if more than one, must be given. If any changes have taken place since last practising certificate particulars should be given.  
(c) Fill in as appropriate, namely—  
Private Practice, on my own account, in Partnership or as an Assistant Solicitor.  
Whole time Government service.  
Commerce or industry as a salaried employee.  
(d) Delete whatever is inapplicable.  
(e) Give particulars of any exemptions granted.

FORM 2.

[rule 3.]

PRACTISING CERTIFICATE—SOLICITOR.

LEGAL PRACTITIONERS ORDINANCE, 1964.  
(No. 16 of 1964).

IN THE SUPREME COURT OF HONG KONG

It is hereby certified, in accordance with the provisions of subsection (1) of section 6 of the Legal Practitioners Ordinance, 1964, that \_\_\_\_\_  
\_\_\_\_\_ a Solicitor of the Supreme Court of Hong Kong, whose place(s) of business is/are at \_\_\_\_\_  
has complied with the provisions of that subsection and is therefore entitled to practise as such solicitor for the period of one calendar year from the 1st day of January, 196...\*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19.....

\_\_\_\_\_  
*Registrar, Supreme Court.*

Fee: \$100.00 paid.

\* or amended in accordance with the proviso to subsection (1) of section 6 of the Legal Practitioners Ordinance, 1964.

FORM 3.

[rule 4.]

APPLICATION BY A BARRISTER FOR PRACTISING CERTIFICATE.

PRACTISING CERTIFICATE RULES, 1964.

To: The Registrar of the Supreme Court.

I, \_\_\_\_\_ of \_\_\_\_\_  
hereby declare as follows—

- \* (1) I was called to the Bar in England/Northern Ireland in the month  
of \_\_\_\_\_ in the year \_\_\_\_\_

OR

- \* was admitted as an advocate in Scotland in the month of \_\_\_\_\_  
\_\_\_\_\_ in the year \_\_\_\_\_ and my place of  
business is as follows \_\_\_\_\_

- (2) I was admitted to the Roll of Barristers on the \_\_\_\_\_ day  
of \_\_\_\_\_ 19 .....

I apply for the issue to me of a practising certificate in accordance with the provisions of subsection (1) of section 30 of the Legal Practitioners Ordinance, 1964.

Declared at Hong Kong this \_\_\_\_\_ }  
day of \_\_\_\_\_ 19 .....

Before me

*A Commissioner, etc./Justice of the Peace.*

\* Delete whichever is inapplicable.

FORM 4.

[rule 5.]

PRACTISING CERTIFICATE—BARRISTER.

LEGAL PRACTITIONERS ORDINANCE, 1964.  
(No. 16 of 1964).

IN THE SUPREME COURT OF HONG KONG

It is hereby certified, in accordance with the provisions of subsection (1) of section 30 of the Legal Practitioners Ordinance, 1964, that \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_  
a Barrister, has complied with the provisions of that subsection and is therefore entitled to practise as a Barrister for the period of one calendar year from the 1st day of January, 196...\*

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .....

\_\_\_\_\_  
*Registrar, Supreme Court.*

Fee: \$50.00 paid.

\* or amended in accordance with the proviso to subsection (1) of section 30 of the Legal Practitioners Ordinance, 1964.

Made this 3rd day of June, 1964.

*Michael Bogan*  
Chief Justice.

*Explanatory Note.*

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

These rules lay down the formalities to be complied with by solicitors and barristers before practising certificates can be issued to them under, respectively, sections 6 and 30 of the Legal Practitioners Ordinance, 1964, and lay down the forms of application and of certificates required for those purposes.

## LEGAL PRACTITIONERS ORDINANCE, 1964.

(No. 16 of 1964).

## ACCOUNTANT'S CERTIFICATE RULES, 1964.

In exercise of the powers conferred by section 73 of the Legal Practitioners Ordinance, 1964, the Committee of the Incorporated Law Society of Hong Kong, with the approval of the Chief Justice, has made the following rules—

1. These rules may be cited as the Accountant's Certificate Rules, 1964, and shall come into operation on the day appointed for the commencement of section 8 of the Legal Practitioners Ordinance, 1964. Citation and commencement.  
(16 of 1964).

2. In these rules, unless the context otherwise requires— Interpretation.  
"client" means any person on whose account a solicitor holds or receives client's money;

"client account" means a current or deposit account at a bank in the name of the solicitor in the title of which the word "client" appears;

"client's money" means money held or received by a solicitor on account of a person for whom he is acting in relation to the holding or receipt of such money either as a solicitor or, in connexion with his practice as a solicitor, as agent, bailee, stakeholder, solicitor-trustee or in any other capacity, but not money to which the only person entitled is the solicitor himself or, in the case of a firm of solicitors, one or more of the partners in the firm:

Provided that the expression "client's money" shall not extend to money held or received by a solicitor holding an office to which paragraph (a) of section 75 of the Ordinance applies, in the course of his employment in such office, or to money paid without delay into an account subject to public or official audit;

"solicitor" means a solicitor of the Court and any firm of solicitors;

"solicitor-trustee" means a solicitor who is a sole trustee or who is co-trustee only with a partner, clerk or servant of his or with more than one of such persons; and

"trust-money" means money held or received by a solicitor which is not client's money and which is subject to a trust of which the solicitor is a trustee, whether or not he is solicitor-trustee of such trust.

Qualifications of accountant.

3. (1) An accountant shall be qualified to give an accountant's certificate on behalf of a solicitor, in accordance with the provisions of section 8 of the Ordinance if—

- (a) his name appears on Part I of the authorized list kept by the Registrar of Companies under paragraph (a) of subsection (3) of section 131 of the Companies Ordinance;
- (b) he has neither been at any time during the accounting period, nor subsequently, before giving the certificate, become a partner, clerk or servant of such solicitor or of any partner of such solicitor; and
- (c) he is not subject to notice of disqualification under paragraph (2).

(2) If either—

- (a) the accountant has been found guilty by the Authorized Auditors Board established under subsection (1) of section 131A of the Companies Ordinance of professional misconduct or discreditable conduct; or
- (b) the Committee is satisfied that a solicitor has not complied with the provisions of the Solicitors' Accounts Rules, 1964, in respect of matters not specified in an accountant's certificate and that the accountant was negligent in giving such certificate,

the Committee may at its discretion at any time notify the accountant concerned that he is not qualified to give an accountant's certificate, and the Committee may give notice of such fact to any solicitor on whose behalf he may have given an accountant's certificate, and after such accountant shall have been so notified, unless and until such notice of disqualification shall have been withdrawn by the Committee, the accountant shall not be qualified to give an accountant's certificate:

Provided that in coming to its decision under this paragraph, the Committee shall take into consideration any observations or instructions made or given by the accountant or on his behalf by the professional body of which he is a member.

Duties of an accountant.

4. (1) With a view to the signing of an accountant's certificate an accountant shall not be required to do more than—

- (a) make a general test examination of the books of account of the solicitor;
- (b) ascertain whether a client account is kept;
- (c) make a general test examination of the bank passbooks and statements kept in relation to the solicitor's practice;

(d) make a comparison, as at not fewer than two dates selected by the accountant between—

- (i) the liabilities of the solicitor to his clients and, if trust money has been paid into the client account under the Solicitors' Accounts Rules, 1964, to the *cestuis que trustent*, (L.N. 103/64), as shown by his books of account; and
- (ii) the balances standing to the credit of the client account; and

(e) ask for such information and explanations as he may require arising out of paragraphs (a) to (d).

(2) If after making the investigation prescribed by paragraph (1) it appears to the accountant that there is evidence that the Solicitors' Accounts Rules, 1964 have not been complied with, he shall make such further investigation as may be necessary to enable him to sign the accountant's certificate.

5. (1) An accountant's certificate delivered by a solicitor under these rules shall be in accordance with Form 1 in the Schedule.

Forms.  
Schedule,  
Form 1.

(2) A certificate delivered by the Committee in accordance with the provision of subsection (4) of section 8 of the Ordinance shall be in accordance with Form 2 in the Schedule.

Schedule,  
Form 2.

6. The Committee will in each practice year be satisfied that the delivery of an accountant's certificate is unnecessary, and shall not require evidence of that fact, in the case of any solicitor who—

Exemption  
from require-  
ment to  
deliver  
accountant's  
certificate.

- (a) holds his first current practising certificate; or
- (b) after having for twelve months or more ceased to hold a current practising certificate, holds his next current practising certificate; or
- (c) holds a current practising certificate after having, in the declaration lodged by him with the Registrar to lead to the issue of that practising certificate, declared that either—

(i) the Solicitors' Accounts Rules, 1964, did not apply to him because he had not, during the period to which such declaration referred, practised on his own account either alone or in partnership or held or received client's money; or

(L.N. 103/64).

(ii) he was exempt from complying with the Solicitors' Accounts Rules, 1964, by virtue of holding one of the offices to which section 75 of the Legal Practitioners Ordinance, 1964 applies and had not, during the period to which such declaration referred, engaged in private practice; or

(16 of 1964).

(d) has ceased to hold a current practising certificate and, if he has at any time after the date of the commencement of

these rules held or received client's money, has delivered an accountant's certificate covering an accounting period ending on the date upon which he ceased to hold or receive client's money; or

- (e) has at no time since the date of the commencement of these rules held a current practising certificate or held or received client's money.

Initial  
accounting  
periods.

7. The accounting period specified in an accountant's certificate delivered during the practice year beginning on the date of the commencement of these rules shall begin on—

- (a) the date to which the solicitor's books were last made up before the date of the commencement of these rules; or
- (b) if the books were not made up during the practice year beginning on the date of the commencement of these rules, either the date of the commencement of these rules, or the day upon which the solicitor first began or began again to hold or receive client's money, whichever is the later.

and shall cover not less than six months, or, in the case of a solicitor retiring from practice who has ceased to hold or receive client's money after the day before the date of the commencement of these rules, the period up to the date upon which he so ceased.

Accounting  
periods.

8. In any practice year beginning on or after the date of the commencement of these rules—

- (a) in the case of a solicitor who—
- (i) becomes under an obligation to deliver his first accountant's certificate, or
- (ii) having been exempt under rule 6 from delivering an accountant's certificate in the preceding practice year, becomes under an obligation to deliver an accountant's certificate,
- the accounting period shall begin on the date upon which he first held or received client's money or, after such exemption, began again to hold or receive client's money, and may cover less than twelve months, and shall in all other respects comply with the requirements of subsection (2) of section 8 of the Ordinance; and
- (b) in the case of a solicitor retiring from practice who, having ceased to hold or receive client's money, is under an obligation to deliver his final accountant's certificate, the accounting period shall end on the date upon which he ceased to hold

or to receive client's money, and may cover less than twelve months, and shall in all other respects comply with the requirements of subsection (2) of section 8 of the Ordinance.

9. (1) In any practice year beginning on or after the date of the commencement of these rules, in the case of a solicitor who— Different  
accounting  
periods.

- (a) was not exempt under rule 6 from delivering an accountant's certificate in the preceding practice year; and
- (b) since the expiry of the accounting period covered by such accountant's certificate has become, or ceased to be, a member of a firm of solicitors,

the accounting period may cover less than twelve months and shall in all other respects comply with the requirements of subsection (2) of section 8 of the Ordinance.

(2) In the case of a solicitor who has two or more places of business—

- (a) separate accounting periods, covered by separate accountant's certificates, may be adopted in respect of each such place of business, provided that the accounting periods comply with the requirements of subsection (2) of section 8 of the Ordinance and with these rules; and
- (b) the accountant's certificate or accountants' certificates delivered by him to the Registrar in each practice year shall cover all client's money held or received by him.

10. Every notice to be given by the Committee under these rules to a solicitor shall be in writing under the hand of the Secretary and sent by registered post to the last address of the solicitor appearing in the Roll of Solicitors, and, when so given and sent, shall be deemed to have been received by the solicitor within forty-eight hours of the time of posting. Notices to  
solicitors.

11. Every notice to be given by the Committee under these rules to an accountant shall be in writing under the hand of the Secretary and sent by registered post to the address of the accountant shown on an accountant's certificate or the authorized list kept by virtue of paragraph (a) of subsection (3) of section 131 of the Companies Ordinance, and, where so given and sent, shall be deemed to have been received by the accountant within forty-eight hours of the time of posting. Notices to  
accountants.  
(Cap. 32).

12. The Committee shall have power to waive in writing any of the provisions of these rules, other than those of paragraph (2) of rule 3, in any particular case. Power of  
waiver.

## SCHEDULE.

FORM 1.

[rule 5.]

ACCOUNTANT'S CERTIFICATE RULES, 1964.

## ACCOUNTANT'S CERTIFICATE.

1. <sup>(a)</sup>Solicitor's full name:
2. <sup>(b)</sup>Firm(s) name(s) and address(s):
3. State whether practising  
alone or in partnership:
4. <sup>(c)</sup>Accounting period(s):

In compliance with section 8 of the Legal Practitioners Ordinance, 1964 and the Accountant's Certificate Rules, 1964 made thereunder, I, ....., have examined the books, accounts and documents of the above-named solicitor relating to the above practice(s) produced to me and I hereby certify that from my examination pursuant to rule 4 of the Accountant's Certificate Rules, 1964, and from the explanations and information given to me, I am satisfied that—

- <sup>(d)</sup>(1) during the above-mentioned period(s) he has complied with the provisions of the Solicitors' Accounts Rules, 1964,<sup>(d)</sup> except so far as concerns—
- (i) certain trivial breaches due to clerical errors or mistakes in book-keeping, all of which were rectified on discovery; I am satisfied that none of such breaches resulted in any loss to any client;
  - (ii) the matters set out on the back hereof.
- <sup>(d)</sup>(2) having retired from active practice as a solicitor the said ..... ceased to hold client's money on the ..... day of ....., 19.....

Accountant's full name:  
Qualifications:  
Firm name:  
Address:  
Signature:  
Date:

To: The Committee,  
The Incorporated Law Society of Hong Kong,  
12, Sutherland House,  
Hong Kong.

- Notes: (a) In the case of a firm with a number of partners, carbon copies of the Certificate may be delivered provided section 1 above is completed on each Certificate with the name of the individual solicitor.
- (b) All addresses at which the solicitor(s) practise(s) must be covered by an Accountant's Certificate or Certificates.
- (c) The period(s) must comply with subsection (2) of section 8 of the Legal Practitioners Ordinance, 1964.
- (d) Delete clause not applicable.

FORM 2.

[rule 5.]

## CERTIFICATE BY COMMITTEE.

LEGAL PRACTITIONERS ORDINANCE, 1964.

(No. 16 of 1964).

## IT IS HEREBY CERTIFIED THAT

- <sup>(a)</sup> ..... practising as a solicitor under the name of <sup>(b)</sup> ..... of <sup>(c)</sup> .....
- <sup>(d)</sup> has/has not delivered to the Committee of the Incorporated Law Society of Hong Kong a satisfactory Accountant's Certificate in accordance with section 8 of the Legal Practitioners Ordinance, 1964,
- <sup>(d)</sup> has/has not supplied to the Committee of the Incorporated Law Society of Hong Kong such evidence as is required by section 8 of the Legal Practitioners Ordinance, 1964 or by the Accountant's Certificate Rules, 1964, in respect of the accounting period from the ..... day of ....., 19..... to the ..... day of ....., 19.....

Dated this ..... day of ....., 19.....

.....  
*Secretary,  
Incorporated Law Society of  
Hong Kong.*

- Notes: (a) Solicitor's full name.  
(b) Firm name.  
(c) Address.  
(d) Delete whichever is inapplicable.

A. K. W. LUI,  
*Chairman.*

G. H. H. GOLBY,  
*Member.*

D. Q. CHEUNG,  
*Member.*

R. MARTYN,  
*Member.*

SHIRLEY WOO,  
*Secretary.*

3rd June, 1964.

Approved this 22nd day of June, 1964.

*Michael Ho*  
*Chief Justice.*

*Explanatory Note.*

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

These rules are taken without substantial modification, from the Accountant's Certificate Rules, 1946, made by the Law Society under the Solicitors Act, 1941. The rules lay down the qualification which an accountant must hold to enable him to furnish a certificate required by a solicitor under section 8 of the Legal Practitioners Ordinance, 1964, the duties of an accountant in issuing such certificate, the form of the certificate and the requirements, in regard to accounting periods, for such certificates and enable the Incorporated Law Society of Hong Kong to withdraw recognition under the rules from an accountant. These rules will not come into operation until section 8 of the Ordinance is brought into operation.

**SOLICITORS' ACCOUNTS RULES, 1964.****ARRANGEMENT OF RULES.**

<i>Rule.</i>	<i>Page.</i>
1. Citation and commencement ... ..	2
2. Interpretation ... ..	2
3. Obligation to pay into client account ... ..	2
4. Payment into client account ... ..	2
5. Splitting ... ..	3
6. Restriction on payment into client account ... ..	3
7. Drawings from a client account ... ..	3
8. Further restrictions on drawings from client account ... ..	4
9. Exceptions ... ..	4
10. Obligation to keep accounts ... ..	5
11. Powers of Committee ... ..	6
12. Delivery of intimation and notification ... ..	6
13. Requirement by Committee ... ..	6
14. Saving of rights of solicitor ... ..	7

LEGAL PRACTITIONERS ORDINANCE, 1964.  
(No. 16 of 1964).

**SOLICITORS' ACCOUNTS RULES, 1964.**

In exercise of the powers conferred by section 73 of the Legal Practitioners Ordinance, 1964, the Committee of the Incorporated Law Society of Hong Kong, with the approval of the Chief Justice, has made the following rules—

1. These rules may be cited as the Solicitors' Accounts Rules, 1964, and shall come into operation on the day appointed for the commencement of section 8 of the Legal Practitioners Ordinance, 1964.

2. In these rules, unless the context otherwise requires—

“client” means any person on whose account a solicitor holds or receives client's money;

“client account” means a current or deposit account at a bank in the name of the solicitor in the title of which the word “client” appears;

“client's money” means money held or received by a solicitor on account of a person for whom he is acting in relation to the holding or receipt of such money either as a solicitor or, in connexion with his practice as a solicitor, as agent, bailee, stakeholder, solicitor-trustee or in any other capacity, but not money to which the only person entitled is the solicitor himself or, in the case of a firm of solicitors, one or more of the partners in the firm;

“solicitor” means a solicitor of the Court and any firm of solicitors;

“solicitor-trustee” means a solicitor who is a sole trustee or who is co-trustee only with a partner, clerk or servant of his or with more than one of such persons; and

“trust money” means money held or received by a solicitor which is not client's money and which is subject to a trust of which the solicitor is a trustee, whether or not he is solicitor-trustee of such trust.

3. (1) Subject to the provisions of rule 9, a solicitor who holds or receives client's money, or money which under rule 4 he is permitted and elects to pay into a client account, shall without delay pay such money into a client account.

(2) For the purposes of this rule, a solicitor shall keep not less than one client account and may keep as many such accounts as he thinks fit.

4. There may be paid into a client account—

(a) trust money;

(b) such money belonging to the solicitor as may be necessary for the purpose of opening or maintaining the account;

(c) money to replace any sum which may by mistake or accident have been drawn from the account in contravention of paragraph (2) of rule 8; and

(d) a cheque or draft received by the solicitor, which under rule 5 he is entitled to split but which he does not split.

5. Where a solicitor holds or receives a cheque or draft which includes client's money or trust money of one or more trusts—

(a) he may where practicable split such cheque or draft and, if he does so, he shall deal with each part thereof as if he had received a separate cheque or draft in respect of that part; or

(b) if he does not split the cheque or draft, he shall, if any part thereof consists of client's money, and may, in any other case, pay the cheque or draft into a client account.

6. No money other than money which under rules 3, 4 and 5 a solicitor is required or permitted to pay into a client account shall be paid into a client account.

7. There may be drawn from a client account—

(a) in the case of client's money—

(i) money properly required for a payment to or on behalf of the client;

(ii) money properly required for or towards payment of a debt due to the solicitor from the client or in reimbursement of money expended by the solicitor on behalf of the client;

(iii) money drawn on the client's authority; and

(iv) money properly required for or towards payment of the solicitor's costs where a bill of costs or other written intimation of the amount of the costs incurred has been delivered to the client and the client has been notified that money held for him will be applied towards or in satisfaction of such costs;

(b) in the case of trust money, including money held by the solicitor as solicitor-trustee—

(i) money properly required for a payment in the execution of the particular trust, and

(ii) money to be transferred to a separate bank account kept solely for the money of the particular trust;

(c) such money, not being money to which either paragraph (a) or paragraph (b) applies, as may have been paid into the account under paragraph (b) or paragraph (d) of rule 4; and

Citation and commencement.  
(16 of 1964).

Interpretation.

Obligation to pay into client account.

Payment into client account.

Restriction on payment into client account.

Drawings from a client account.

Splitting.

- (d) money which may by mistake or accident have been paid into the account in contravention of rule 6:

Provided that in any case under paragraph (a) or paragraph (b) the money so drawn shall not exceed the total of the money held for the time being in such account on account of such client or trust.

8. (1) No money drawn from a client account under sub-paragraph (ii) or sub-paragraph (iv) of paragraph (a), or under paragraph (c) or paragraph (d), of rule 7 shall be drawn except by—

- (a) a cheque drawn in favour of the solicitor; or  
(b) a transfer to a bank account in the name of the solicitor not being a client account.

(2) No money other than money permitted by rule 7 to be drawn from a client account shall be so drawn unless the Committee, upon an application in writing made to it by the solicitor, specifically authorizes in writing its withdrawal.

9. (1) Notwithstanding the provisions of these rules, a solicitor shall not be under obligation to pay into a client account client's money held or received by him which—

- (a) is received by him in the form of cash and is without delay paid in cash in the ordinary course of business to the client or to a third party; or  
(b) is received by him in the form of a cheque or draft which is endorsed over in the ordinary course of business to the client or to a third party and is not passed by the solicitor through a bank account; or  
(c) he pays into a separate bank account opened or to be opened in the name of the client or of some person named by the client.

(2) Notwithstanding the provisions of these rules, a solicitor shall not pay into a client account client's money held or received by him which—

- (a) the client for his own convenience requests the solicitor to withhold from such account; or  
(b) is received by him for or towards payment of a debt due to the solicitor from the client or in reimbursement of money expended by the solicitor on behalf of the client; or  
(c) is paid to him expressly on account of costs incurred, in respect of which a bill of costs or other written intimation of the amount of the costs has been delivered, or as an agreed fee, or on account of an agreed fee, for business undertaken or to be undertaken.

Further restrictions on drawings from client account.

Exceptions.

(3) Where a cheque or draft includes other client's money as well as client's money of the nature described in paragraph (2), such cheque or draft shall be dealt with in accordance with rule 5.

(4) Notwithstanding the provisions of these rules, the Committee, upon an application in writing made to it by a solicitor, may specifically authorize the solicitor in writing to withhold any client's money from a client account.

10. (1) Every solicitor shall at all times keep properly written up such books and accounts as may be necessary—

Obligation to keep accounts.

- (a) to show all his dealings with—  
(i) clients' money held, received or paid by him; and  
(ii) any other money dealt with by him through a client account; and  
(b) to distinguish such money held, received or paid by him on account of each separate client and to distinguish such money from other money held, received or paid by him on any other account.

(2) All dealings referred to in sub-paragraph (a) of paragraph (1) shall be recorded in—

- (a) a clients' cash book, or a clients' column on the credit side or debit side, as may be appropriate, of a cash book; and  
(b) a clients' ledger, or a clients' column on the credit side or debit side, as may be appropriate, of a ledger,

and no other dealings shall be recorded in such clients' cash book and ledger, or, as the case may be, in such clients' columns.

(3) All dealings of the solicitor relating to his practice as a solicitor other than those referred to in sub-paragraph (a) of paragraph (1) shall be recorded, as may be appropriate, in such other cash book, if any, and ledger or such other columns, if any, of a cash book and ledger as the solicitor may choose to maintain.

(4) In addition to the books and accounts referred to in paragraphs (2) and (3), every solicitor shall keep a record of all bills of costs, distinguishing between profit costs and disbursements, and of all written intimations under sub-paragraph (iv) of paragraph (a) of rule 7 delivered by the solicitor to his clients, which record shall be contained in a bills delivered book or a file of copies of such bills and intimations.

(5) In this rule each of the expressions "book", "ledger" and "record" shall be deemed to include a loose-leaf book and such cards

or other permanent documents as are necessary for the operation of a mechanical system of book-keeping.

(6) Every solicitor shall preserve for at least six years from the date of the last entry therein all books, accounts and records kept by him under this rule.

Powers of  
Committee.

11. (1) In order to ascertain whether the provisions of these rules have been complied with, the Committee, acting either—

(a) on its own motion; or

(b) on a written complaint lodged with it by a third party,

may require any solicitor to produce at such time and place as may be fixed by the Committee, his books of account, bank pass books, loose-leaf bank statements, statements of account, vouchers and any other necessary documents for the inspection of any person appointed by the Committee, and such person shall be directed to prepare for the information of the Committee a report on the result of such inspection and any such report may be used as a basis for proceedings under the Ordinance.

(2) Upon being required so to do a solicitor shall produce such books of account, bank pass books, loose-leaf bank statements, statements of account, vouchers and documents at the time and place fixed.

(3) Before instituting an inspection on a written complaint lodged with it by a third party, the Committee shall require *prima facie* evidence that a ground of complaint exists, and may require the payment by such party to the Committee of a reasonable sum to be fixed by it to cover the costs of the inspection, and the costs of the solicitor against whom the complaint is made and the Committee may deal with any sum so paid in such manner as it thinks fit.

Delivery of  
intimation  
and notifica-  
tion.

12. A written intimation of the amount of a solicitor's costs incurred and a notification to a client that money held for him will be applied as mentioned in sub-paragraph (iv) of paragraph (a) of rule 7 may be delivered to a client in the same manner as a bill of costs is required to be delivered under subsection (2) of section 66 of the Ordinance.

Requirement  
by Com-  
mittee.

13. Every requirement to be made by the Committee of a solicitor under these rules shall be made in writing under the hand of the Secretary and sent by registered post to the last address of the solicitor notified to the Incorporated Law Society of Hong Kong and, when so made and sent, shall be deemed to have been received by the solicitor within forty-eight hours of the time of posting.

14. Nothing in these rules shall deprive a solicitor of any recourse or right, whether by way of lien, set-off, counter-claim, charge or otherwise, against moneys standing to the credit of a client account. Saving of  
rights of  
solicitor.

A. K. W. LUI,  
*Chairman.*

G. H. H. GOLBY,  
*Member.*

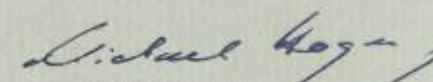
D. Q. CHEUNG,  
*Member.*

R. MARTYN,  
*Member.*

SHIRLEY WOO,  
*Secretary.*

3rd June, 1964.

Approved this 22nd day of June, 1964.

  
*Chief Justice.*

*Explanatory Note.*

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

These rules lay down the conditions with which a solicitor must comply in accounting for money in his hands which belongs to a client. The rules are taken, without substantial modification, from the Solicitors Accounts Rules, 1945, and the Solicitors Trust Account Rules, 1945, made by the Law Society under the Solicitors Act, 1933. These rules will not come into operation until section 8 of the Legal Practitioners Ordinance, 1964, which lays down requirements as to the keeping of accounts by solicitors, is brought into operation.

LEGAL PRACTITIONERS ORDINANCE, 1964.

(No. 16 of 1964).

**SOLICITORS' PRACTICE RULES, 1964.**

In exercise of the powers conferred by section 73 of the Legal Practitioners Ordinance, 1964, the Committee of the Incorporated Law Society of Hong Kong, with the approval of the Chief Justice, has made the following rules—

1. These rules may be cited as the Solicitors' Practice Rules, 1964, and shall come into operation on the day appointed for the commencement of section 73 of the Legal Practitioners Ordinance, 1964. Citation and commencement.  
(16 of 1964).

2. A solicitor shall not directly or indirectly apply for or seek instructions for professional business or do or permit in the carrying on of his practice any act or thing which can reasonably be regarded as touting or advertising or as calculated to attract business unfairly. Prohibition against touting, etc.

3. A solicitor shall not hold himself out or allow himself to be held out directly or indirectly and whether or not by name as being prepared to do professional business in contentious matters at less than the scale fixed by Rules of Court or by any other enactment or in any other matters at less than such scale as may from time to time be fixed by any enactment or by the Society. Fee cutting.

4. A solicitor shall not share or agree to share with any person not being a solicitor practising in the Colony, or a solicitor or other duly qualified legal agent practising in the United Kingdom or in some other part of the Commonwealth, his profit costs in respect of any business whether by way of paying or agreeing to pay a commission on business introduced by any such person not being a solicitor, or otherwise: Sharing with non-qualified persons.

Provided always that—

- (a) a solicitor carrying on practice on his own account may agree to pay an annuity or other sum out of profits to a retired partner or predecessor or the dependants or legal personal representative of a deceased partner or predecessor; and
- (b) a solicitor who has agreed in consideration of a salary to do the legal work of an employer who is not a solicitor may agree with such employer to set off his profit costs received in respect of contentious business from the opponents of such employer or the costs paid to him as the solicitor for such employer by third parties of non-contentious business, against the salary so paid or payable to him and the reasonable office expenses incurred by such employer in connexion with such solicitor and to the extent of such salary and expenses.

Register of  
clerks.

5. (1) Within three months after the date of coming into operation of these rules, or within three months after the date when he commences to practise on his own account or in partnership with another solicitor, whichever is the later, every solicitor who has in his employment personally or in partnership with another solicitor any clerk or interpreter shall furnish to the Committee a list showing the name, in English and, where appropriate, in Chinese characters, of every such clerk and interpreter and such other particulars in respect thereof as the Committee may require.

(2) Within fourteen days after any occurrence which would render any list furnished in accordance with the provisions of paragraph (1) incorrect, the solicitor shall furnish to the Committee a further list showing any changes to be made in the list.

(3) Where two or more solicitors are in partnership as solicitors a list under paragraph (1) or (2) may be furnished by one partner on behalf of the other partners.

(4) Every list furnished in accordance with the provisions of this rule shall be available for inspection, free of charge, at the offices of the Society, during normal office hours by any member of the Society, the Registrar, any legal officer within the meaning of the Legal Officers Ordinance, the Registrar General, the Deputy Registrar General and any Legal Assistant to the Registrar General.

(Cap. 87).

Power of  
waiver.

6. The Committee shall have power to waive in writing any of the provisions of these rules in any particular case or cases, either unconditionally or subject to such conditions as the Committee may think fit to impose.

A. K. W. LUI,  
*Chairman.*

G. H. H. GOLBY,  
*Member.*

D. Q. CHEUNG,  
*Member.*

R. MARTYN,  
*Member.*

SHIRLEY WOO,  
*Secretary.*

3rd June, 1964.

Approved this 22nd day of June, 1964.

*Michael Bayley*  
Chief Justice.

*Explanatory Note.*

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

The purpose of these rules is to lay down basic rules of conduct for solicitors. Rules 2, 3 and 4 are taken directly from rules 1, 2 and 3 of the Solicitors' Practice Rules, 1936, made by the Council of the Law Society under the Solicitors Act, 1933. Rule 5 provides for the keeping by the Committee of the Incorporated Law Society of Hong Kong of a register of all clerks and interpreters employed in Hong Kong by solicitors. By rule 6 the Committee is given the same power of waiver as is given to the Council of the Law Society, under rule 5 of the U.K. Rules, with the additional power to impose conditions on granting any waiver.

## STUDENTS RULES, 1964.

### ARRANGEMENT OF RULES.

<i>Rule.</i>		<i>Page.</i>
<b>PART I.</b>		
CITATION, COMMENCEMENT AND INTERPRETATION.		
1.	Citation and commencement ... ..	2
2.	Interpretation ... ..	2
<b>PART II.</b>		
ENROLMENT.		
3.	Consent to enrolment ... ..	3
4.	Enrolment ... ..	3
5.	Re-enrolment ... ..	4
<b>PART III.</b>		
ARTICLES OF CLERKSHIP.		
6.	Term of Articles ... ..	4
7.	Notice of articles ... ..	4
8.	Registration of articles ... ..	4
9.	Service of articles ... ..	6
10.	Irregular service ... ..	6
11.	Other employment of articled clerk ... ..	7
12.	Allowance of irregular service ... ..	7
13.	New or further articles ... ..	8
<b>PART IV.</b>		
EXAMINATIONS.		
14.	Qualification for admission ... ..	9
15.	Notice of intention to sit examination ... ..	9
16.	Restriction on taking examination ... ..	10
17.	Exemption from examination ... ..	10
18.	Notification by the Society ... ..	11
19.	Certificate of results ... ..	11
<b>PART V.</b>		
GENERAL.		
20.	Examination of disbarred barrister from service under articles ... ..	11
21.	Complaints of the conduct of enrolled students, articled clerks and former articled clerks ... ..	12
22.	Revocation ... ..	12
First Schedule: Forms ... ..		12
Second Schedule: Term of Articles ... ..		22

LEGAL PRACTITIONERS ORDINANCE, 1964.  
(No. 16 of 1964).

STUDENTS RULES, 1964.

In exercise of the powers conferred by section 73 of the Legal Practitioners Ordinance, 1964, the Committee of the Incorporated Law Society of Hong Kong, with the approval of the Chief Justice, has made the following rules—

PART I.

CITATION, COMMENCEMENT AND INTERPRETATION.

Citation and commencement.  
(16 of 1964).

1. These rules may be cited as the Students Rules, 1964 and shall come into operation on the day appointed for the commencement of section 73 of the Legal Practitioners Ordinance, 1964.

Interpretation.

2. In these rules, unless the context otherwise requires—
- “articles” includes new articles, further articles, assigned articles and supplementary articles;
- “English Law Society” means the Law Society of England and Wales;
- “intermediate examination” means the examination of that name set by the English Law Society, and held in two parts, namely, the law portion and the trust accounts and bookkeeping portion, whether held in the Colony or in England;
- “Part I examination” and “Part II examination” mean respectively Parts I and II of the qualifying examination;
- “preliminary examination” means the examination of that name set by the English Law Society under the provisions of the Students Regulations, 1962, whether held in the Colony or in England;
- “prescribed fee” means such fee as may be prescribed by rules made under section 72 of the Ordinance;
- “qualifying examination” means the examination of that name set by the English Law Society under the provisions of the Students Regulations, 1962, and held in two parts, whether held in the Colony or in England;
- “Students Regulations, 1962” means the regulations of that name made by the English Law Society and any regulations amending or replacing the same; and
- “University” means the University of Hong Kong.

PART II.  
ENROLMENT.

3. (1) Except as is provided by rule 20, a person may not present himself for the qualifying examination or either part thereof or enter into articles unless he has enrolled as a student in accordance with the provisions of rule 4. Consent to enrolment.

- (2) A person desiring to enrol as a student shall—
- (a) give to the Society not less than six weeks' notice in writing thereof in accordance with Form 1 of the First Schedule;
- (b) furnish to the Society such evidence as the Society may reasonably require that he has attained the requisite standard of general education and as to his character and fitness and suitability to be an articled clerk; and
- (c) pay to the Society the prescribed fee.

First Schedule, Form 1.

(3) If the Society is satisfied that the person concerned has attained the requisite standard of general education prescribed by paragraph (5) and as to his character and fitness and suitability to be an articled clerk, the Society shall issue to him a certificate of consent to his enrolment as a student, in accordance with Form 2 of the First Schedule. First Schedule, Form 2.

(4) Before a consent is issued in accordance with paragraph (3), the Society may, if it thinks fit, require the person concerned to attend before the Committee or before an interviewing panel appointed by the Committee and to furnish such additional evidence as to his character, fitness and suitability to be an articled clerk as the Society, the Committee or such interviewing panel may consider necessary.

(5) A person shall be deemed to have attained the requisite standard of education if he has attained the standard laid down by regulation 6 of the Students Regulations, 1962, or if he has passed the matriculation examination of the University or such other examination as would permit him to enter the University without further examination or has obtained from the Chief Justice an order entitling him to be treated for the purpose of this rule as though he had attained the requisite standard of general education.

4. (1) The Registrar, on written application in accordance with Form 3 in the First Schedule made to him together with the Society's consent to enrolment in accordance with rule 3 and on payment of the prescribed fee, shall enrol the person concerned as a student. Enrolment. First Schedule, Form 3.

(2) The Registrar, on enrolling a person as a student in accordance with paragraph (1), shall issue to such person a certificate of enrolment in accordance with Form 4 in the First Schedule and shall forward a copy of such certificate to the Society. First Schedule, Form 4.

Re-enrolment.

5. (1) Any person, who, having enrolled as a student in accordance with the provisions of rule 4, does not enter into articles within two years of the issue to him of a certificate of enrolment under that rule shall not be permitted to enter into articles until he is re-enrolled as a student in accordance with the provision of this rule.

First Schedule, Form 3.

(2) A person who wishes to re-enrol as a student under this rule shall lodge with the Registrar an application in writing in accordance with Form 3 in the First Schedule together with the written consent of the Society to his re-enrolment which may be granted upon the same terms as a consent under rule 3 and, on payment of the prescribed fee, the Registrar shall re-enrol such person.

### PART III.

#### ARTICLES OF CLERKSHIP.

Term of Articles.

6. Except as is provided by rule 20, no person shall be admitted as a solicitor by virtue of sub-paragraph (i) of paragraph (a) of subsection (1) of section 4 of the Ordinance unless he has been bound by articles to serve as an articled clerk to a practising solicitor in the Colony or partly to a practising solicitor in the Colony and partly to a practising solicitor in England or Wales for such term as is required by the Second Schedule and has duly served under articles for that term.

Second Schedule.

Notice of articles.

7. (1) Not less than six weeks before any person becomes bound by articles he shall give notice to the Society of his intention so to do in accordance with Form 5 in the First Schedule and shall pay to the Society the prescribed fee:

First Schedule, Form 5.

Provided that in the case of assignment of articles or further articles the Society may reduce such period of notice to such period as it may consider reasonable under the circumstances.

(2) Every such notice shall state the intended term of the articles and in the event of the term being less than five years there shall be furnished to the Society such evidence as the Society may reasonably require to show why the term should be less than five years.

(3) If the Society is satisfied with the length of the intended term, the Society shall issue to such person a certificate in accordance with Form 6 in the First Schedule stating the Society's agreement with length of the intended term.

First Schedule, Form 6.

Registration of articles.

8. (1) No articles shall be registered unless the articled clerk to whom the articles relate has first been enrolled in accordance with rule 4 or re-enrolled in accordance with rule 5.

(2) Save with the consent of the Chief Justice, which may be granted upon such terms as he may consider appropriate, no articles may be lodged with the Registrar for registration after the expiry of one month from the execution thereof.

(3) All articles shall be produced to the Society for registration and the Society, on being satisfied by a statutory declaration as to the due execution of the articles and on payment of the prescribed fee, shall record the names and addresses of the articled clerk and the solicitor with whom he has entered into articles, the term of articles and the date thereof and the date of the making of the entry in a register which shall be open to the inspection of any person during office hours without payment.

(4) When articles are lodged with the Registrar for registration, there shall be paid to the Registrar the prescribed fee and there shall be lodged with them—

- (a) a statutory declaration by the solicitor to whom the articled clerk is bound that the solicitor is duly admitted and that the solicitor complies with the requirements of subsections (1), (2) and (3) of section 20 of the Ordinance;
- (b) a statutory declaration of the due execution of the articles in accordance with Form 7 in the First Schedule; and
- (c) a certificate issued by the Society in accordance with the provisions of paragraph (3) of rule 7.

First Schedule, Form 7.

(5) Where further articles entered into in accordance with the provisions of rule 13 are lodged with the Registrar for registration, there shall be paid to the Registrar the prescribed fee and there shall be lodged with them—

- (a) his original articles and any new or further articles already registered;
- (b) his new or further articles for registration;
- (c) a statutory declaration in accordance with Form 7 in the First Schedule, verifying the due execution of the new or further articles lodged for registration; and
- (d) where appropriate a certificate of re-enrolment as a student.

First Schedule, Form 7.

(6) The Registrar, not later than one month after the production to him for registration of any articles and on being satisfied as to the correctness thereof and of the other documents lodged therewith, shall—

- (a) register the articles;
- (b) endorse thereon a memorandum of the date on which the same were registered; and
- (c) return the articles to the required clerk.

(7) Where articles have been registered with the Registrar within the period stipulated in paragraph (2) the term of service thereunder shall commence upon the date of execution thereof or upon such later date as may be specified therein but if the articles are not produced to the Registrar within such period, service thereunder shall, unless the Society may otherwise direct, be reckoned as commencing upon the date of the production of such articles to the Registrar, and a note to that effect shall be endorsed thereon by the Registrar.

(8) Service of an articled clerk under articles of which registration has been refused shall not be deemed to be good service.

Service of articles.

9. (1) Subject to the provisions of paragraph (2), every articled clerk shall, during the whole term of his articles, be actually employed in the proper business, practice and employment of a solicitor by the solicitor to whom he is articled.

(2) For the purposes of this rule, the following periods shall be reckoned as if they were periods of employment with the solicitor to whom the clerk is articled and as good service under the articles—

- (a) with the permission of that solicitor, a period not exceeding one year in the employment in the proper business, practice and employment of another solicitor, so long as there is not a prohibition in force under section 21 of the Ordinance in respect of such solicitor;
- (b) where the term of articles is five years—
  - (i) not more than twelve months during the first two and a half years of the term to prepare for the Part I examination; and
  - (ii) not more than twelve months during the last twelve months of the term to prepare for the Part II examination;
- (c) where the term of articles is three or four years, not more than twelve months during the last twelve months of the term to prepare for the Part II examination;
- (d) where the term of articles is two and a half years, not more than six months during the last six months of the term to prepare for the Part II examination; and
- (e) such period as the Society in its discretion may permit to be so reckoned.

Irregular service.

10. (1) Unless the Society otherwise directs, the following may not be reckoned by an articled clerk as good service under articles—

- (a) service by an articled clerk to a solicitor who has taken or retained him in contravention of the provision of section 20 of the Ordinance;

- (b) service by an articled clerk to a solicitor who has taken him in contravention of a prohibition in force under section 21 of the Ordinance.

(2) Where a person has entered into articles for a term of five years and more than half of the term of articles has expired before he has passed the Part I examination or has been granted total exemption therefrom, then no service under articles by that person after the expiry of one half of the term of articles may be reckoned as good service under articles until such time as he shall have passed the Part I examination or shall be granted total exemption therefrom.

11. (1) Subject to the provisions of these rules no articled clerk shall during the term hold any office or engage in any employment other than the employment of a solicitor with whom he has entered into articles or of a partner of that solicitor in the proper business, practice and employment of a solicitor, and no period during which he has held any such other office or engaged in any such other employment may, unless the Society otherwise directs, be reckoned as good service under articles.

Other employment of articled clerk.

(2) Paragraph (1) shall not apply to any articled clerk who, before he entered upon or engages in any office or employment has obtained the written consent of the solicitor with whom he has entered into articles and of the Society.

(3) Any direction given by the Society under paragraph (1) or any consent given by the Society under paragraph (2) may be given subject to such terms and conditions as the Society may think fit and shall be subject to payment to the Society of the prescribed fee.

(4) Every application for the direction or consent of the Society under this regulation shall be in accordance with Form 8 in the First Schedule, duly completed by the applicant, and shall be accompanied by the written consent of the solicitor under paragraph (2).

First Schedule, Form 8.

12. (1) Where an articled clerk has not served under articles in accordance with the provisions of these rules but has, after the execution of the articles, *bona fide* served, either continuously or not, one or more solicitors as an articled clerk for periods equal in aggregate to the full term for which he was originally articled, the Society may, if it is satisfied that the irregularity of the service was occasioned by accident, mistake or other sufficient cause and that the service, though irregular, was substantially equivalent to service in accordance with the provisions of these rules, allow the articled clerk to reckon the service as if it had been good service.

Allowance of irregular service.

(2) Every application for service to be reckoned as good service in accordance with paragraph (1) shall be in accordance with Form 9 in the First Schedule, duly completed by the applicant.

First  
Schedule,  
Form 9.

New or  
further  
articles.

13. (1) Where before the expiration of the term for which an articulated clerk is articulated, the solicitor to whom he is articulated ceases to practise as a solicitor or dies or the articles are cancelled by mutual consent or are discharged by the Court or by the Society, the articulated clerk may enter into new articles with another practising solicitor for the residue of the term of his original articles and service under the new articles in accordance with the provisions of these rules shall be good service:

Provided that where the articles have been discharged by the Society under section 22 of the Ordinance, service by the articulated clerk under any new or further articles may only be reckoned as good service when the articulated clerk has re-enrolled as a student with the Society.

(2) Where the solicitor to whom an articulated clerk is articulated dies before the expiration of the term for which the articulated clerk is articulated and the articulated clerk enters into new articles, the Society, if it is satisfied that there has been no undue delay before the articulated clerk has entered into the new articles and that during the period of the date of the entry by the clerk into the new articles the articulated clerk has *bona fide* served a practising solicitor in such a way as could, had the articulated clerk entered into articles with such solicitor, have been reckoned as good service under articles, may on receiving an application in accordance with Form 9 in the First Schedule duly completed by the articulated clerk allow the articulated clerk to reckon such period of service as good service under articles.

First  
Schedule,  
Form 9.

(3) Where on the expiration of the term for which an articulated clerk is articulated, he cannot satisfy the Society that he has duly served under articles for the whole of the term of the articles he may enter into further articles with the same or another practising solicitor for such period as will enable him to complete the requisite term of service under articles.

(4) If the articulated clerk does not enter into new articles within two years of the cancellation of his articles or of the discharge of the articles by the Society in accordance with the provisions of section 22 or subsection (4) of section 20 of the Ordinance, or by the Court in accordance with the provision of section 21 of the Ordinance, or if he does not enter into further articles within two years of the expiration of his original articles or any new articles, he shall be required to re-enrol as a student with the Society before entering into new or further articles and such new or further articles shall be for such term not exceeding the term of his original articles as the Society may think fit.

## PART IV.

### EXAMINATIONS.

14. Subject to the provisions of these rules no person shall be qualified for admission under sub-paragraph (i) of paragraph (a) of subsection (1) of section 4 of the Ordinance unless—

Qualification  
for admis-  
sion.

- (a) he has served his articles for the term provided by rule 6 in accordance with the provisions of rules 9, 10, 11 and 12; and
- (b) he has either passed or been exempted from the Part I examination and has passed the Part II examination.

15. (1) A candidate for either part of the qualifying examination shall—

Notice of  
intention to  
sit examina-  
tion.  
First  
Schedule,  
Form 10.

- (a) give notice, in accordance with Form 10 in the First Schedule and in compliance with the provisions of paragraph (2), to the Society of his intention to sit for such examination, stating whether or not he will present himself for examination in England or in the Colony;
- (b) pay to the Society the prescribed fee; and
- (c) if he is serving or has served under articles, lodge with the Society a statutory declaration in accordance with Form 11 or 12 in the First Schedule as to service under articles and, where applicable, as to passing or being exempted from the Part I examination or the intermediate examination:

First  
Schedule,  
Form 11 or  
12.

Provided that it shall not be necessary for a candidate to lodge more than one statutory declaration of the type referred to in sub-paragraph (c) in respect of each part of the qualifying examination unless he is specifically required to do so by notice in writing by the Society.

- (2) The notice required by paragraph (1) shall be—
  - (a) in the case of a candidate seeking to sit for either part of the qualifying examination or any head thereof for the first time, not less than two months' notice;
  - (b) in the case of a candidate seeking re-examination, not less than six weeks' notice:

Provided that—

- (i) no notice for re-examination shall be given until after the receipt by the Society of a certificate of failure of the earlier examination;
- (ii) the Society may in its absolute discretion abridge any of the time specified in this paragraph in any case of accident, mistake, inadvertence or other sufficient cause.

Restriction  
on taking  
examination.

16. (1) Save as is provided by rule 20 no person shall be entitled to sit for the Part II examination unless he has passed either the law portion of the intermediate examination or the Part I examination or has been exempted from such law portion or Part I examination by the Society.

(2) Subject to the provisions of paragraphs (3) and (4) a person who has entered into articles and duly served thereunder and complied with the provisions of these rules may present himself for the Part II examination at the examination held next before the expiration of the term of his articles or at any subsequent examination save that if there is an interval of three calendar months or more between the last day of the examination held next before the expiration of the term of his articles and the date of such expiration the first Part II examination for which he may present himself shall be that first held after the date of such expiration.

(3) A person who, in accordance with the provisions of rule 17, has been granted total exemption from the Part I examination may, with the consent of the Society, present himself for the Part II examination after enrolling with the Society as a student but before entering into articles.

(4) A person who has entered into articles before the coming into operation of these rules may present himself for the Part II examination at the examination next preceding the expiration of the term of his articles or any subsequent examination:

Provided that unless the Society in special circumstances otherwise determines not less than twelve calendar months shall have elapsed since a candidate not being totally exempt therefrom shall have passed the law portion of the intermediate examination in accordance with the provisions of the Legal Practitioners (Qualification Procedure) Rules, 1962, or the Part I examination in accordance with the provisions of these rules, before he shall be entitled to present himself for the Part II examination.

(G.N.A.  
138/62).

Exemption  
from  
examination.  
First  
Schedule,  
Form 13.

17. (1) The Society may by the issue of a certificate of exemption in accordance with Form 13 in the First Schedule exempt any person from sitting the Part I examination or any Head thereof in any case where such person would be entitled to exemption by virtue of regulation 44 of the Students Regulations, 1962, if he were a person to whom those regulations applied.

First  
Schedule,  
Form 14.

(2) A person seeking exemption under paragraph (1) shall make application to the Society in accordance with Form 14 in the First Schedule and shall lodge therewith a certificate from the Registrar or the appropriate official as to the examination and the Heads in which the applicant has passed in the examination on which he relies together with such further evidence as the Society may require.

18. (1) If the Society is satisfied that a candidate for an examination has satisfied or observed the relevant requirements of the Ordinance and these rules, the Society shall arrange for the holding of the examination and shall notify the candidate of the time and place at which he shall be required to attend.

Notification  
by the  
Society.

(2) If the Society is not satisfied that a candidate for an examination has satisfied or observed the relevant requirements of the Ordinance and these rules, the Society shall notify the candidate that it is not so satisfied and that the examination of the candidate is postponed until such time as the Society is so satisfied and the Society may notify to the candidate any conditions which the Society may impose upon the candidate to bring about the satisfaction of the necessary requirements.

19. (1) Any certificate issued by the examiners of the English Law Society as to the results achieved by any candidate for any examination conducted by the English Law Society of any part of any such examination shall be evidence of whether or not a candidate has passed or failed.

Certificate  
of results.

(2) Upon receipt of any such certificate from the English Law Society the Society shall forward the certificate to the candidate.

## PART V.

### GENERAL.

20. (1) Any barrister of not less than five years standing at the English Bar who procures himself to be disbarred with a view to becoming a solicitor and who obtains from two benchers of the Inn of Court to which he belongs or belonged a certificate of his being a fit and proper person to practise as a solicitor shall be exempted from service under articles and from the Part I examination and shall not be required to enrol as a student in accordance with the provisions of rule 3.

Examination  
of disbarred  
barrister  
from service  
under  
articles.

(2) Any such person as is referred to in paragraph (1) upon giving the notice required by rule 15 and complying with such part of these rules as is applicable to him and upon passing the Part II examination shall be qualified for admission in accordance with the provisions of sub-paragraph (i) of paragraph (a) of subsection (1) of section 4 of the Ordinance.

Complaints of the conduct of enrolled students, articled clerks and former articled clerks.

21. (1) If any complaint is made to the Society as to the conduct of any enrolled student or of any articled clerk or of any person whose terms of articles have expired and who has not passed the Part II examination the Society may refer such complaint to a Disciplinary Committee appointed under section 9 of the Ordinance which may inquire into the complaint and report thereon to the Committee of the Society.

(2) After considering the report of the Disciplinary Committee the Committee may—

- (a) refuse to register the articles of an enrolled student; or
- (b) postpone the date when the articled clerk may first attempt any Head in either part of the qualifying examination or refuse to allow the person whose terms of articles have expired and who has not passed the Part II examination to sit or to sit again for any Head for a period; or
- (c) discharge the articles of the articled clerk in accordance with the provisions of section 22 of the Ordinance, or in the case of either an articled clerk or a person whose terms of articles have expired and who has not passed the Part II examination, refuse to allow him to sit or sit again for any Head in either part of the qualifying examination or, if he has already sat for the Part II examination, to grant him a certificate on having passed that examination.

● Revocation. (G.N.A. 138/62).

22. The Legal Practitioners (Qualification Procedure) Rules, 1962, are revoked.

#### FIRST SCHEDULE.

##### FORMS.

##### FORM 1.

[rule 3.]

##### STUDENTS RULES, 1964.

#### NOTICE OF DESIRE TO ENROL AS A STUDENT WITH DECLARATION IN SUPPORT.

To: The Incorporated Law Society of Hong Kong.

1. I, (name in full capitals) of \_\_\_\_\_, hereby give notice that I desire to enrol as a student under the provisions of rule 4 of the Students Rules, 1964.
2. \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ will vouch as to my character and my suitability for service under articles.
3. I do solemnly and sincerely declare as follows—
  - (1) I was born on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and the document attached hereto marked "\_\_\_\_\_" is a certified copy of my birth certificate.

- (2) I am/not a British subject/by reason of the following facts—
- (3) I was educated at the schools/and colleges/and universities mentioned in the first column of the First Schedule for the periods set opposite in the second column.
- (4) I have obtained the certificates/diplomas/of education/ degrees mentioned in the first column of the Second Schedule in the subjects set opposite thereto in the second column.
- (5) The following papers, which should be returned to me in due course, accompany this declaration in support of the matters related in paragraph (4)—

#### FIRST SCHEDULE.

School, etc.	Periods

#### SECOND SCHEDULE.

Certificates, etc.	Subjects.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1835.

Declared, etc.

#### FORM 2.

[rule 3.]

#### STUDENTS RULES, 1964.

#### CERTIFICATE OF CONSENT TO ENROLMENT AS A STUDENT.

From: The Incorporated Law Society of Hong Kong.

Name:

Address:

The Society, being satisfied that the above-named has attained the requisite standard of general education as laid down by the Students Rules, 1964 and as to his character and fitness and suitability to be an articled clerk, HEREBY issues ITS CONSENT to the above-named enrolling as a student under the provisions of rule 3 of the said Rules.

Dated \_\_\_\_\_, 19\_\_\_\_\_.

Signed \_\_\_\_\_

(\_\_\_\_\_)  
Secretary to the Society.

FORM 3. [rules 4 and 5.]  
STUDENTS RULES, 1964.

APPLICATION TO ENROL/RE-ENROL\* AS A STUDENT.

To: The Registrar, Supreme Court.

- I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply to be enrolled/re-enrolled\* as a student in accordance with rule 4/5\* of the Students Rules, 1964.
- The certificate of consent of The Incorporated Law Society of Hong Kong to my enrolment/re-enrolment\* accompanies this application.

Dated \_\_\_\_\_, 19.....

Signed \_\_\_\_\_

\* Delete whichever is inapplicable.

FORM 4. [rules 4 and 5.]  
STUDENTS RULES, 1964.

CERTIFICATE OF ENROLMENT/RE-ENROLMENT\* AS A STUDENT.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

This is to certify that the above-named on this date was enrolled/re-enrolled\* as a student under the provisions of rule 4/5\* of the Students Rules, 1964.

Dated \_\_\_\_\_, 19.....

Signed \_\_\_\_\_  
Registrar, Supreme Court.

\* Delete whichever is inapplicable.

FORM 5. [rule 7.]  
STUDENTS RULES, 1964.

NOTICE OF INTENTION TO ENTER INTO ARTICLES.

To: The Incorporated Law Society of Hong Kong.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

1. I was enrolled as a student on the \_\_\_\_\_ day of \_\_\_\_\_, 19.....

or

1. I have given notice to the Society on the \_\_\_\_\_ day of \_\_\_\_\_, 19..... of my desire to enrol as a student.

2. I desire to enter into articles for five years.  
or if less than five years.

2. (a) I desire to enter into articles for \_\_\_\_\_ years.

(b) I consider such term to be in accordance with the provisions of the Second Schedule to the Students Rules, 1964 for the following reasons—

3. The following documents accompany this form as evidence of the matters set out in paragraph 2 hereof.

Dated \_\_\_\_\_, 19.....

Signed \_\_\_\_\_

FORM 6. [rule 7.]  
STUDENTS RULES, 1964.

CERTIFICATE AS TO TERM OF ARTICLES.

From: The Incorporated Law Society of Hong Kong.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

This is to certify that the Society is satisfied that the term of any articles which the above-named may serve in pursuance of the Students Rules, 1964, shall be not less than \_\_\_\_\_ years.

Dated \_\_\_\_\_, 19.....

Signed \_\_\_\_\_  
Secretary to the Society.

FORM 7. [rule 8.]  
STUDENTS RULES, 1964.

DECLARATION AS TO ARTICLES.

We, (a) \_\_\_\_\_,  
of (b) \_\_\_\_\_,  
and (c) \_\_\_\_\_,  
of (d) \_\_\_\_\_,  
solicitor, do solemnly and sincerely declare as follows—

I, the said (a) \_\_\_\_\_,  
for myself say as follows—

1. I was present on the \_\_\_\_\_ day of \_\_\_\_\_, 19.....  
and did see (d) \_\_\_\_\_

the parties to the <sup>(a)</sup> Articles of Clerkship  
 bearing the date the day of , 19 , now  
 produced and shown to me marked "  
 duly sign seal and as act and deed deliver  
 the said <sup>(e)</sup> Articles of Clerkship.

2. The names or signatures <sup>(f)</sup> subscribed  
 thereto as of some/all of the parties executing the same are in the handwritings  
 of the said <sup>(e)</sup>.

3. The name or signature set and subscribed thereto as the person attesting  
 the due execution thereof by the said <sup>(e)</sup>  
 is in my handwriting.

And I, the said <sup>(e)</sup>  
 for myself say as follows—

4. At the time of the execution of the said <sup>(e)</sup>  
 Articles I was and am still a duly admitted and qualified solicitor, and have  
 practised for upwards of five consecutive years, and have one/no other articulated  
 clerk, and am not employed as a clerk to another solicitor.

And we make solemn declaration conscientiously believing the same to be  
 true and by virtue of the Statutory Declarations Act, 1835.

Declared, etc.

- (a) Full name of attesting witness.
- (b) Address.
- (c) Full name of principal.
- (d) Full name of parties to the articles.
- (e) Insert "new" or "further" if appropriate.
- (f) Insert copy signatures of the parties to whose execution of the articles the declarant is a witness.
- (g) Full names of parties of whose execution of the articles the declarant is a witness.

FORM 8.

[rule 11.]

STUDENTS RULES, 1964.

APPLICATION TO HOLD OFFICE WHILE UNDER ARTICLES.

To: The Incorporated Law Society of Hong Kong.

I, <sup>(a)</sup> ,  
 of <sup>(b)</sup> ,  
 hereby apply ,

<sup>(c)</sup> for a direction of The Incorporated Law Society of Hong Kong that my  
 service under articles may be reckoned as good service, notwithstanding that  
 during the period in respect of which this application is made I was engaged  
 in an office or employment other than the employment of the solicitor to  
 whom I am articulated.

<sup>(e)</sup> for the consent of The Incorporated Law Society of Hong Kong to my  
 engaging in an office or employment other than the employment of the

solicitor to whom I am articulated.  
 I was articulated on the day of , 19 , to  
 for a term

of years from the  
 I seek the direction/consent of The Incorporated Law Society of Hong Kong  
 in respect of my engagement in the office or employment of

<sup>(d)</sup>  
 by  
 in respect of the following period(s)

My salary in respect of such office or employment is/was/will be  
 \$ per annum.

<sup>(e)</sup> The work involved is/was/will be of the following nature

the average time spent by me thereon in each week being hours.

<sup>(f)</sup> I solemnly and sincerely declare that the facts set out herein are true.

And I make this solemn declaration conscientiously believing the same to  
 be true and by virtue of the Statutory Declarations Act, 1835.

Declared, etc.

- (a) Full name of applicant.
- (b) Address.
- (c) Strike out alternative which does not apply.
- (d) Describe the office or employment in respect of which the application is made.
- (e) Give particulars of the work. Where the work is partly of a non-legal character the percentage of time spent on legal work should be stated, and verified by the principal.
- (f) State concisely in numbered paragraphs any further information which may be of use to the Society in considering the application.

FORM 9.

[rules 12 & 13.]

STUDENTS RULES, 1964.

GENERAL FORM OF APPLICATION.

To: The Incorporated Law Society of Hong Kong.

I, <sup>(a)</sup> ,  
 of <sup>(b)</sup> ,  
 hereby apply to The Incorporated Law Society of Hong Kong under rule <sup>(c)</sup>  
 of the Students Regulations, 1962. I make the following applica-  
 tion: <sup>(d)</sup> <sup>(e)</sup>

I solemnly and sincerely declare that the facts set out herein are true.

And I make this solemn declaration conscientiously believing the same to be  
 true and by virtue of the Statutory Declarations Act, 1835.

Declared, etc.

- (a) Full name of applicant.
- (b) Address.
- (c) Refer to the rule under which the application is made.
- (d) State briefly the nature of the application.
- (e) State concisely in numbered paragraphs the facts on which reliance is placed in support of the application.

FORM 10.  
STUDENTS RULES, 1964.

[rule 15.]

NOTICE OF INTENTION TO SIT THE PART I/II EXAMINATION.

To: The Incorporated Law Society of Hong Kong.

1.  $\left\{ \begin{array}{l} \text{I was enrolled as a student on the } \quad \text{day of} \quad , 19 \quad . \\ \text{I entered into articles on the } \quad \text{day of} \quad , 19 \quad . \\ \text{I entered into articles before the 1st day of January, 1963.} \\ \text{I have not yet entered into articles.} \end{array} \right.$
2. I wish to sit for the Part I/II examination/the following Heads of the Part I/II examination/to be held in England/Hong Kong on the day of  $\quad , 19 \quad .$
3. The following accompany this notice—  
 $\uparrow$  (a) statutory declaration.  
 (b) fee of H.K.\$  $\quad \quad \quad$  cash/cheque.
4. A reply to this notice should be sent to me at—  
 Name:  
 Usual Address:

Dated  $\dots\dots\dots$ , 19 $\dots\dots$

Signature  $\dots\dots\dots$

\* Complete according to circumstances.

$\uparrow$  See rule 15(1)(c).

FORM 11.  
STUDENTS RULES, 1964.

[rule 15.]

DECLARATION TO ACCOMPANY NOTICE TO SIT  
THE PART I EXAMINATION.

To: The Incorporated Law Society of Hong Kong.

I,  $\quad \quad \quad$  of  $\quad \quad \quad$   
do solemnly and sincerely declare as follows—

1. I wish to sit for the Part I examination on the  $\quad \quad \quad$  day of  $\quad \quad \quad$  19  $\quad \quad \quad$ .
2. I was/am bound by articles to the person(s) mentioned in the first column of the First Schedule for the period(s) set opposite thereto in the second column.
3. Save as indicated in paragraph/s 4 and /5 I have actually exclusively and *bona fide* been employed as an articled clerk with the aforementioned principal(s).
4. Save as mentioned in the Second Schedule/I have not held any offices or engaged in any employment other than the employment of my principal(s).

5. I have been absent from my principal's office for the periods mentioned in the first column of the Third Schedule for the reasons set opposite thereto in the second column with/without the consent of my principal(s).

FIRST SCHEDULE.

Name and address of principal  $\quad \quad \quad$  Period for which bound

SECOND SCHEDULE.

(Details of other offices/employment)

THIRD SCHEDULE.

Periods of absence  $\quad \quad \quad$  Reasons

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared, etc.

FORM 12.

[rule 15.]

STUDENTS RULES, 1964.

DECLARATION TO ACCOMPANY NOTICE TO SIT  
THE PART II EXAMINATION.

To: The Incorporated Law Society of Hong Kong.

I,  $\quad \quad \quad$  of  $\quad \quad \quad$   
do solemnly and sincerely declare as follows—

1. I wish to sit for the Part II examination on the  $\quad \quad \quad$  day of  $\quad \quad \quad$  19  $\quad \quad \quad$ .
2. I was/am bound by articles to the person(s) mentioned in the first column of the First Schedule for the period(s) set opposite thereto in the second column.
3. Save as indicated in paragraph/s 4 and /5 I have actually exclusively and *bona fide* been employed as an articled clerk with the aforementioned principal(s).

4. Save as mentioned in the Second Schedule/I have not held any office or engaged in any employment other than the employment of my principal(s).
5. I have been absent from my principal's office for the periods mentioned in the first column of the Third Schedule for the reasons set opposite thereto in the second column with/without the consent of my principal(s).

*Either*

6. My articles are for five years and I have passed/was exempted from the Part I examination and the Society's certificate of such pass/exemption dated the \_\_\_\_\_ refers.

*or*

6. I have passed/was exempted from the Part I examination before entering into articles and the Society's certificate of such pass/exemption dated the \_\_\_\_\_ refers.

*or*

6. I entered into articles before the 1st day of January, 1963, and I have passed/was exempted from the law portion of the Intermediate Examination and the Society's certificate of such pass/exemption dated the \_\_\_\_\_ refers.

*or*

6. I entered into articles before the 1st day of January, 1963, and I have passed/was exempted from the Part I examination and the Society's certificate of such pass/exemption dated the \_\_\_\_\_ refers.

FIRST SCHEDULE.

Name and address of principal	Period for which bound

SECOND SCHEDULE.

(Details of other offices/employment)

THIRD SCHEDULE.

Periods of absence	Reasons

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared, etc.

FORM 13.  
STUDENTS RULES, 1964.

[rule 17.]

CERTIFICATE OF EXEMPTION FROM EXAMINATIONS.

From: The Incorporated Law Society of Hong Kong.

Name:

Address:

1. This is to certify that by reason of the matters set out below the above-named is hereby exempted from sitting—
- (a) The whole of the Part I examination.
- (b) The following Heads of the Part I examination—
2. The reasons for such exemption are—
- (a) The above-named holds the following law degree—
- (b) The above-named holds the following degree and it is considered that the subjects covered by the exempted Heads were adequately covered by the syllabus for the said degree.

Dated \_\_\_\_\_, 19.....

Signed \_\_\_\_\_  
*Secretary to the Society.*

FORM 14.  
STUDENTS RULES, 1964.

[rule 17.]

APPLICATION FOR EXEMPTION FROM PART I  
EXAMINATION OR HEADS THEREOF.

To: The Incorporated Law Society of Hong Kong.

Name:

Address:

1. I hereby apply for exemption from the whole/the following Heads\*/of the Part I examination—
2. I have passed the following examinations—
3. The following evidence in support accompanies this application.

Dated \_\_\_\_\_, 19.....

Signed \_\_\_\_\_

\* The Heads of the Part I examination are—

1. Outlines of Constitutional and Administrative Law.
2. Outlines of the English Legal System.
3. Contract.
4. Torts.
5. Criminal Law.
6. Land Law.

## SECOND SCHEDULE.

[rule 6.]

## TERM OF ARTICLES.

1. In the case of a person who, before entering into articles has, with the consent of the Society, presented himself for and has passed the Part II examination, the term shall be two years.

2. In the case of a person who, before entering into articles, has taken a degree, not being an honorary degree, at the University or any university specified in the Second Schedule of the Students Regulations, 1962, or is in a position to supplicate for such degree and who has passed the Part I examination or has been granted total exemption therefrom, the term shall be two and a half years.

3. Save as provided by rule 20, in the case of a person who has been called to the Bar in England, and who ceases to be a barrister, and who has passed the Part I examination or who has been granted total exemption therefrom before entering into articles, the term shall be two and a half years.

4. In the case of a person who, since attaining the age of eighteen years and before entering into articles, has been for ten years either—

- (a) a *bona fide* clerk to a solicitor and has during that term been *bona fide* engaged in the transaction and performance under the direction and supervision of a solicitor of such matters of business as are usually transacted and performed by solicitors; or
- (b) employed in the Judiciary in Hong Kong or in the Legal or Registrar General's departments of the Government of Hong Kong or partly in one and partly in another or the others and has during that time been *bona fide* engaged in the transaction and performance of such matters and business as come within the normal scope of the said Judiciary or of those departments,

or partly one and partly the other and who, in either case, produces to the Society satisfactory evidence that he has served faithfully, honestly and diligently as such and who has passed the Part I examination or has been granted total exemption therefrom, the term shall be three years.

5. In the case of a person not falling within paragraphs 1 to 4 hereof, who, before entering into articles, has passed the Part I examination, the term shall be four years.

6. In the case of any other person, the term shall be five years.

A. K. W. LUI,  
*Chairman.*

G. H. H. GOLBY,  
*Member.*

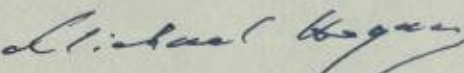
D. Q. CHEUNG,  
*Member.*

R. MARTYN,  
*Member.*

SHIRLEY WOO,  
*Secretary.*

3rd June, 1964.

Approved this 22nd day of June, 1964.

  
*Chief Justice.*

*Explanatory Note.*

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

The purpose of these rules is to lay down the conditions with which a person must comply to enable him to be admitted as a solicitor. The rules are largely based on the Students Regulations, 1962, made by the Law Society under the Solicitors Act, 1957 and replace, without substantial modification, the corresponding provisions presently contained in sections 3, 4, 5, 6, 7, 9, 16, 17, 18, 19 and 20 of and the First and Second Schedules to the Legal Practitioners Ordinance, Chapter 159, and in the Legal Practitioners (Qualification Procedure) Rules, 1962, made under that Ordinance.

WILD BIRDS AND WILD MAMMALS PROTECTION  
ORDINANCE, 1954.

(No. 8 of 1954).

WILD BIRDS AND WILD MAMMALS PROTECTION  
ORDINANCE (AMENDMENT OF SCHEDULES) ORDER, 1964.

In exercise of the powers conferred by section 20 of the Wild Birds and Wild Mammals Protection Ordinance, 1954, the Governor in Council has made the following Order—

1. This Order may be cited as the Wild Birds and Wild Mammals Protection Ordinance (Amendment of Schedules) Order, 1964. Citation.

2. The Second Schedule to the Wild Birds and Wild Mammals Protection Ordinance, 1954 (hereinafter referred to as the Ordinance) is amended under the heading "*Mammals*" by the addition at the end thereof of the following— Amendment of Second Schedule. (8 of 1954).

"Masked Palm Civet—*Paguma larvata*  
Small Indian Civet—*Viverricula indica*  
Large Indian Civet—*Viverra zibetha*  
Chinese Ferret-Badger—*Melogale moschata*  
Common Red Fox—*Vulpes vulpes*  
Leopard Cat—*Felis bengalensis*".

3. The Third Schedule to the Ordinance is amended under the heading "*Birds*" by the deletion of the words "Chinese Pied Magpies, Kites, Buzzards" and the substitution therefor of the following— Amendment of Third Schedule.

"None".

  
Clerk of Councils.

COUNCIL CHAMBER,  
14th July, 1964.

*Explanatory Note.*

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

This Order amends the Ordinance—

- (a) by making additions to the Second Schedule, which specifies mammals and birds the hunting of which is forbidden; and
- (b) by making deletions from the Third Schedule, which specifies mammals and birds classified as vermin.



**PROCLAMATION.**

**No. 4 of 1964.**



*David Clive Crosbie Trench*  
Governor.

BY HIS EXCELLENCY SIR DAVID CLIVE CROSBIE TRENCH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, upon whom hath 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 by section 1 of the Legal Practitioners Ordinance, 1964 (No. 16 of 1964), it is provided that the said Ordinance shall come into operation as to the various sections thereof on such day as may be appointed by the Governor by Proclamation in the *Gazette*:

NOW, THEREFORE, I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that all sections other than section 8 of the said Ordinance shall come into operation on the 1st day of August, 1964.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 15th day of July, 1964.

Published by His Excellency's Command,

*Edmund Dala*  
Colonial Secretary.

GOD SAVE THE QUEEN.



HOLIDAYS ORDINANCE.

(Chapter 149).

**GENERAL HOLIDAYS ORDER, 1964.**

In exercise of the powers conferred by section 3 of the Holidays Ordinance, the Governor has made the following Order—

1. This Order may be cited as the General Holidays Order, 1964. Citation.
2. In the year 1965 the Birthday of Her Majesty the Queen is to be kept on the 27th day of April, 1965. The Queen's  
Birthday,  
1965.

By Command,

14th July, 1964.





REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 27) ORDER, 1964.**

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

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 27) Order, 1964.
2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

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

SCHEDULE.

Every person being resident in Hong Kong or Kowloon, being the holder of an Identity Card which bears a registration number in the series 0001A to 25,000A and the family, if any, of such holder.

By Command,

*Principal Assistant Colonial Secretary.*

14th July, 1964.

(Secretariat GR2/6/1486/62II)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (CANCELLATION OF  
REGISTRATION AND IDENTITY CARDS) (NO. 9) ORDER, 1964.**

In exercise of the powers conferred by provisos (vi) and (vii) to section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

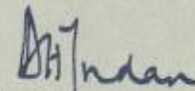
1. This Order may be cited as the Registration of Persons (Cancellation of Registration and Identity Cards) (No. 9) Order, 1964. Citation.

2. Any person affected by the Order specified in the Schedule shall, with effect from the 17th August, 1964 cease to be deemed to be registered under the provisions of the Registration of Persons Ordinance, 1960 and any identity card held by such person shall with effect from such date cease to be deemed to have been issued under the provisions of that Ordinance. Cancellation of registration and identity cards in certain cases. (18 of 1960).

SCHEDULE.

Registration of Persons (Re-registration) (No. 6) Order, 1964.

By Command,



Principal Assistant Colonial Secretary.

14th July, 1964.

*Explanatory Note.*

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

This Order affects only those persons who were in possession of old identity cards issued under the Registration of Persons Ordinance, Chapter 177, repealed by the Registration of Persons Ordinance, 1960, in the following series—

1,330,001 to 1,350,000

and who have failed by the 17th August, 1964 to have re-registered in compliance with the appropriate Order specified in the Schedule. The effect of this Order will be to render any old identity card in possession of any such person invalid and to cause him to become an unregistered person with effect from the said date.

(Secretariat GR2/6/1486/62II)

BUILDINGS ORDINANCE, 1955.

(No. 68 of 1955).

**BUILDING (CONSTRUCTION) (AMENDMENT)  
REGULATIONS, 1964.**

In exercise of the powers conferred by section 26 of the Buildings Ordinance, 1955, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Building (Construction) (Amendment) Regulations, 1964, and shall come into operation on the 24th day of August, 1964. Citation and commencement.

2. Regulation 8 of the Building (Construction) Regulations, 1956, is amended by the insertion, after the word "adjoining", of the following— Amendment of regulation 8.  
(G.N.A. 38/56).

"or other".



COUNCIL CHAMBER,  
21st July, 1964.

*Clerk of Councils.*

*Explanatory Note.*

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

These regulations amend the Building (Construction) Regulations, 1956, so as to provide that any building, and not only an adjoining building, which may be adversely affected by demolition works must be provided with adequate support.

(Secretariat BL2/741/60)

BUILDINGS ORDINANCE, 1955.

(No. 68 of 1955).

**BUILDING (DEMOLITION WORKS) (AMENDMENT)  
REGULATIONS, 1964.**

In exercise of the powers conferred by section 26 of the Buildings Ordinance, 1955, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Building (Demolition Works) (Amendment) Regulations, 1964, and shall come into operation on the 24th day of August, 1964. Citation and commencement.

2. Regulation 4 of the Building (Demolition Works) Regulations, 1962, is amended by the insertion in paragraph (1), after the word "adjoining", of the following— Amendment of regulation 4.

"or other". (G.N.A. 74/62).



*Clerk of Councils.*

COUNCIL CHAMBER,  
21st July, 1964.

*Explanatory Note.*

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

These regulations amend the Building (Demolition Works) Regulations, 1962, so as to provide that, where demolition works are being carried out, adequate precautions shall be taken to prevent the accidental collapse of any building, and not only an adjoining building.

(Secretariat BL2/741/60)

BUILDINGS ORDINANCE, 1955.  
(No. 68 of 1955).

**BUILDING (STANDARDS OF SANITARY FITMENTS,  
PLUMBING, DRAINAGE WORKS AND LATRINES)  
(AMENDMENT) REGULATIONS, 1964.**

In exercise of the powers conferred by section 26 of the Buildings Ordinance, 1955, the Governor in Council has made the following regulations—


1. These regulations may be cited as the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulations, 1964, and shall come into operation on the 1st day of January, 1965. Citation and commencement.

2. Regulation 17 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959, is amended by— Amendment of regulation 17.  
(G.N.A. 76/59).

(a) being renumbered as paragraph (1); and

(b) the insertion of the following new paragraph—

“(2) Every part of any such system of plumbing (including any storage tank for water solely for flushing purposes) shall be constructed of material that is suitable for use with salt water.”

  
Clerk of Councils.

COUNCIL CHAMBER,  
21st July, 1964.

*Explanatory Note.*

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

These regulations amend the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, 1959, so as to provide that every part of a system of plumbing for the supply of flushing water must be constructed of materials that are suitable for use with salt water. The regulations will come into force on the 1st January, 1965.

(Secretariat BL2/741/60)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (CANCELLATION OF  
REGISTRATION AND IDENTITY CARDS) (NO. 10) ORDER, 1964.**

In exercise of the powers conferred by provisos (vi) and (vii) to section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

1. This Order may be cited as the Registration of Persons (Cancellation of Registration and Identity Cards) (No. 10) Order, 1964. Citation.

2. Any person affected by the Order specified in the Schedule shall, with effect from the 24th August, 1964 cease to be deemed to be registered under the provisions of the Registration of Persons Ordinance, 1960 and any identity card held by such person shall with effect from such date cease to be deemed to have been issued under the provisions of that Ordinance. Cancellation of registration and identity cards in certain cases.  
(18 of 1960).

SCHEDULE.

Registration of Persons (Re-registration) (No. 7) Order, 1964.

By Command,

*M. J. Indan*

*Principal Assistant Colonial Secretary.*

20th July, 1964.

*Explanatory Note.*

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

This Order affects only those persons who were in possession of old identity cards issued under the Registration of Persons Ordinance, Chapter 177, repealed by the Registration of Persons Ordinance, 1960, in the following series—

1,350,001 to 1,380,000

and who have failed by the 24th August, 1964 to have re-registered in compliance with the appropriate Order specified in the Schedule. The effect of this Order will be to render any old identity card in possession of any such person invalid and to cause him to become an unregistered person with effect from the said date.

(Secretariat GR2/6/1486/62II)

UNIVERSITY ORDINANCE, 1958.

(No. 13 of 1958).

**STATUTES OF THE UNIVERSITY (AMENDMENT)  
STATUTES, 1964.**

In exercise of the powers conferred by subsection (2) of section 14 of the University Ordinance, 1958, the Chancellor of the University of Hong Kong has made the following statutes—

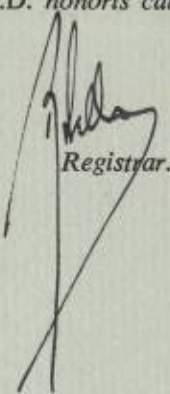
1. These statutes may be cited as the Statutes of the University Citation. (Amendment) Statutes, 1964.

2. Paragraph 1 of statute III of the Statutes of the University is amended by the addition, at the end thereof, of the following—

“Doctor of Divinity *honoris causa*—D.D. *honoris causa*”.

Amendment  
of statute III.  
(Schedule to  
Ord. 13 of  
1958).

6th July, 1964.

  
Registrar.

REGISTRATION OF PERSONS ORDINANCE, 1960.

(No. 18 of 1960).

**REGISTRATION OF PERSONS (CANCELLATION OF  
REGISTRATION AND IDENTITY CARDS) (NO. 11) ORDER, 1964.**

In exercise of the powers conferred by provisos (vi) and (vii) to section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

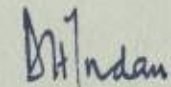
1. This Order may be cited as the Registration of Persons (Cancellation of Registration and Identity Cards) (No. 11) Order, 1964. Citation.

2. Any person affected by the Order specified in the Schedule shall, with effect from the 31st August, 1964 cease to be deemed to be registered under the provisions of the Registration of Persons Ordinance, 1960 and any identity card held by such person shall with effect from such date cease to be deemed to have been issued under the provisions of that Ordinance. Cancellation of registration and identity cards in certain cases. (18 of 1960).

SCHEDULE.

Registration of Persons (Re-registration) (No. 8) Order, 1964.

By Command,



Principal Assistant Colonial Secretary.

29th July, 1964.

*Explanatory Note.*

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

This Order affects only those persons who were in possession of old identity cards issued under the Registration of Persons Ordinance, Chapter 177, repealed by the Registration of Persons Ordinance, 1960, in the following series—

1,380,001 to 1,400,000

and who have failed by the 31st August, 1964 to have re-registered in compliance with the appropriate Order specified in the Schedule. The effect of this Order will be to render any old identity card in possession of any such person invalid and to cause him to become an unregistered person with effect from the said date.

(Secretariat GR2/6/1486/62II)

116  
LEGISLATIVE COUNCIL RESOLUTION.

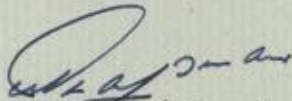
TELEPHONE ORDINANCE, 1951.

(No. 18 of 1951).

Resolution made and passed by the Legislative Council in exercise of the power conferred by subsection (2) of section 29 of the Telephone Ordinance, 1951 on the 5th day of August, 1964.

Resolved, in exercise of the powers conferred by subsection (2) of section 29 of the Telephone Ordinance, 1951, that, with effect from the 5th day of August, 1964, the Schedule to the said Ordinance be amended in Part I—

- (a) by the deletion in the third column of item 1 of the sum "\$300" and the substitution therefor of the following—  
"\$350"; and
- (b) by the deletion in the third column of item 2 of the sum "\$225" and the substitution therefor of the following—  
"\$235".

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,

5th August, 1964.

(Secretariat CR3/1026/63)

REGISTRATION OF PERSONS ORDINANCE, 1960.

(No. 18 of 1960).

**REGISTRATION OF PERSONS (CANCELLATION OF  
REGISTRATION AND IDENTITY CARDS) (NO. 12) ORDER, 1964.**

In exercise of the powers conferred by provisos (vi) and (vii) to section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

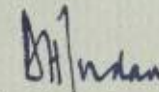
1. This Order may be cited as the Registration of Persons (Cancellation of Registration and Identity Cards) (No. 12) Order, 1964. Citation.

2. Any person affected by the Order specified in the Schedule shall, with effect from the 7th September, 1964 cease to be deemed to be registered under the provisions of the Registration of Persons Ordinance, 1960 and any identity card held by such person shall with effect from such date cease to be deemed to have been issued under the provisions of that Ordinance. Cancellation of registration and identity cards in certain cases. (18 of 1960).

SCHEDULE.

Registration of Persons (Re-registration) (No. 9) Order, 1964.

By Command,



Principal Assistant Colonial Secretary.

4th August, 1964.

*Explanatory Note.*

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

This Order affects only those persons who were in possession of old identity cards issued under the Registration of Persons Ordinance, Chapter 177, repealed by the Registration of Persons Ordinance, 1960, in the following series—

1,400,001 to 1,420,000

and who have failed by the 7th September, 1964 to have re-registered in compliance with the appropriate Order specified in the Schedule. The effect of this Order will be to render any old identity card in possession of any such person invalid and to cause him to become an unregistered person with effect from the said date.

(Secretariat GR2/6/1486/62II)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 28) ORDER, 1964.**

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

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 28) Order, 1964.

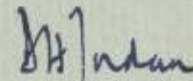
2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

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

SCHEDULE.

Every person being resident in Hong Kong or Kowloon, being the holder of an Identity Card which bears a registration number in the series 25,001A to 50,000A and the family, if any, of such holder.

By Command,



*Principal Assistant Colonial Secretary.*

20th July, 1964.

(Secretariat GR2/6/1486/62II)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (CANCELLATION OF  
REGISTRATION AND IDENTITY CARDS) (NO. 13) ORDER, 1964.**

In exercise of the powers conferred by provisos (vi) and (vii) to section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

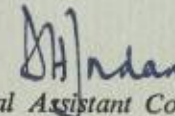
1. This Order may be cited as the Registration of Persons (Cancellation of Registration and Identity Cards) (No. 13) Order, 1964. Citation.

2. Any person affected by the Order specified in the Schedule shall, with effect from the 14th September, 1964 cease to be deemed to be registered under the provisions of the Registration of Persons Ordinance, 1960 and any identity card held by such person shall with effect from such date cease to be deemed to have been issued under the provisions of that Ordinance. Cancellation of registration and identity cards in certain cases.  
(18 of 1960).

SCHEDULE.

Registration of Persons (Re-registration) (No. 10) Order, 1964.

By Command,



Principal Assistant Colonial Secretary.

11th August, 1964.

*Explanatory Note.*

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

This Order affects only those persons who were in possession of old identity cards issued under the Registration of Persons Ordinance, Chapter 177, repealed by the Registration of Persons Ordinance, 1960, in the following series—

1,420,001 to 1,440,000

and who have failed by the 14th September, 1964 to have re-registered in compliance with the appropriate Order specified in the Schedule. The effect of this Order will be to render any old identity card in possession of any such person invalid and to cause him to become an unregistered person with effect from the said date.

(Secretariat GR2/6/1486/62II)

PHARMACY AND POISONS ORDINANCE.

(Chapter 138).

**POISONS (AMENDMENT) REGULATIONS, 1964.**

In exercise of the powers conferred by section 4 of the Pharmacy and Poisons Ordinance, the Pharmacy Board with the approval of the Governor in Council has made the following regulations—

1. These regulations may be cited as the Poisons (Amendment) Regulations, 1964. Citation.

2. The First List to the Poisons Regulations (hereinafter referred to as the principal regulations) is amended— Amendment  
of First List.

(a) by the deletion of the percentage "0.01" in the item commencing "Arsenical poisons" and the substitution therefor of the following percentage— (Vol. X,  
p. 68).  
"0.1";

(b) by the deletion of the words "Phenylcinchonic acid; salicylcinchonic acid; their salts; their esters" and the substitution therefor of the following—

"Phenylcinchoninic acid; salicylcinchoninic acid; their salts; their esters"; and

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

"Gallamine; its salts; its quaternary compounds".

3. The Third List to the principal regulations is amended— Amendment  
of Third List.

(a) by the deletion of the words "Phenylcinchonic acid; salicylcinchonic acid; their salts; their esters" and the substitution therefor of the following—

"Phenylcinchoninic acid; salicylcinchoninic acid; their salts; their esters"; and

(b) by the deletion of the word "Flaxedil" and the substitution therefor of the following—

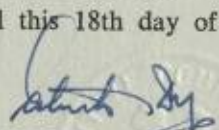
"Gallamine; its salts; its quaternary compounds".

Made by the Pharmacy Board on the 12th day of March, 1964.

*Chairman.*

Approved by the Governor in Council this 18th day of August, 1964.

COUNCIL CHAMBER,  
18th August, 1964.

  
Clerk of Councils.

PHARMACY AND POISONS ORDINANCE.  
(Chapter 138).

**POISONS LIST (AMENDMENT) REGULATIONS, 1964.**

In exercise of the powers conferred by section 18 of the Pharmacy and Poisons Ordinance, the Pharmacy Board with the approval of the Governor in Council has made the following regulations—

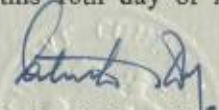
1. These regulations may be cited as the Poisons List (Amendment) Regulations, 1964. Citation.
2. Part I of the Poisons List is amended— Amendment  
of Part I.  
(Vol. X,  
p. 100).
  - (a) by the deletion of the word "Flaxedil" and the substitution therefor of the following—  
"Gallamine; its salts; its quaternary compounds"; and
  - (b) by the addition at the end thereof of the following—  
"Chloral betaine  
Dichloralphenazone  
Paraldehyde  
Petrichloral  
Sulphuric acid except substances containing not more than 70% weight in weight, of sulphuric acid (H<sub>2</sub>SO<sub>4</sub>)".
3. Part II of the Poisons List is amended— Amendment  
of Part II.
  - (a) by the deletion of the words "Sulphuric acid" and the substitution therefor of the following—  
"Sulphuric acid in substances containing not more than 70% weight in weight, of sulphuric acid (H<sub>2</sub>SO<sub>4</sub>)";  
and
  - (b) by the addition at the end thereof of the following—  
"Preparations, solutions or admixtures containing not more than 20% by weight of phosphamidon".

Made by the Pharmacy Board on the 12th day of March, 1964.

*Chairman.*

Approved by the Governor in Council this 18th day of August, 1964.

COUNCIL CHAMBER,  
18th August, 1964.

  
Clerk of Councils



REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 29) ORDER, 1964.**

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

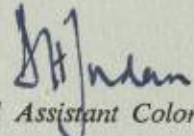
1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 29) Order, 1964.

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

SCHEDULE.

Every person being resident in Hong Kong or Kowloon, being the holder of an Identity Card which bears a registration number in the series 50,001A to 75,000A and the family, if any, of such holder.

By Command,



*Principal Assistant Colonial Secretary.*

18th August, 1964.

(Secretariat GR2/6/1486/62<sup>11</sup>)



REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (CANCELLATION OF  
REGISTRATION AND IDENTITY CARDS) (NO. 14) ORDER, 1964.**

In exercise of the powers conferred by provisos (vi) and (vii) to section 10 of the Registration of Persons Ordinance, 1960, the Governor has made the following Order—

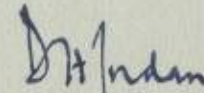
1. This Order may be cited as the Registration of Persons (Cancellation of Registration and Identity Cards) (No. 14) Order, 1964. Citation.

2. Any person affected by the Orders specified in the Schedule shall, with effect from the 21st September, 1964 cease to be deemed to be registered under the provisions of the Registration of Persons Ordinance, 1960 and any identity card held by such person shall with effect from such date cease to be deemed to have been issued under the provisions of that Ordinance. Cancellation of registration and identity cards in certain cases.  
(18 of 1960).

SCHEDULE.

Registration of Persons (Re-registration) (No. 11) Order, 1964.  
Registration of Persons (Re-registration) (No. 13) Order, 1964.

By Command,



*Principal Assistant Colonial Secretary.*

18th August, 1964.

*Explanatory Note.*

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

This Order affects only those persons who were in possession of old identity cards issued under the Registration of Persons Ordinance, Chapter 177, repealed by the Registration of Persons Ordinance, 1960, in the following series—

1,440,001 to 1,485,000

and who have failed by the 21st September, 1964 to have re-registered in compliance with the appropriate Orders specified in the Schedule. The effect of this Order will be to render any old identity card in possession of any such person invalid and to cause him to become an unregistered person with effect from the said date.

(Secretariat GR2/6/1486/62II)

124

ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

**ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) (AMENDMENT) REGULATIONS, 1964.**

In exercise of the powers conferred by section 4 of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulations, 1964, and shall come into operation on the commencement of the Road Traffic (Amendment) Ordinance, 1964. Citation and commencement.  
(23 of 1964).

2. Regulation 5 of the Road Traffic (Registration and Licensing of Vehicles) Regulations, 1956 (hereinafter referred to as the principal regulations) is amended by the deletion, in sub-paragraph (b) of paragraph (1), of the words and commas “, in the case of a public omnibus, a hire omnibus, a public car, a taxi and a hire car shall consist of the words “Public Vehicle” and a number or those words and one or more letters and a number, and in the case of any other motor vehicle”.

Amendment of regulation 5.  
(G.N.A. 89/56).

3. Regulation 9A of the principal regulations is amended by the deletion, in paragraphs (1) and (3), of the words “or as a hire car”.

Amendment of regulation 9A.

4. Regulation 14 of the principal regulations is amended by the deletion, in paragraph (1), of the words “or under any other regulations made under the Vehicle and Road Traffic Ordinance”.

Amendment of regulation 14.

5. Regulation 16 of the principal regulations is amended—

Amendment of regulation 16.

(a) by the deletion, in paragraph (4), of the words “the commissioner may cancel” and the substitution therefor of the following—

“the Commissioner may cancel”; and

(b) by the deletion, in paragraph (5), of the word “one” and the substitution therefor of the following—

“two”.

6. Regulation 18 of the principal regulations is amended—

Amendment of regulation 18.

(a) by the deletion, in paragraph (3), of the word “LANTAO” and the substitution therefor of the following—

“LANTAU”; and

- (b) by the deletion, in paragraph (4), of the word "Lantao" and the substitution therefor of the following—  
"Lantau".

Amendment  
of regula-  
tion 24.

7. Regulation 24 of the principal regulations is amended by the deletion, in paragraph (2), of the words "a hire car" and the substitution therefor of the following—

"a public car".

Amendment  
of regula-  
tion 32.

8. Regulation 32 of the principal regulations is amended—

- (a) by the deletion, in paragraph (3), of the words and commas "or, except in an emergency, between sunset and sunrise";

- (b) by the deletion of paragraph (4) and the substitution therefor of the following—

"(4) When a vehicle is being used under a trade licence, the number of persons, in addition to the driver, carried on the vehicle shall not exceed—

- (a) in the case of a motor vehicle which is not and has not previously been registered in accordance with the provisions of regulation 5, the number calculated in accordance with the provisions of paragraph (1) of regulation 19; and

- (b) in the case of any other vehicle, two."; and

- (c) by the insertion, after paragraph (5), of the following—

"(5A) At all times when a motor vehicle is being used on a road under a trade licence there shall be carried on the vehicle a written authority, in such form as may be prescribed by the Commissioner, signed by the person to whom the trade licence is issued or by some person previously authorized in writing by him, showing the purpose for which the vehicle is being used."

Amendment  
of regula-  
tion 36.

9. Regulation 36 of the principal regulations is amended by the deletion of paragraph (1) and the substitution therefor of the following—

"(1) Any owner of a rickshaw, sedan chair, tricycle or trailer who wishes to have it licensed shall deliver to the Commissioner an application for licensing in such form as shall be prescribed by the Commissioner and shall pay to the Commissioner in respect of an application for a licence for—

- (a) twelve months, the appropriate fee set forth in the third column of the Third Schedule; or

Third  
Schedule.

- (b) less than twelve months, the appropriate part of such fee calculated in accordance with the table set forth in the first part of the Fourth Schedule."

Fourth  
Schedule.

10. Regulation 37 of the principal regulations is revoked and replaced by the following—

Revocation  
and replace-  
ment of  
regulation 37.

"Issue of  
licences.

37. Upon receipt of an application for licensing of a rickshaw, sedan chair, tricycle or trailer, together with the appropriate fee or appropriate part of such fee, the Commissioner, if he is satisfied with the particulars contained in such application and if he has no reason to believe that such vehicle is mechanically unfit for licensing, subject to regulation 36, shall license such vehicle for such period, not exceeding twelve months, as is stipulated in the application calculated from the first day of the month in which the application was delivered to him, and shall issue to the owner a licence in such form as he may prescribe:

Provided that the Commissioner in his absolute discretion may refuse to license any such vehicle for any period less than twelve months."

11. Regulation 39 of the principal regulations is amended by the deletion, in paragraph (3), of the word "dollar" and the substitution therefor of the following—

Amendment  
of regula-  
tion 39.

"dollars".

12. Regulation 40 of the principal regulations is revoked.

Revocation  
of regula-  
tion 40.

13. Regulation 41 of the principal regulations is amended by the deletion of the words "Vehicle and Road Traffic".

Amendment  
of regula-  
tion 41.

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

Amendment  
of Second  
Schedule.

- (a) by the deletion of Diagram No. 5;

- (b) by the deletion, in sub-paragraph (3) of paragraph 2, of the words and commas ", a hire car, a hire omnibus";

- (c) by the deletion, in sub-paragraph (1) of paragraph 3, of the words and comma "other than a public omnibus, a hire omnibus and a public car";

- (d) by the deletion of sub-paragraph (2) of paragraph 3 and the substitution therefor of the following—

"(2) In the case of a public car or an omnibus, other than a private omnibus, first registered before the

1st day of July, 1965, the registration mark may, at the option of the owner, be displayed in the shape shown in diagram No. 3, including the words "Public Vehicle";

- (e) by the deletion of sub-paragraphs (1) and (2) of paragraph 4 and the substitution therefor of the following—

"(1) All the letters and figures must be three and one-half inches high, every part of every letter and figure must be five-eighths of an inch broad, and the total width of the space taken by every letter or figure, except in the case of the figure 1, must be two and one-half inches:

Provided that in the case of an omnibus or public car the owner of which has exercised the option to display the registration mark in the shape shown in diagram No. 3, the letters forming the words "Public Vehicle" must be one inch high, every part of every letter must be one-eighth of an inch broad and the total width of the space taken by every letter must be half an inch and all other letters and all figures must be three inches high, every part of every letter and figure must be three-eighths of an inch broad and the total width of the space taken by every letter or figure, except in the case of the figure 1, must be one and a half inches."; and

- (f) by the deletion of sub-paragraph (1) of paragraph 7 and the substitution therefor of the following—

"(1) The plate referred to in regulation 9A shall be in accordance with diagram No. 4 and shall be indelibly coloured white on a green surface."

15. The Third Schedule to the principal regulations is amended—

- (a) by the deletion, in item 3, of the comma and words ", public car or hire omnibus";
- (b) by the deletion, in item 15, of the word "Hire" and the substitution therefor of the following—

"Public";

- (c) by the deletion, in item 15, of the figures "10" and the substitution therefor of the following—

"30"; and

- (d) by the deletion, in paragraph (c) of item 16, of the word "hire" and the substitution therefor of the following—

"public".

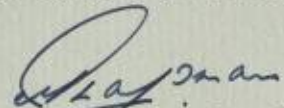
Amendment  
of Third  
Schedule.

16. Reference to hire cars in registration books and vehicle licences (including duplicates thereof) issued under the principal regulations, and in the register of motor vehicles referred to in regulation 7 of the principal regulations, shall be deemed to be references to public cars; and references to hire omnibuses in registration books and vehicle licences (including duplicates thereof) issued under the principal regulations, and in the aforesaid register, shall be deemed to be references to public omnibuses.

Construction  
of references  
to hire cars,  
etc.

COUNCIL CHAMBER,

25th August, 1964.

  
Deputy Clerk of Councils.

*Explanatory Note.*

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

The principal purpose of these regulations is, by regulations 2, 3 and 7, to amend the Road Traffic (Registration and Licensing of Vehicles) Regulations, 1956, the principal regulations, consequential on the enactment of the Road Traffic (Amendment) Ordinance, 1964. By regulations 14 and 15, the Second and Third Schedules to the principal regulations are amended for this purpose and to enable the public omnibuses and public cars to exhibit their registration marks in the same form and size as other vehicles but in the present colours, white upon red, the option being left to the owners of public omnibuses and public cars already registered to retain the present size and registration mark and the words "public vehicle" which are no longer otherwise necessary. At the same time, the annual licence fees for public cars, including the cars hitherto known as hire cars, are increased.

2. The opportunity has been taken to make a number of other minor amendments to the principal regulations—

- (a) by regulation 4, regulation 14 of the principal regulations is amended by the deletion of the words which are now superfluous;
- (b) by regulations 5, 6 and 11 clerical errors in regulations 16, 18 and 39 respectively of the principal regulations are corrected;
- (c) by regulation 8, regulation 32 of the principal regulations is amended to enable a vehicle to be lawfully used while bearing a trade plate between the hours of sunset and sunrise, and to require a form of authority, signed by or on behalf of the holder of the trade licence, to be carried on a vehicle at all times when it is being used under a trade plate;
- (d) by regulations 9 and 10, regulations 36(1) and 37 of the principal regulations are replaced by provisions ensuring, as in the case of motor vehicle licences, that where a licence for less than a year is issued in respect of a rickshaw, sedan chair, tricycle or trailer the annual licence fee shall be reduced accordingly, and providing the manner by which the duration of any such licence is calculated, being the same as in the case of motor vehicle licences;
- (e) by regulation 12, regulation 40 of the principal regulations, the effect of which is spent, is revoked;
- (f) by regulation 13, regulation 41 of the principal regulations is amended consequential on the replacement of the Vehicle and Road Traffic Ordinance, Cap. 220 by the Road Traffic Ordinance, 1957.

(Secretariat GR33/3231/54II)

ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

ROAD TRAFFIC (CONSTRUCTION AND USE)  
(AMENDMENT) REGULATIONS, 1964.

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

1. These regulations may be cited as the Road Traffic (Construction and Use) (Amendment) Regulations, 1964, and shall come into operation on the commencement of the Road Traffic (Amendment) Ordinance, 1964, save and except that regulation 7 shall not come into operation until the 1st day of January, 1965.

Citation and commencement. (23 of 1964).

2. Regulation 2 of the Road Traffic (Construction and Use) Regulations, 1956 (hereinafter referred to as the principal regulations) is amended by the deletion of the definition "registered".

Amendment of regulation 2. (G.N.A. 106/56).

3. Regulation 10 of the principal regulations is amended—

Amendment of regulation 10.

(a) by the deletion of the commas and words " , other than a double decked omnibus,";

(b) by being re-numbered as paragraph (1); and

(c) by the insertion of the following new paragraph—

"(2) This regulation shall not apply to an omnibus."

4. Regulation 14 of the principal regulations is amended by the deletion in the proviso to paragraph (1) of the words "unladen weight" and the substitution therefor of the following—

Amendment of regulation 14.

"weight unladen".

5. Regulation 15 of the principal regulations is amended by the deletion in paragraph (1) of the word "contimetres" and the substitution therefor of the following—

Amendment of regulation 15.

"centimetres".

6. Regulation 16 of the principal regulations is amended by the deletion in the proviso to paragraph (1) of the words "unladen weight" and the substitution therefor of the following—

Amendment of regulation 16.

"weight unladen".

Revocation and replacement of regulation 22.

7. Regulation 22 of the principal regulations is revoked and replaced by the following—

"Windscreen wiper.

22. Two efficient automatic windscreen wipers shall be fitted to the windscreen of every motor vehicle unless the motor vehicle is so constructed that either—

- (a) the driver, by opening the windscreen or otherwise, can obtain an adequate view to the front of the vehicle without looking through the windscreen; or
- (b) the driver can obtain an adequate view to the front of the vehicle even though the vehicle is fitted with only one windscreen wiper."

Amendment of regulation 23.

8. Regulation 23 of the principal regulations is amended—

(a) by the deletion of paragraph (b) of the proviso thereto and the substitution therefor of the following—

"(b) a siren, except in the case of a vehicle used solely for fire brigade, ambulance or police purposes, or a vehicle used for fire brigade purposes which is authorized in writing by the Commissioner after consultation with the Director of Fire Services to be fitted with a siren;" and

(b) by the insertion in paragraph (d) of the proviso thereto, after the words "fire brigade", of the following—

“, ambulance”.

Amendment of regulation 47.

9. Regulation 47 of the principal regulations is amended by the deletion of the word "extrance" and the substitution therefor of the following—

"entrance”.

Amendment of regulation 74.

10. Regulation 74 of the principal regulations is amended by the deletion of paragraph (1) and the substitution therefor of the following—

"(1) Every omnibus including all body work, upholstery and fittings shall be soundly and properly constructed of suitable materials well finished and in good and serviceable condition and of such design that it is capable of withstanding the loads and stresses likely to be met within operation.”.

Addition of new regulation 79.

11. The principal regulations are amended by the addition after regulation 78 of the following new regulation—

"Exemption.

79. The Commissioner, in his absolute discretion and upon such terms and conditions as he considers necessary, may exempt from any of the provisions of regulations 34, 55, 62 and 63, any private omnibus or any public omnibus other than a public omnibus used solely in connexion with

the maintenance of a service in accordance with a grant by or under any enactment of the exclusive right or licence of maintaining such service.”.

12. Regulations 94A and 95 of the principal regulations are amended by the deletion, wherever the same occur, of the words "number of passengers" and the substitution therefor of the following—

“seating capacity”.

Amendment of regulations 94A and 95.

13. Regulation 130 of the principal regulations is amended by the deletion of the figures "78" and the substitution therefor of the following—

“77”.

Amendment of regulation 130.

14. Regulations 133 and 134 of the principal regulations are amended by the deletion of the comma and words “, a taxi or a hire car”, wherever the same occur, and the substitution therefor of the following—

“or a taxi”.

Amendment of regulations 133 and 134.

15. Regulation 143 of the principal regulations is amended by the deletion of paragraph (1) and the substitution therefor of the following—

“(1) Except as otherwise provided in these regulations every motor vehicle in motion on any road during the hours of darkness shall carry—

- (a) two lamps showing to the front a white light visible from a reasonable distance; and
- (b) two lamps showing to the rear a red light visible from a reasonable distance,

and every such lamp shall, while the vehicle is in motion on any road during such hours as aforesaid, be properly lighted, and in clean and efficient condition, and shall be attached to the motor vehicle in such position and manner as is provided by these regulations:

Provided that in the case of—

- (i) a motor cycle not having a side-car attached thereto; and
- (ii) an invalid chair,

only a single lamp showing a white light to the front and a single lamp showing a red light to the rear need be carried.”.

16. Regulation 147 of the principal regulations is amended by the addition in paragraph (d), after the words "shall not", of the following—

“be”.

Amendment of regulation 147.

Revocation and replacement of regulation 152.

17. Regulation 152 of the principal regulations is revoked and replaced by the following—

"Coloured lights.

152. No vehicle shall show a coloured light to the front:

Provided that this regulation shall not apply to—

- (a) a motor vehicle used solely for fire brigade, ambulance or police purposes;
- (b) a taxi when standing or plying for hire which shows a coloured light for the sole purpose of indicating that it is then available for hire as a taxi; or
- (c) a fog lamp."

Amendment of regulation 158.

18. Regulation 158 of the principal regulations is amended—

- (a) by the deletion of the word "sub-inspector" and the substitution therefor of the following—  
"inspector";
- (b) by being re-numbered as paragraph (1) thereof; and
- (c) by the insertion of the following new paragraphs—

"(2) Any vehicle removed in accordance with paragraph (1) may be detained by the Commissioner until either—

- (a) there is paid to the Commissioner a removal charge of fifty dollars and a storage charge of one dollar for every day after the second day during which the vehicle is detained; or
- (b) the vehicle is released by order of a court or magistrate in accordance with paragraph (3).

(3) Where a vehicle is detained in accordance with this regulation and proceedings have been taken in respect of the offence by reason of which the vehicle was removed, the court or magistrate in such proceedings may order that the vehicle be released and in such order may require that the appropriate removal and storage charges be paid to the Commissioner before the vehicle is released or, where removal and storage charges have been paid, require the Commissioner to refund the same.

(4) Paragraph (4) of regulation 161 shall apply in respect of a vehicle detained under this regulation in like manner as it applies in respect of a vehicle detained under that regulation."

19. Regulation 161 of the principal regulations is amended—

- (a) by the deletion in paragraph (1) of the word "sub-inspector" and the substitution therefor of the following—  
"inspector"; and
- (b) by the deletion of the words "Vehicle and Road Traffic" wherever the same occur.

Amendment of regulation 161.

20. Regulation 162 of the principal regulations is amended—

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

Amendment of regulation 162.

"(1) Any police officer in uniform of the rank of inspector or above may test and inspect or cause to be tested and inspected on a road, or subject to the consent of the owner of the premises, on any premises where the vehicle is, any brakes, steering gear, road wheels, road wheel suspension, chassis or body, being part of, or fitted to, a vehicle, and the silencer and exhaust pipe fitted to a motor vehicle, and may weigh the vehicle and any load thereon or cause the same to be weighed."; and

- (b) by the insertion, after paragraph (2) of the following new paragraphs—

"(3) Where a police officer of the rank of inspector or above has reason to believe that there may be a defect in any brakes, steering gear, road wheels, road wheel suspension, chassis or body being part of, or fitted to, a vehicle, or in respect of the silencer or exhaust pipes fitted to a motor vehicle, such as would render the owner or driver thereof liable to conviction under these regulations or under any other enactment, he may, for the purpose of the carrying out a test or inspection under this regulation, serve on the owner or driver of the vehicle a notice, in such form as may be prescribed by the Commissioner, requiring such person to produce the vehicle for testing and inspection at such time and place as may be specified in the notice.

(4) Any person who has been served with a notice in accordance with the provisions of paragraph (3) and who, without reasonable excuse, fails to produce the vehicle at the time and place specified in the notice, shall be guilty of an offence and on summary conviction shall be liable to a fine of one thousand dollars."

21. Regulation 163 of the principal regulations is amended by the deletion of the words "police officer" and the substitution therefor of the following—

Amendment of regulation 163.

"person".

Addition of  
new regula-  
tion 163A.

22. The principal regulations are amended by the addition after regulation 163 of the following—

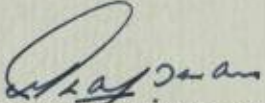
"Defects.

163A. (1) If a police officer is of the opinion that a motor vehicle is defective in such fashion as would render the owner or the driver thereof liable to conviction under these regulations or under any other enactment but that the defect is of a sufficiently minor nature as may not warrant the institution of proceedings in respect thereof, the police officer may serve upon the owner or driver of the vehicle a notice, in such form as may be prescribed by the Commissioner, requiring such person to have such defect repaired and to produce the motor vehicle for inspection at such time and place as may be specified in the notice.

(2) Every police officer who serves a notice under paragraph (1) shall, within forty-eight hours, transmit a copy thereof to the Chief Superintendent of Police, Traffic Branch, or to such other police officer as the Commissioner of Police may designate for this purpose, and the Chief Superintendent of Police, Traffic Branch, or such other police officer designated as aforesaid shall thereupon, subject to any directions from the Attorney General, decide whether or not the notice served as aforesaid shall be in substitution for the institution of proceedings against the person served with the notice in respect of the defect specified in the notice, and shall forthwith, personally or by post, notify in writing such person accordingly.

(3) Any person who has been served with a notice in accordance with the provisions of paragraph (1) and who, without reasonable excuse, fails to produce the vehicle for inspection at the time and place specified in the notice or fails to have the defect repaired, shall be guilty of an offence and on summary conviction shall be liable to a fine of one thousand dollars."

COUNCIL CHAMBER,  
25th August, 1964.

  
Deputy Clerk of Councils.

*Explanatory Note.*

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

These regulations make a number of minor amendments to the Road Traffic (Construction and Use) Regulations, 1956, the principal regulations—

(a) by regulation 2, the definition "registered", which is not used, is deleted from regulation 2 of the principal regulations;

- (b) by regulation 3, omnibuses are excluded from the provisions of regulation 10 of the principal regulations as to overall height of motor vehicles, as the overall height of omnibuses is specifically dealt with in regulation 34 of the principal regulations;
- (c) by regulations 4 and 6, regulations 14 and 16 of the principal regulations are amended to employ, in substitution for the expression "unladen weight", the expression "weight unladen" as the latter, and not the former, is the expression defined in regulation 2 of the principal regulations;
- (d) by regulations 5, 9, 13 and 16, typographical errors in regulations 15, 47, 130 and 147 respectively of the principal regulations are corrected;
- (e) by regulation 7, regulation 22 of the principal regulations is replaced by a new regulation requiring every motor vehicle to be fitted with two instead of the previous one efficient automatic windscreen wipers unless the driver of the vehicle can obtain an adequate view either by opening the windscreen of the vehicle or by the operation of a single screen wiper. This regulation does not come into operation until the 1st day of January, 1965, to enable vehicles to be adapted, where necessary.
- (f) by regulation 8, regulation 23 of the principal regulations is amended to enable a siren or similar device to be lawfully used on an ambulance and to enable the Commissioner of Police after consulting the Director of Fire Services, to authorize sirens on vehicles which, although used for fire brigade purposes, are not solely needed for such purposes, for example, private cars of senior officers of the Fire Services Department;
- (g) by regulation 10, regulation 74 of the principal regulations is amended by the omission of the first part of paragraph (1) which is unnecessary;
- (h) by regulation 11 a new regulation 79 is added, enabling the Commissioner to exempt from the provisions of certain construction regulations, omnibuses used as private omnibuses or for non-exclusive services such as tour buses;
- (i) by regulation 15, part of regulation 143 is omitted, as being no longer required;
- (j) by regulation 12, regulations 94A and 95 of the principal regulations are amended to employ, in substitution for the phrase "number of passengers", the phrase "seating capacity" used in the First Schedule to the Road Traffic (Registration and Licensing of Vehicles) Regulations, 1956, for the sake of conformity;
- (k) by regulation 14, regulation 133 and 134 of the principal regulations are amended, consequential on the enactment of the Road Traffic (Amendment) Ordinance, 1964;
- (l) by regulation 17, regulation 152 of the principal regulations is amended so as to enable taxis, when plying for hire, to use a coloured light at night to indicate that they are available for hire;
- (m) by regulation 18, regulation 158 of the principal regulations is amended so as to refer to the police rank of "inspector" in place of the abolished rank of "sub-inspector", and (adopting the similar provisions contained in the Road Traffic (Parking and Waiting) Regulations, 1958) to provide for the payment of storage and removal charges in respect of vehicles removed by the police under regulation 158, the detention of such vehicles until released by a magistrate or the charges are paid and the eventual sale of any detained vehicles which are not claimed;
- (n) by regulation 19, regulation 161 is amended, consequential upon the abolition of the police rank of sub-inspector;
- (o) by regulation 20, regulation 162 of the principal regulations, which enables a police officer to test and inspect vehicles for defects in the brakes, etc., is amended to enable such tests and inspections to be carried out by other persons at the instance of a police officer, and to permit

the police officer, where he has reason to believe there is such a defect which would amount to an offence, to serve a notice on the owner or driver requiring production of the vehicle at a stated place and time so that the vehicle can be tested and inspected. Regulation 162, as amended, refers to the police rank of "inspector" instead of the rank of "sub-inspector" which has been abolished; a consequential amendment is made to regulation 163 of the principal regulations by regulation 21 of these regulations;

- (p) by regulation 22, a new regulation 163A is added to the principal regulations enabling a police officer to give the owner or driver of a vehicle, which is defective in some minor respect, a notice of such defect, requiring him to produce the vehicle for inspection after repairs; and providing for such a notice to be in substitution for a prosecution in respect of the defect in certain circumstances.

(Secretariat GR33/3231/54II)

126

ROAD TRAFFIC ORDINANCE, 1957.  
(No. 39 of 1957).

ROAD TRAFFIC (INTERNATIONAL CIRCULATION)  
(AMENDMENT) REGULATIONS, 1964.

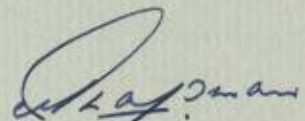
In exercise of the powers conferred by section 3 of the Road Traffic Ordinance, 1957, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Road Traffic (International Circulation) (Amendment) Regulations, 1964, and shall come into operation on the commencement of the Road Traffic (Amendment) Ordinance, 1964. Citation and commencement. (23 of 1964).

2. Regulation 3 of the Road Traffic (International Circulation) Regulations, 1960 (hereinafter referred to as the principal regulations) is amended by the deletion, in sub-paragraph (c) of paragraph (2), of the words "a hire car" and the substitution therefor of the following— Amendment of regulation 3. (G.N.A. 36/60).

"a public car".

3. Regulation 7 of the principal regulations is amended by the deletion, in sub-paragraph (a) of paragraph (2), of the words "and pays such fees as are prescribed in the Second Schedule". Amendment of regulation 7.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
25th August, 1964.

*Explanatory Note.*

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

Regulation 2 of these regulations amends regulation 3(2)(c) of the Road Traffic (International Circulation) Regulations, 1960, consequential on the enactment of the Road Traffic (Amendment) Ordinance, 1964. Further, although regulation 7 of the principal regulations requires payment for International Circulation Permits of the fees prescribed in the Second Schedule, no such fee is prescribed. It has been considered that the charging of a fee would not be appropriate to the circumstances of the issue of the permits and the requirement is accordingly deleted.

(Secretariat GR33/3231/54II)

ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

ROAD TRAFFIC (DRIVING LICENCES) (AMENDMENT) REGULATIONS, 1964.

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

1. These regulations may be cited as the Road Traffic (Driving Licences) (Amendment) Regulations, 1964, and shall come into operation on the commencement of the Road Traffic (Amendment) Ordinance, 1964. Citation and commencement. (23 of 1964).

2. Regulation 3 of the Road Traffic (Driving Licences) Regulations, 1956 (hereinafter referred to as the principal regulations) is amended by the deletion— Amendment of regulation 3. (G.N.A. 88/56).

(a) in paragraph (a), of the words "and hire cars"; and

(b) in paragraph (c), of the comma and words ", hire omnibuses".

3. Regulation 3A of the principal regulations is amended by the deletion of the words "hire car", where the same twice occur, and the substitution therefor of the following— Amendment of regulation 3A. "public car".

4. Regulation 9 of the principal regulations is amended by the deletion, in paragraph (6), of the figures "23" and the substitution therefor of the following— Amendment of regulation 9. "20".

5. Regulation 11 of the principal regulations is revoked and replaced by the following— Revocation and replacement of regulation 11.

"Age limits for issue of licences.

11. (1) A driving licence entitling the holder thereof to drive any motor vehicle other than a taxi, a public car, a goods vehicle of a weight unladen exceeding two tons or an omnibus, shall not be issued to a person unless such person has attained the age of eighteen years.

(2) A driving licence entitling the holder thereof to drive a taxi, a public car, a goods vehicle of a weight unladen exceeding two tons or an omnibus shall not be issued to a person unless such person has attained the age of twenty-one years and, unless exempted by the Commis-

sioner, has held a driving licence, other than a provisional licence, to drive a motor vehicle, other than a motor cycle or motor tricycle, for at least three years.”.

Amendment  
of regula-  
tion 16.

6. Regulation 16 of the principal regulations is amended by the deletion, in paragraph (6), of the words “the Divisional Superintendent (Traffic)” and the substitution therefor of the following—

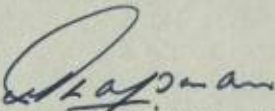
“the Chief Superintendent of Police, Traffic Branch”.

Revocation  
of regula-  
tion 24.

7. Regulation 24 of the principal regulations is revoked.

Construction  
of reference  
to hire cars,  
etc. in  
licences.

8. References to hire cars in driving licences (including duplicate driving licences) issued under the principal regulations and in force on the coming into operation of these regulations shall be deemed to be references to public cars, and references to hire omnibuses in such licences shall be deemed to be references to public omnibuses.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
25th August, 1964.

#### Explanatory Note.

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

These regulations amend regulations 3 and 3A of the Road Traffic (Driving Licences) Regulations, 1956, the principal regulations, consequential on the enactment of the Road Traffic (Amendment) Ordinance, 1964 which abolishes the two classes of vehicles hitherto known as hire cars and hire omnibuses by combining them with the classes known as public cars and public omnibuses. Existing licences that refer to hire cars or hire omnibuses are saved by regulation 8 of these regulations. Such references will be corrected at the latest when the licences come up for renewal. These regulations also revoke regulation 11 of the principal regulations. Paragraph (2) of that regulation provides that no provisional licence for driving taxis, hire cars, goods vehicles of a weight unladen exceeding two tons or omnibuses shall be issued to any person unless he has attained the age of twenty-one years and has held a driving licence for a car for at least three years. The purpose of this is to secure a higher standard of ability from drivers of such vehicles than from other drivers who can obtain a licence at eighteen years of age, but this presupposes that the issue of provisional licences is necessarily a condition precedent to the issue of driving licences for these vehicles. This is not so, and accordingly the purpose of the regulation has not been fully attained. Regulation 11 is, therefore, replaced by a new regulation which prohibits the issue of driving licences for such vehicles where previously the issue of provisional licences was prohibited.

2. The opportunity has been taken to revoke regulation 24, the effect of which is now spent.

(Secretariat GR33/3231/54II)

## ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

### ROAD TRAFFIC (PUBLIC OMNIBUS AND PUBLIC CAR) (AMENDMENT) REGULATIONS, 1964.

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

1. These regulations may be cited as the Road Traffic (Public Omnibus and Public Car) (Amendment) Regulations, 1964, and shall come into operation on the commencement of the Road Traffic (Amendment) Ordinance, 1964. Citation and commencement.  
(23 of 1964).

2. Part I of the Road Traffic (Public Omnibus and Public Car) Regulations, 1961 (hereinafter referred to as the principal regulations) is amended by the deletion in the heading thereto of the words “and interpretation” and the substitution therefor of the following—  
“, interpretation and application”.

Amendment  
of Part I.  
(G.N.A.  
25/61).

3. The principal regulations are amended by the addition after regulation 2 of the following new regulation—  
“Application. **2A.** These regulations shall apply only to a public omnibus and a public car when the vehicle is being used or is intended to be used to carry passengers at separate and distinct fares within the Colony on a recognized and pre-determined route or for a recognized and pre-determined purpose, in accordance with a right or licence granted by or under any enactment.”.

Addition of  
new regula-  
tion 2A.

4. Part III of the principal regulations is amended by the deletion in the heading thereto of the words “and conductors” and the substitution therefor of the following—  
“, conductors and gatemen”.

Amendment  
of Part III.

5. Regulation 10 of the principal regulations is amended—  
(a) by the insertion, after the words “public car”, of the following—  
“, and a gateman of a public omnibus;” and  
(b) by the deletion in paragraph (e) of the word “licence” and the substitution therefor of the following—  
“licence (if any)”.

Amendment  
of regula-  
tion 10.

Addition of new regulation 12A.

6. The principal regulations are amended by the addition in Part III, after regulation 12, of the following new regulation—

"General conduct of gateman.

12A. A gateman of a public omnibus when acting as such—

- (a) shall not when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the starting, stopping or safe operation of the vehicle;
- (b) shall take such steps as he is able, whenever necessary, to enforce the provisions of these regulations relating to the conduct of passengers;
- (c) shall not unreasonably delay the vehicle on any journey; and
- (d) shall not permit to be on the vehicle at any time more passengers than the number which are permitted to be carried on the vehicle."

Amendment of Part IV.

7. Part IV of the principal regulations is amended by the deletion in the heading thereto of the words "and conductors" and the substitution therefor of the following—

“, conductors and gatemen”.

Amendment of regulation 13.

8. Regulation 13 of the principal regulations is amended by the deletion of the words "and conductor" and the substitution therefor of the following—

“, conductor and gateman”.

Amendment of regulation 14.

9. Regulation 14 of the principal regulations is amended—

- (a) by the deletion of the brackets and figure "(1)"; and
- (b) by the deletion in paragraph (b) of the words "and conductor" and the substitution therefor of the following—  
“, conductor and gateman”.

Amendment of regulation 15.

10. Regulation 15 of the principal regulations is amended—

- (a) by the deletion in paragraph (1) of the words "and every conductor" and by the substitution therefor of the following—  
“, conductor and gateman”; and
- (b) by the insertion in paragraph (2), after the word "conductor", of the following—  
“, gateman”.

11. Regulation 22 of the principal regulations is amended by the insertion, immediately after paragraph (e), of the following new paragraph—

Amendment of regulation 22.

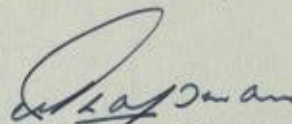
“(ea) enter or alight from the vehicle when requested not to do so by an employee of the operator in uniform and on duty on the grounds that the place in question is not a bus stop;”.

12. Regulation 37 of the principal regulations is amended—

Amendment of regulation 37.

- (a) by the deletion in paragraph (1) of the word "with";
- (b) by the insertion in paragraph (1), after the figures and comma "12.", of the following—  
“12A.”;
- (c) by the deletion of the word "subsection", wherever the same occurs, and the substitution therefor of the following—  
“paragraph”; and
- (d) by the deletion of the word "section", wherever the same occurs, and the substitution therefor of the following—  
“regulation”.

COUNCIL CHAMBER,  
25th August, 1964.

  
Deputy Clerk of Councils.

*Explanatory Note.*

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

These regulations amend the Road Traffic (Public Omnibus and Public Car) Regulations, 1961, the principal regulations, consequential on the enactment of the Road Traffic (Amendment) Ordinance, 1964. By that Ordinance, two categories of motor vehicles, *i.e.* hire omnibuses and hire cars, are deleted and it is provided that a public omnibus may be used for the purposes previously permitted for both a public omnibus and a hire omnibus and that a public car may be used for the purposes permitted previously for both a public omnibus and a public car. By regulation 3 of these regulations, a new regulation 2A is added to the principal regulations, providing that the principal regulations shall apply to a public omnibus and to a public car only when the vehicle is being used for the carriage of passengers at separate and distinct fares in accordance with a right or licence so to do granted under any enactment, in the result that the regulations do not apply when the vehicle is hired as a whole.

2. In addition to the above, regulations 4 to 10 of these regulations amend the principal regulations in order more specifically to define the duties, and to ensure the good conduct, of gatemen on public omnibuses; and regulation 11 of these regulations inserts, in principal regulation 22 (which deals with conduct of passengers), a new paragraph to give the operator's employees, when in uniform and on duty, the power to stop persons getting on or off the vehicle at places which are not bus stops.

(Secretariat GR33/3231/54II)

REGISTRATION OF PERSONS ORDINANCE, 1960.  
(No. 18 of 1960).

**REGISTRATION OF PERSONS (RE-REGISTRATION)  
(NO. 30) ORDER, 1964.**

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

1. This Order may be cited as the Registration of Persons Citation. (Re-registration) (No. 30) Order, 1964.

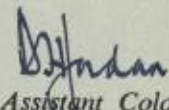
2. Every person specified in the Schedule is required to register again in accordance with the provisions of the Registration of Persons Ordinance, 1960, and regulations made thereunder.

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

SCHEDULE.

Every person being resident in Hong Kong or Kowloon, being the holder of an Identity Card which bears a registration number in the series 75,001A to 100,000A and the family, if any, of such holder.

By Command,

  
Principal Assistant Colonial Secretary.

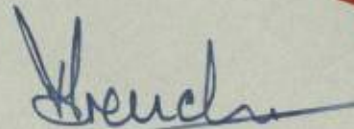
26th August, 1964.

(Secretariat GR2/6/1486/62II)

**PROCLAMATION.**

**No. 5 of 1964.**



  
*Governor.*

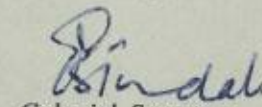
BY HIS EXCELLENCY SIR DAVID CLIVE CROSBIE TRENCH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, upon whom hath been conferred the Decoration of the Military Cross, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of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

WHEREAS by section 1 of the Road Traffic (Amendment) Ordinance, 1964 (No. 23 of 1964), it is provided that the said Ordinance shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*:

NOW THEREFORE, I, DAVID CLIVE CROSBIE TRENCH, do hereby PROCLAIM that the said Ordinance shall come into operation on the 4th day of September, 1964.

GIVEN under my hand and the Public Seal of the Colony of Hong Kong this 3rd day of September, 1964.

Published by His Excellency's Command,

  
*Colonial Secretary.*

GOD SAVE THE QUEEN.

(Secretariat GR33/3231/54II)



ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

ROAD TRAFFIC (PARKING AND WAITING) (AMENDMENT)  
(NO. 2) REGULATIONS, 1964.

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

1. These regulations may be cited as the Road Traffic (Parking and Waiting) (Amendment) (No. 2) Regulations, 1964, and shall come into operation on the commencement of the Road Traffic (Amendment) Ordinance, 1964.

Citation and commencement.  
(23 of 1964).

2. Regulation 3 of the Road Traffic (Parking and Waiting) Regulations, 1958 (hereinafter referred to as the principal regulations) is amended by the insertion in paragraph (2), after the words "other than a public omnibus", of the following—

Amendment of regulation 3.  
(G.N.A. 77/58).

"that is being used to carry passengers at separate and distinct fares within the Colony on a recognized and pre-determined route or for a recognized and pre-determined purpose in accordance with a right or licence granted by or under any enactment".

3. Regulation 8 of the principal regulations is amended—

(a) by the insertion, after the figure "7" where it appears in paragraphs (1) and (6), of the following—

Amendment of regulation 8.

“, 7A”;

(b) by the deletion of paragraph (5) and the substitution thereof of the following—

“(5) Every sign in accordance with the diagrams in the First Schedule shall be mounted on or attached to—

First Schedule.

(a) a post (which may be either fixed or portable) specially provided for the purpose, and every such post shall be painted in alternate black and yellow horizontal bands each band being, in the case of a fixed post, not less than eleven inches nor more than thirteen inches in width, or, in the case of a portable post, not less than six inches nor more than nine inches in width; or

(b) a lamp post or other standard which in either case may be painted with one or more yellow bands each band being not less than eleven inches in width.

(5A) A sign erected under this regulation may be of such material as will cause it to reflect light or may be illuminated, and may also, in the discretion of the Commissioner, be surmounted by a red occulting light.”; and

(c) by the insertion, after paragraph (6), of the following new paragraph—

“(7) Any sign on or near any road, being a sign in accordance with Diagram No. 7A in the First Schedule, shall be deemed to have been erected by the Commissioner under these regulations, notwithstanding that the sign was erected for the purposes of the Road Traffic (Roads and Signs) Regulations, 1959.”

4. Regulation 9 of the principal regulations is amended by the deletion, in paragraph (1), of the word and figure “or 6” and the substitution therefor of the following—

“, 6 or 7A”.

5. The principal regulations are amended by the addition, after regulation 9, of the following new regulations—

9A. No person without the consent of the Commissioner shall move, damage, or interfere in any way with, any sign erected or deemed to have been erected under these regulations.

9B. (1) Except as may be authorized by the Commissioner, no person shall place, or cause or permit to be placed, on or near any road or building any sign described in the First Schedule or any sign which is of such similarity to a sign described in the First Schedule that any person approaching it might reasonably mistake it for a sign described in the First Schedule.

(2) The Commissioner may by notice in writing require any person who has placed or caused to be placed any such sign in contravention of paragraph (1) to remove it and, if such person fails to comply with such notice, the Commissioner may cause the sign to be removed and may recover from such person as a civil debt the cost of such removal and of any reinstatement of the road necessitated by such a removal.”.

Amendment of regulation 9.

Addition of new regulations 9A and 9B.

“Interfering with signs prohibited.

Prohibition of unauthorized signs. First Schedule

6. Regulation 10 of the principal regulations is amended by the insertion in sub-paragraph (c), after the words “any public omnibus”, of the following—

“, being a vehicle that is being used or is intended to be used to carry passengers at separate and distinct fares within the Colony on a recognized and pre-determined route or for a recognized and pre-determined purpose in accordance with a right or licence granted by or under any enactment.”.

7. Regulation 30 of the principal regulations is amended—

(a) by the insertion, after the figure and comma “9.”, of the following—

“9A”; and

(b) by the insertion, after the figures and comma “28.”, of the following—

“paragraph (1) of regulation 9B.”.

8. The First Schedule to the principal regulations is amended by the insertion after “DIAGRAM 7” of the following—



DIAGRAM 7A.

Note: The sign shown in Diagram 7A may be placed on or near a road for the purposes of indicating that the parking and waiting of vehicles is prohibited, or may be used to give notice that a designated parking place is temporarily suspended in accordance with the provisions of regulation 4.

The sign may be varied to include a symbol in the form of an arrow to indicate the extent and direction in which parking and waiting is prohibited.”.

COUNCIL CHAMBER,  
25th August, 1964.

*[Signature]*  
Deputy Clerk of Councils.

Amendment of regulation 10.

Amendment of regulation 30.

Amendment of First Schedule.

*Explanatory Note.*

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

These regulations amend regulations 3 and 10 of the Road Traffic (Parking and Waiting) Regulations, 1958, consequential on the enactment of the Road Traffic (Amendment) Ordinance, 1964. In addition, the "No Parking" sign, at present provided by the Road Traffic (Roads and Signs) Regulations, is by these regulations incorporated in the First Schedule to Road Traffic (Parking and Waiting) Regulations, which provides all the other signs governing parking and waiting, and the necessary consequential amendments are made. At the same time, these regulations make it clear that such signs may be either fixed or portable, and provisions, similar to those in the Road Traffic (Roads and Signs) Regulations dealing with the illumination of signs and prohibiting interference with signs and unauthorized signs, are incorporated in the Road Traffic (Parking and Waiting) Regulations by these regulations.

(Secretariat GR33/3231/54II)

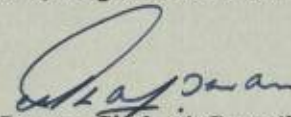
## LEGISLATIVE COUNCIL RESOLUTION.

## ROAD TRAFFIC ORDINANCE, 1957.

(No. 39 of 1957).

Resolution made and passed by the Legislative Council on the 2nd day of September, 1964.

RESOLVED that, in exercise of the powers conferred by subsection (2) of section 5A of the Road Traffic Ordinance, 1957, paragraph (6) of regulation 8 of the Road Traffic (Parking and Waiting) Regulations, 1958, be approved in its application to the new paragraphs (5) and (5A) of that regulation substituted by paragraph (b) of regulation 3 of the Road Traffic (Parking and Waiting) (Amendment) (No. 2) Regulations, 1964.

  
Deputy Clerk of Councils.

COUNCIL CHAMBER,  
2nd September, 1964.

(Secretariat GR33/3231/54II)

133

**ROAD TRAFFIC (TAXIS, PUBLIC OMNIBUSES AND  
PUBLIC CARS) REGULATIONS, 1964.**

**ARRANGEMENT OF REGULATIONS.**

<i>Regulation.</i>		<i>Page.</i>
<b>PART I.</b>		
CITATION, INTERPRETATION AND APPLICATION.		
1.	Citation and commencement ... ..	3
2.	Interpretation ... ..	3
3.	Application ... ..	4
<b>PART II.</b>		
ISSUE AND REVOCATION OF VEHICLE LICENCES.		
4.	Prohibition of issue of licences ... ..	4
5.	Refusal to issue licence ... ..	4
6.	Revocation of licence ... ..	5
7.	Area limitations for taxis ... ..	6
8.	Conditions of issue of a vehicle licence ... ..	6
9.	Reserved taxi stands ... ..	7
10.	Transfer ... ..	7
11.	Saving of fees ... ..	7
<b>PART III.</b>		
TAXI STANDS.		
12.	Setting aside taxi stands ... ..	8
13.	Designation of reserved taxi stands ... ..	8
14.	Designation of New Territories taxi stands ... ..	8
15.	Saving, presumption, etc. ... ..	8
<b>PART IV.</b>		
EQUIPMENT AND USE OF TAXIS.		
16.	Taximeter ... ..	9
17.	Construction of taximeter ... ..	10
18.	Sealing and testing of taximeters ... ..	10
19.	Lighting of taximeter ... ..	10
20.	Offences in relation to taximeter ... ..	11