

(ii) for any amendment to the name, address or particulars under which a money-lender has caused himself to be registered;

(iii) for any inspection of the register or any document kept at the office of the Registrar of Companies under this Ordinance; and

(iv) in respect of copying or certifying any document or part of any document kept at the office of the Registrar of Companies under this Ordinance."

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

4A. Any person may, on payment of the fee prescribed therefor—

- (a) inspect the register or any document kept at the office of the Registrar of Companies under this Ordinance; or
- (b) obtain a copy of or extract from any document or part of any document kept in the office of the Registrar of Companies under this Ordinance; or
- (c) require any copy of or extract from any document or part of any document obtained by any person under paragraph (b), to be certified by the officer having lawful authority to perform the duty of registration of money-lenders under this Ordinance."

Passed by the Hong Kong Legislative Council this 30th day of March, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.

Addition of  
new section  
4A.

"Inspection,  
production  
and evidence  
of documents  
kept in the  
office of the  
Registrar of  
Companies.



I assent.

Governor.

31st March, 1977.

An Ordinance to amend the Lands Tribunal Ordinance.

**HONG KONG**

No. 21 OF 1977

(iii) for any inspection of the register or any document kept at the office of the Registrar of Companies under this Ordinance; and

(iv) in respect of copying or certifying any document or part of any document kept at the office of the Registrar of Companies under this Ordinance.”.

Addition of  
new section  
4A.

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

“Inspection,  
production  
and evidence  
of documents  
kept in the  
office of the  
Registrar of  
Companies.

4A. Any person may, on payment of the fee prescribed therefor—

- (a) inspect the register or any document kept at the office of the Registrar of Companies under this Ordinance; or
- (b) obtain a copy of or extract from any document or part of any document kept in the office of the Registrar of Companies under this Ordinance; or
- (c) require any copy of or extract from any document or part of any document obtained by any person under paragraph (b), to be certified by the officer having lawful authority to perform the duty of registration of money-lenders under this Ordinance.”.

Passed by the Hong Kong Legislative Council this 30th day of March, 1977.



I assent.

Governor.

31st March, 1977.

An Ordinance to amend the Lands Tribunal Ordinance.

[1st April, 1977]

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

1. This Ordinance may be cited as the Lands Tribunal (Amendment) Ordinance 1977. Short title.

2. Section 2 of the principal Ordinance is amended by inserting, after the definition of “qualified in law”, the following definition— Amendment of section 2.  
(Cap. 17.)  
““registrar” means the Registrar of the Lands Tribunal;”.

3. The principal Ordinance is amended by adding, after section 7, the following sections— Addition of new sections 7A, 7B and 7C.

“Officers of the Tribunal.

7A. (1) There shall be attached to the Tribunal a registrar and such number of deputy registrars, assistant registrars, bailiffs, clerks, interpreters and other officers as the Governor may consider necessary.

(2) In addition to the powers and duties conferred or imposed by or under this Ordinance or any other enactment, the registrar, any deputy registrar, assistant registrar, bailiff, clerk, interpreter and other officer attached to the Tribunal may exercise such powers and perform such duties, insofar as the same are applicable to the business of the Tribunal,

as those respectively exercised or performed by the registrar, deputy registrar, assistant registrar, bailiff, clerk, interpreter or other officer attached to the Supreme Court.

(3) Any act which by or under this Ordinance or any other enactment is required or authorized to be done by the registrar may be performed by a deputy registrar or assistant registrar of the Tribunal and any process of the Tribunal may be executed by any bailiff thereof notwithstanding that it may have been directed personally to some other bailiff.

Protection  
of registrar.

**7B.** (1) No action shall be brought against the registrar for—

- (a) any act done or omitted to be done by any bailiff without directions from the registrar; or  
(b) any directions given to any bailiff with regard to the execution or non-execution of process if—  
(i) such directions are in accordance with an order from the Tribunal under section 7C; and  
(ii) no material fact is wilfully misrepresented or suppressed by the registrar.

(2) In this section and in section 7C—  
"registrar" includes a deputy registrar and assistant registrar.

Registrar may  
apply for  
order.

**7C.** The registrar may, in case of doubt or difficulty, apply summarily to the Tribunal for an order for the direction and guidance of a bailiff, and the Tribunal may make such order in the matter as may seem just and reasonable."

Amendment of  
section 9.

**4.** Section 9(8) of the principal Ordinance is amended by inserting after "member" the following—

"or registrar"

Amendment of  
section 11.

**5.** Section 11(2) of the principal Ordinance is amended by deleting "clerk to the Tribunal" and substituting the following—

"registrar".

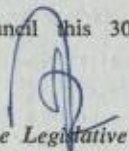
Consequential  
amendments  
to other  
Ordinances.  
(Cap. 116.)  
(Cap. 301.)

**6.** (1) Section 43 of the Rating Ordinance is amended by deleting "or clerk" where it occurs in subsections (1) and (2).

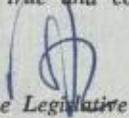
(2) Section 25(2) of the Hong Kong Airport (Control of Obstructions) Ordinance is amended by deleting "clerk to" and substituting the following—

"registrar of".

Passed by the Hong Kong Legislative Council this 30th day of March, 1977.

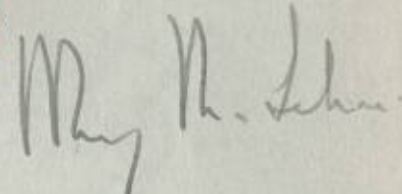
  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.



I assent.



Governor.

5th May, 1977.

An Ordinance to amend the Professional Accountants Ordinance.

Protection  
of registrar.

(3) Any act which by or under this Ordinance or any other enactment is required or authorized to be done by the registrar may be performed by a deputy registrar or assistant registrar of the Tribunal and any process of the Tribunal may be executed by any bailiff thereof notwithstanding that it may have been directed personally to some other bailiff.

**7B.** (1) No action shall be brought against the registrar for—

- (a) any act done or omitted to be done by any bailiff without directions from the registrar; or
- (b) any directions given to any bailiff with regard to the execution or non-execution of process if—
  - (i) such directions are in accordance with an order from the Tribunal under section 7C; and
  - (ii) no material fact is wilfully misrepresented or suppressed by the registrar.

(2) In this section and in section 7C—

"registrar" includes a deputy registrar and assistant registrar.

Registrar may  
apply for  
order.

**7C.** The registrar may, in case of doubt or difficulty, apply summarily to the Tribunal for an order for the direction and guidance of a bailiff, and the Tribunal may make such order in the matter as may seem just and reasonable."

Amendment of  
section 9.

**4.** Section 9(8) of the principal Ordinance is amended by inserting after "member" the following—

"or registrar"

Amendment of

**5.** Section 11(2) of the principal Ordinance is amended by deleting

**HONG KONG**

No. 22 OF 1977



I assent.

Governor.

5th May, 1977.

An Ordinance to amend the Professional Accountants Ordinance.

[ ]

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

**1.** This Ordinance may be cited as the Professional Accountants (Amendment) Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.

**2.** Section 4 of the principal Ordinance is amended by deleting subsection (2) and substituting the following— Amendment of section 4. (Cap. 50.)

"(2) The President and the Vice-President shall, unless they—

- (a) resign their offices by notice in writing delivered to the Registrar; or
- (b) are deemed by virtue of section 15 to have vacated their offices as members of the Council,

hold office from the date of their election until the conclusion of the annual general meeting next occurring."

**3.** Section 8 of the principal Ordinance is amended—

- (a) in subsection (1)—
  - (i) by deleting paragraph (b);

Amendment of section 8.

(ii) in paragraph (d) by deleting "and the fees payable therefor";  
 (iii) in paragraph (f) by deleting "for students" and substituting the following—

"of the Society";

(iv) by deleting paragraph (m);

(b) in subsection (3) by deleting "registered" in the first place where it occurs.

Amendment of section 18.

4. Section 18(1) of the principal Ordinance is amended by inserting after paragraph (a) the following new paragraph—

"(aa) fix registration and other fees;"

Amendment of section 24.

5. Section 24(1) of the principal Ordinance is amended—

(a) in paragraph (b) by inserting after "character" the following—

"and is a fit and proper person to be a professional accountant"; and

(b) by deleting paragraph (c) and substituting the following—

"(c) (i) he is a member of an approved institute;

(ii) he is a member of an accountancy body accepted by the Council by resolution approved by two-thirds of its members as being of a standard similar to an approved institute; or

(iii) he has passed such examinations in accountancy and other subjects, is conversant with local law and practice and has complied with such requirements relating to practical experience as may be prescribed."

Amendment of section 28.

6. Section 28(2)(a) of the principal Ordinance is amended by inserting after "Registrar" the following—

"not later than the 15th day of December in the year preceding the year of renewal".

Addition of new sections 28A, 28B and 28C.

7. The principal Ordinance is amended by adding after section 28 the following new sections—

"Registration of firms.

**28A.** A firm of certified public accountants or public accountants shall be qualified to be registered under this Ordinance if the Council is satisfied that—

(a) all partners of the firm are registered under section 22(2); and

(b) all partners of the firm who reside in Hong Kong hold valid practising certificates.

Application for registration of a firm.

**28B.** Application for registration of a firm of certified public accountants or public accountants under this Ordinance shall be made to the Council in such form as the Council may specify and there shall be lodged with the application such registration fee as may be fixed by the Council.

Provisions of sections 22, 23, 26, 27, 28, 39 & 41 to apply to firms.

**28C.** The provisions of sections 22, 23, 26, 27(1)(c) and (d), (2), (3), (4), (5) and (6), 28, 39 and 41(1)(a) and (b)(i) shall apply *mutatis mutandis* in relation to the registration of a firm of certified public accountants or public accountants as they apply in relation to the registration of a professional accountant."

8. The principal Ordinance is amended by adding after section 29 the following new sections—

Addition of new sections 29A and 29B.

"Requirements for issue of a practising certificate.

**29A.** (1) Subject to section 29B, a practising certificate shall not be issued to a professional accountant unless the Council is satisfied that he—

(a) has, after becoming a member of an approved institute or of any other accountancy body accepted by the Council under section 24(1)(c)(ii), or after registration as a professional accountant, had not less than a total of thirty months full time approved accounting experience in the office of—

(i) a professional accountant holding a practising certificate issued under this Ordinance;

(ii) a person practising public accountancy under the jurisdiction of an approved institute specified in Part A of the Schedule; or

(iii) a member of an accountancy body accepted by the Council under section 24(1)(c)(ii); or

(b) has had a period of not less than four years full time approved accounting experience in an office referred to in sub-paragraph (i), (ii) or (iii) of paragraph (a) or any combination thereof.

(2) An applicant shall satisfy the Council that he—

(a) is ordinarily resident in Hong Kong; and

(b) possesses such local experience and knowledge of local law and practice as the Council may consider necessary.

(3) For the purposes of subsection (2)(b) the Council may require an applicant to sit such examinations as it may prescribe.

(4) If the Council considers that an applicant has acquired substantial experience in accountancy, either in Hong Kong or elsewhere over a considerable period of time the Council may dispense with the requirements of subsection (2).

(5) For the purposes of this section—

(a) "approved accounting experience" means such professional accountancy experience as the Council may approve from time to time as sufficient practical experience; and

(b) a person shall be treated as ordinarily resident if he has been present in Hong Kong for not less than 180 days in the preceding 12 months.

Additional requirements for issue of practising certificates in certain cases. Schedule.

**29B.** A practising certificate shall not be issued to an applicant who is registered as a professional accountant under section 24 by virtue of membership of an approved institute specified in Part B of the Schedule unless, in addition to complying with the requirements of section 29A, he passes such examinations of the Society in such subjects as may from time to time be determined by the Council."

Amendment of  
section 30.

9. Section 30 of the principal Ordinance is amended—

- (a) in subsection (2) by deleting "had the prescribed practical experience" and substituting the following—  
"complied with the requirements of section 29A and, where appropriate, section 29B and intends to practise as a certified public accountant or public accountant"; and
- (b) by inserting after subsection (5) the following new subsection—  
"(6) If a professional accountant fails to commence practice within six months from the date of issue of the practising certificate the Council may cancel the practising certificate."

Amendment of  
section 31.

10. Section 31(4) of the principal Ordinance is amended by deleting "one thousand dollars" and substituting the following—

"\$5,000".

Amendment of  
section 32.

11. Section 32 of the principal Ordinance is amended—

- (a) by deleting subsection (1) and substituting the following—  
"(1) As soon as practicable after the 1st day of January in every year, the Registrar shall cause to be published in the *Gazette*—
- (a) a list of professional accountants holding practising certificates for the period specified in such list and the addresses of their registered offices; and
- (b) a list of firms of certified public accountants and public accountants registered under the Ordinance and the addresses of their registered offices."
- (b) in subsection (2) by deleting "list" in the second place where it occurs and substituting the following—  
"lists"; and
- (c) in subsection (3)—
- (i) by inserting after "(1)" the following—  
"(a)"; and
- (ii) by inserting after "amendments" the following—  
"thereto".

Amendment of  
section 34.

12. Section 34 of the principal Ordinance is amended by inserting after subsection (1) the following new subsection—

"(1A) Where the Registrar has reason to believe that a professional accountant may have been guilty of professional misconduct he shall submit the facts to the Council which may, in its discretion, refer the complaint to the Disciplinary Committee."

Amendment of  
section 42.

13. Section 42(1) of the principal Ordinance is amended—

- (a) by deleting "two thousand dollars" and substituting the following—  
"\$20,000"; and
- (b) by deleting "six" and substituting the following—  
"12".

14. The Schedule to the principal Ordinance is deleted and replaced by the following—

Replacement  
of Schedule.

"SCHEDULE [ss. 2, 29A, 29B &amp; 47.]

## APPROVED INSTITUTES

## PART A

The Association of Certified Accountants  
The Australian Society of Accountants  
The Institute of Chartered Accountants in Australia  
The Institute of Chartered Accountants in England and Wales  
The Institute of Chartered Accountants in Ireland  
The Institute of Chartered Accountants of Scotland

## PART B

The Institute of Cost and Management Accountants  
The Chartered Institute of Public Finance and Accountancy."

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

*Mary, R. Sch...*

*Governor.*

*5th May, 1977.*

**HONG KONG**

No. 23 OF 1977



I assent.

*Governor.*

*5th May, 1977.*

An Ordinance to provide for the establishment of the Hong Kong Examinations Authority and connected matters.

[ ]

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

1. This Ordinance may be cited as the Hong Kong Examinations Authority Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.

2. In this Ordinance, unless the context otherwise requires— Interpretation.  
“Authority” means The Hong Kong Examinations Authority established under section 3;

“specified examinations” means the examinations specified in the Schedule. Schedule.

3. (1) The Hong Kong Examinations Authority is hereby established. Establishment of Authority.

(2) The Authority shall consist of—

(a) the following who shall be *ex-officio* members—

(i) the Vice-Chancellor of the University of Hong Kong, or his representative;

(ii) the Vice-Chancellor of The Chinese University of Hong Kong, or his representative;

(iii) the Director of the Hong Kong Polytechnic, or his representative;

(iv) the Director of Education, or his representative;

(v) the Secretary of the Authority appointed under section 6 who shall be chief executive of the Authority;

(b) the following who shall be appointed by the Governor—

(i) 3 public officers;

(ii) 1 person nominated by the Senate of the University of Hong Kong;

(iii) 1 person nominated by the Senate of The Chinese University of Hong Kong;

(iv) 1 person nominated by the Board of Governors of the Hong Kong Polytechnic;

(v) 1 person experienced in training teachers in Hong Kong;

(vi) 1 person who is President of a College registered under the Post-Secondary Colleges Ordinance;

(vii) 3 persons who are principals of registered schools providing secondary education within the meaning of the Education Ordinance;

(viii) 3 persons who are registered teachers in registered schools providing secondary education within the meaning of the Education Ordinance; and

(ix) 3 persons experienced in commerce or industry in Hong Kong;

(c) such other persons, not exceeding 3, as the Governor may appoint.

(3) The appointment of a member of the Authority under subsection (2)(b) or (c) shall be for a term not exceeding 3 years.

(4) On the expiration of his period of appointment or reappointment, as the case may be, any member of the Authority appointed under subsection (2)(b) or (c) shall be eligible for reappointment.

(5) (a) The Governor shall appoint a member to be chairman of the Authority for a term not exceeding 3 years.

(b) On the expiration of his period of appointment or reappointment, as the case may be, any member of the Authority appointed to be chairman under paragraph (a) shall be eligible for reappointment.

(6) A member of the Authority appointed under subsection (2)(b) or (c) may at any time resign his office by notice in writing addressed to the Governor.

(7) If any member of the Authority appointed under subsection (2)(b) or (c) is absent from Hong Kong or is for any other reason unable to exercise the powers or perform the duties of his office as member, the Governor may appoint another person to be a temporary member in his place during his absence or incapacity.

(8) If a member has a pecuniary interest, whether direct or indirect, in any contract or proposed contract or in any other matter, and is present at a meeting of the Authority at which the contract or other matter is the subject of consideration, he shall, as soon as practicable after the

(Cap. 320.)

(Cap. 279.)

commencement of the meeting, disclose to the Authority the fact and nature of his interest.

(9) Such member shall, if so required by the meeting, withdraw from the meeting while the Authority is considering the contract or matter and in any case shall not vote thereon.

(10) A quorum shall be 9 members.

(11) Subject to this Ordinance the Authority shall have power to regulate its own procedure.

(12) The Chairman of the Authority shall preside at meetings of the Authority, or in his absence such member shall preside as the members present select.

4. The Authority may transact any of its business by the circulation of papers, and a resolution in writing which is approved in writing by a majority of the members shall be as valid and effectual as if it had been passed at a meeting of the Authority by the votes of the members so approving the resolution.

Transaction of business by circulation of papers.

5. The Hong Kong Examinations Authority shall be a body corporate with perpetual succession and a common seal and shall be capable of holding and disposing of all kinds of property, of suing and being sued and, subject to this Ordinance, of doing and suffering all such other acts and things as bodies corporate may lawfully do and suffer.

Incorporation.

6. (1) The Governor shall appoint the first Secretary of the Authority for such period and upon such terms and conditions as he may think fit.

Appointment of Secretary.

(2) Upon the expiration or termination, as the case may be, of the appointment under subsection (1) the Authority shall, pursuant to section 7(2)(e), appoint the Secretary of the Authority.

7. (1) Subject to section 13, the Authority shall have powers to do all such things as are necessary or advantageous and proper in planning and conducting examinations in Hong Kong and shall—

Powers and duties of the Authority.

(a) conduct the specified examinations;

(b) determine the educational requirements necessary for candidates to be eligible to sit specified examinations;

(c) make rules to regulate the conduct of candidates sitting specified examinations and the exclusion of candidates from sitting specified examinations for breach of any such rule;

(d) approve syllabuses for specified examinations;

(e) award certificates to candidates who attain a standard determined by the Authority in specified examinations.

(2) Without restricting subsection (1), the Authority may for the purposes referred to therein—

(a) appoint such committees as it thinks fit;

(b) subject to approval by the Governor under section 10 and to section 10(7), fix fees to be paid by candidates sitting the specified examinations;

(c) conduct any examination, other than specified examinations, required by any organization whether local or overseas, as the Governor may approve and make rules to regulate the conduct

of candidates sitting those examinations and the exclusion of candidates for breach of any such rule;

- (d) by notice published in the *Gazette* fix fees, subject to the approval of the Director of Education, to be paid by candidates sitting examinations conducted under paragraph (c);
- (e) appoint, on such terms and conditions of service as it thinks fit, such staff, advisers and consultants as the Authority considers necessary;
- (f) enter into arrangements with persons, firms or agencies for the supply of services or facilities;
- (g) subject to such scale of charges as is approved by the Director of Education, enter into arrangements with any educational institution for the use of such institution's accommodation, personnel, facilities and services which, in the opinion of the Director of Education, are necessary for conducting examinations under this Ordinance;
- (h) make use of personnel, facilities and services of any department of the Government to any extent which, in the opinion of the Chief Secretary, will not impair the proper and efficient discharge by such department of its functions;
- (i) hold, acquire or lease all kinds of property, whether movable or immovable;
- (j) sell or otherwise dispose of all kinds of property whether movable or immovable;
- (k) enter into, assign or accept the assignment of, and vary or rescind any contract or obligation;
- (l) subject to subsection (3), meet expenditure on any item shown in the approved estimates of expenditure of the Authority, borrow or otherwise raise money on such security as may be necessary, and for that purpose, charge all or any of the property of the Authority;
- (m) make charges for the use of any facility or service provided by the Authority;
- (n) delegate—
  - (i) to any member of the Authority;
  - (ii) to any committee of the Authority;
  - (iii) to any member of the staff of the Authority,

to the extent provided in the resolution of delegation, any of the powers conferred by this subsection, other than paragraphs (a), (b) and (d).

(3) Except with the prior approval of the Financial Secretary, no sum shall be borrowed or otherwise raised under subsection (2)(l) which itself, or together with all other sums previously borrowed or otherwise raised under that subsection and still outstanding, exceeds, or in the aggregate exceeds, 10 per cent of the approved total estimated expenditure for the current financial year.

8. (1) The Authority shall, under section 7(1), conduct the examinations specified in the first column of the Schedule commencing in the year specified in the second column of the Schedule opposite the appropriate examination and thereafter.

(2) The Governor in Council may, by order published in the *Gazette*, amend the Schedule.

Specified  
examinations.  
Schedule.

9. The resources of the Authority shall consist of—

Resources of  
the Authority.

- (a) the fees paid by candidates sitting the specified examinations or examinations conducted under section 7(2)(c);
- (b) such sums as the Authority may borrow under section 7(2)(l);
- (c) such subsidies as may be made available from time to time by the Government to assist towards the cost of conducting the specified examinations;
- (d) payments received under section 7(2)(m) for services rendered by the Authority.

10. (1) The Authority may, from time to time, with the prior approval of the Governor, fix a period to be the financial year of the Authority.

Programme  
and estimates.

(2) In each such financial year, before a date to be appointed by the Governor, the Authority shall submit to the Governor a programme of its proposed activities and estimates of receipts and payments of the Authority for the next financial year:

Provided that the programme and estimates for the first financial year of the Authority shall be forwarded as soon as is practicable after the commencement of this Ordinance.

(3) The estimates of receipts submitted under subsection (2) shall include details of the fees which the Authority proposes to charge candidates sitting the specified examinations and a statement of any proposed increase in such fees.

(4) The Governor shall consider the programme, estimates and proposed fees submitted to him under subsection (2) and may approve or reject them, and, in the case of rejection, may require the Authority to resubmit the programme or estimates or proposed fees, or all or any of them modified in such manner and within such time as the Governor may direct.

(5) The Authority may from time to time vary the estimates of receipts and payments approved under subsection (4), excluding the fees payable in respect of the specified examinations, and shall, as soon as practicable, deliver to the Governor details of any variation.

(6) The Authority shall cause to be published in the *Gazette* any fees payable in respect of the specified examinations approved under subsection (4) within 28 days of the date upon which it receives notice of such approval.

(7) The fees to be paid by candidates sitting that examination known at the commencement of this Ordinance as the Hong Kong Certificate of Education Examination shall, for the year 1978 only, be fixed by the Director of Education.

11. (1) The Authority shall keep such accounts of its transactions as the Director of Accounting Services may require and shall prepare for the period from the commencement of this Ordinance to the date fixed by the Authority to be the close of the first financial year of the Authority, and for each financial year of the Authority thereafter, a statement of the accounts of the Authority, which statement shall include a receipts and payments account and balance sheet and shall be signed by the Chairman of the Authority.

Accounts and  
statements.

(2) The signed statement of the accounts of the Authority shall be submitted by the Chairman to an auditor appointed by the Authority with the prior approval of the Governor not later than 6 months following

the end of the period to which it relates or by such later date as the Governor may allow.

(3) The accounts of the Authority and the signed statement of the accounts shall be audited by the appointed auditor, who shall certify such statement subject to such report, if any, as he may think fit.

(4) A copy of the signed and audited statement of accounts together with the report, if any, of the appointed auditor and a report by the Authority on its activities during the period covered by the audited accounts, shall be submitted to the Governor and laid on the table of the Legislative Council within 3 months of the receipt by the Authority of the signed and audited statement of accounts from the appointed auditor.

Administration  
fee.

12. The Financial Secretary may direct that an annual fee, determined by him, to cover the costs of any service provided by the Government shall be charged against the receipts of the Authority and paid into the general revenue of Hong Kong.

Power of the  
Governor to  
give directions.

13. (1) The Governor may give the Authority directions of a general character as to the discharge by the Authority of its functions in relation to matters appearing to the Governor to affect the public interest.

(2) The Authority shall in the exercise or performance of any power or duty under this Ordinance, comply with any directions given by the Governor under subsection (1).

Authority not  
servant or agent  
of the Crown.

14. The Authority is not the servant or agent of the Crown and does not enjoy any status, immunity or privilege of the Crown.

Secrecy.

15. (1) Except as may be appropriate for the exercise or performance of any duty or function under this Ordinance or for carrying into effect the provisions of this Ordinance, every person who has been appointed under or who is or has been employed in carrying out or assisting any person to carry out the provisions of this Ordinance—

- (a) shall preserve and aid in preserving secrecy with regard to all matters coming to his knowledge in the exercise or performance of any duty or function under this Ordinance;
- (b) shall not communicate any such matter to any person; and
- (c) shall not suffer or permit any person to have access to any records in the possession, custody or control of any person to whom this subsection applies.

(2) Subsection (1) does not apply—

- (a) to the disclosure of any information authorized to be disclosed or furnished by the Authority; or
- (b) to the disclosure of information for the purpose of any legal proceedings brought under this Ordinance, or for the purpose of any report of any such proceedings; or
- (c) to the disclosure of information for the purpose of any investigation by an officer of the Independent Commission Against Corruption or member of the Royal Hong Kong Police Force of any offence or suspected offence under this or any other Ordinance or law of Hong Kong.

(3) Any person who—

- (a) contravenes subsection (1); or

(b) aids, abets, counsels or procures any person to contravene subsection (1),

commits an offence and is liable on conviction to a fine of \$10,000 and to imprisonment for 6 months.

16. Any person who, by any act or omission and whether or not with intent to procure any advantage or reward, falsely pretends that he is an employee, servant, agent or member of the Authority or aids, abets, counsels or procures any person to so pretend, commits an offence and is liable on conviction to a fine of \$10,000 and to imprisonment for 6 months.

Impersonation  
of members of  
employees of  
Authority.

17. The Schedule to the Prevention of Bribery Ordinance is amended by inserting after item 38 the following new item—

"39. The Hong Kong Examinations Authority."

Amendment of  
Prevention of  
Bribery  
Ordinance.  
(Cap. 201.)

SCHEDULE

[ss. 2 & 8.]

Examination	Year
The examination known at the commencement of this Ordinance as The Hong Kong Certificate of Education Examination.	1978
The examination known at the commencement of this Ordinance as The Chinese University of Hong Kong Matriculation Examination.	1979
The examination known at the commencement of this Ordinance as The Advanced Level Examination of the University of Hong Kong.	1980

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

*M. H. ...*

*Governor.*

*5th May, 1977.*

An Ordinance to amend the Hong Kong and Kowloon Ferry Company

BAK MEE

BAK MEE

**HONG KONG**

No. 24 of 1977



I assent.

*Governor.*

*5th May, 1977.*

An Ordinance to amend the Hong Kong and Yaumati Ferry Company (Services) Ordinance.

[6th May, 1977]

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

1. This Ordinance may be cited as the Hong Kong and Yaumati Ferry Company (Services) (Amendment) Ordinance 1977. Short title.

2. Section 2 of the principal Ordinance is amended by inserting before the definition of "Company" the following new definition— Amendment of section 2. (Cap. 266.)  
" "Commissioner" means the Commissioner for Transport;".

3. The principal Ordinance is amended by adding after section 4 the following new sections— Addition of new sections 4A and 4B.

"Alteration of routes and temporary services."

4A. Notwithstanding section 4, the Commissioner may, after consultation with the Company, the Director of Marine and the Director of Public Works and with the consent of the Company, grant licences to the Company in such form and subject to such conditions as he may specify to—

(a) alter temporarily ferry services authorized by section 4; or

(b) operate temporary ferry services that are not authorized by section 4.

and the Commissioner shall determine the fares and charges which may be taken by the Company for the services granted under this section.

Records.

**4B.** (1) The Company shall keep, to the satisfaction of the Commissioner, records in respect of the following matters—

- (a) the number and capacity of the vessels in use on each ferry run on each day;
- (b) the number of journeys operated and nautical miles travelled by each vessel each day;
- (c) the number of passengers carried on each ferry run each day;
- (d) the daily receipts in respect of each ferry run.

(2) The Company shall furnish to the Commissioner, at such times and in such form as he may require, copies of the records kept by the Company in accordance with subsection (1)."

Addition of new sections 7A and 7B.

4. The principal Ordinance is amended by adding after section 7 the following new sections—

"Power of Governor to give directions to Commissioner.

**7A.** (1) The Governor may give to the Commissioner such directions as he thinks fit with respect to the exercise or performance of his powers, functions and duties under this Ordinance, either generally or in any particular case.

(2) The Commissioner shall, in the exercise or performance of his powers, functions and duties under this Ordinance, comply with any direction given by the Governor under subsection (1).

Appeal against decision of Commissioner.

**7B.** The Company may, if aggrieved by any decision of the Commissioner under this Ordinance, appeal against such decision to the Governor in Council, whose decision on such appeal shall be final."

Amendment of Schedule.

5. The Schedule to the principal Ordinance is amended—

- (a) in paragraph 3(a) by deleting "Governor in Council" and substituting the following—

"Commissioner after consultation with the Director of Marine and the Director of Public Works";

- (b) in paragraph 5(1) by deleting "The maximum fares and charges" and substituting the following—

"Subject to section 4A, the maximum fares and charges";

- (c) in paragraphs 9 and 10 by deleting "Governor in Council" wherever it occurs and substituting in each place the following—

"Commissioner";

- (d) in paragraph 16 by deleting "Governor" and substituting the following—

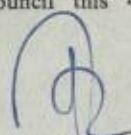
"Commissioner after consultation with the Director of Marine and the Director of Public Works".

Amendment of references to "Commissioner for Transport".

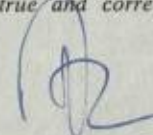
6. The principal Ordinance is amended by deleting "Commissioner for Transport" wherever it occurs and substituting in each place the following—

"Commissioner".

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.



I assent.

*M. N. Sehgal*

*Governor.*

*5th May, 1977.*

An Ordinance to amend the "Star" Ferry Company (Services) Ordinance.

**HONG KONG**

No. 25 OF 1977



I assent.

*Governor.*

*5th May, 1977.*

An Ordinance to amend the "Star" Ferry Company (Services) Ordinance.

[6th May, 1977]

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

1. This Ordinance may be cited as the "Star" Ferry Company (Services) (Amendment) Ordinance 1977. Short title.

2. Section 2 of the principal Ordinance is amended by inserting before the definition of "Company" the following new definition— Amendment of section 2. (Cap. 274.)  
" "Commissioner" means the Commissioner for Transport;".

3. The principal Ordinance is amended by adding after section 4 the following new sections— Addition of new sections 4A and 4B.

"Alteration of routes and temporary services.

4A. Notwithstanding section 4, the Commissioner may, after consultation with the Company, the Director of Marine and the Director of Public Works and with the consent of the Company, grant licences to the Company in such form and subject to such conditions as he may specify to—

(a) alter temporarily ferry services authorized by section 4; or

(b) operate temporary ferry services that are not authorized by section 4,

and the Commissioner shall determine the fares and charges which may be taken by the Company for the services granted under this section.

Records.

**4B.** (1) The Company shall keep, to the satisfaction of the Commissioner, records in respect of the following matters—

- (a) the number and capacity of the vessels in use on each ferry run on each day;
- (b) the number of journeys operated and nautical miles travelled by each vessel each day;
- (c) the number of passengers carried on each ferry run each day;
- (d) the daily receipts in respect of each ferry run.

(2) The Company shall furnish to the Commissioner, at such times and in such form as he may require, copies of the records kept by the Company in accordance with subsection (1)."

Addition of new sections 7A and 7B.

**4.** The principal Ordinance is amended by adding after section 7 the following new sections—

"Power of Governor to give directions to Commissioner.

**7A.** (1) The Governor may give to the Commissioner such directions as he thinks fit with respect to the exercise or performance of his powers, functions and duties under this Ordinance, either generally or in any particular case.

(2) The Commissioner shall, in the exercise or performance of his powers, functions and duties under this Ordinance, comply with any direction given by the Governor under subsection (1).

Appeal against decision of Commissioner.

**7B.** The Company may, if aggrieved by any decision of the Commissioner under this Ordinance, appeal against such decision to the Governor in Council, whose decision on such appeal shall be final."

Amendment of Schedule.

**5.** The Schedule to the principal Ordinance is amended—

- (a) in the proviso to paragraph 2(1) by deleting "Governor in Council" and substituting the following—  
"Commissioner after consultation with the Director of Marine and the Director of Public Works";
- (b) in paragraph 4(1) by deleting "The fares and charges" and substituting the following—  
"Subject to section 4A, the fares and charges";
- (c) in paragraph 6 by deleting "Governor in Council" and substituting the following—  
"Commissioner";
- (d) by deleting paragraph 12 and substituting the following—

"Use of piers.

**12.** (1) Except as may be permitted by the Commissioner after consultation with the Director of Marine and the Director of Public Works, the Company shall not use the piers for any purpose other than the requirements of the ferry service.

(2) Where a fee is charged by the Company for the use of a pier the fee may be determined by the Governor.

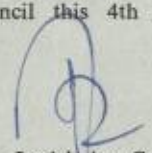
(3) The Company shall, if so required by the Government, pay to the Government fifty *per cent* of any fee charged by it under sub-paragraph (2)."

**6.** The principal Ordinance is amended by deleting "Commissioner for Transport" wherever it occurs and substituting in each place the following—

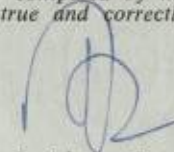
"Commissioner".

Amendment of references to "Commissioner for Transport".

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.

BOB KIL



I assent.

*M. R. L.*

Governor.

5th May, 1977.

**HONG KONG**

No. 26 OF 1977



I assent.

*Governor.*

5th May, 1977.

An Ordinance to amend the Ferries Ordinance.

[6th May, 1977]

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

1. This Ordinance may be cited as the Ferries (Amendment) Ordinance 1977. Short title.

2. Section 5 of the principal Ordinance is amended by inserting after paragraph (b) the following new paragraph— Amendment of section 5. (Cap. 104.)

“(ba) the keeping of records by a person to whom a licence under this Ordinance has been granted;”.

3. The principal Ordinance is amended by adding after section 8 the following new sections— Addition of new sections 8A and 8B.

“Power of Governor to give directions.

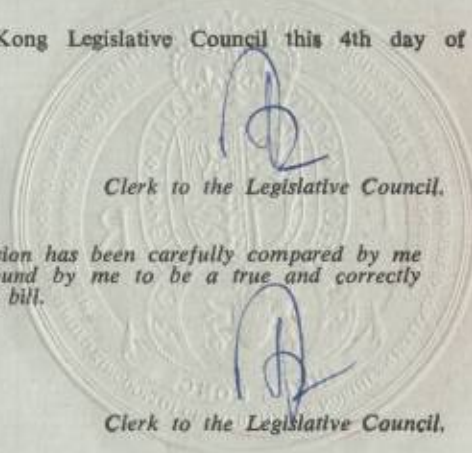
**8A.** (1) The Governor may give to the Commissioner for Transport such directions as he thinks fit with respect to the exercise or performance of his powers, functions and duties under this Ordinance, either generally or in any particular case.

(2) The Commissioner for Transport shall, in the exercise or performance of his powers, functions and duties under this Ordinance, comply with any direction given by the Governor under subsection (1).

Appeal against decision of Commissioner.

8B. Any person aggrieved by any decision of the Commissioner for Transport under this Ordinance may appeal against such decision to the Governor in Council whose decision on such appeal shall be final."

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.



Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

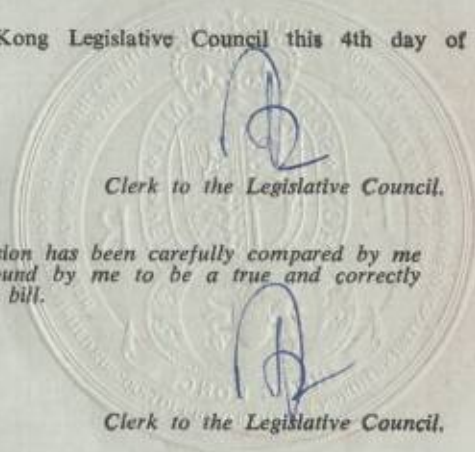
Governor.

5th May, 1977.

Appeal  
against  
decision of  
Commissioner.

8B. Any person aggrieved by any decision of the Commissioner for Transport under this Ordinance may appeal against such decision to the Governor in Council whose decision on such appeal shall be final."

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.



Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.

**HONG KONG**

No. 27 OF 1977



I assent.

Governor.

5th May, 1977.

An Ordinance to apply a sum not exceeding \$8,245,177,000 to the service of the financial year ending on 31st March 1978.

[6th May, 1977]

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

1. This Ordinance may be cited as the Appropriation Ordinance 1977. Short title.

2. (1) The appropriation in the manner expressed in the Schedule of a sum not exceeding \$7,483,766,000 from the general revenue and other funds of Hong Kong, being the total sum shown in the third column of the Schedule, for the service of the financial year commencing on 1st April 1977, and ending on 31st March 1978, is authorized. Authorization of appropriation. Schedule.

(2) The sums shown in the fourth column of the Schedule may be applied as appropriations-in-aid of the votes for the services and purposes specified in the second column of the Schedule.

(3) Where the Financial Secretary directs that any revenue, whether received by way of fee, penalty or proceeds of sale or by way of an extra or unusual receipt, shall be applied as an appropriation-in-aid of any vote referred to in the Schedule, such revenue shall be deemed to be a sum provided under this Ordinance and shall, without being paid into the general revenue, be applied, audited and dealt with accordingly.

and so far as it is not so applied shall be paid into the general revenue; and where the revenue so directed to be applied as an appropriation-in-aid of any vote referred to in the Schedule, exceeds in a financial year—

(a) the sum specified in the fourth column of the Schedule as the amount to be applied to such purpose; or

(b) the sum of gross expenditure specified in the fifth column of the Schedule opposite the head of expenditure specified in the second column of the Schedule,

the excess so realized shall be paid into the general revenue.

## SCHEDULE

[s. 2.]

Number of Vote	Head of Expenditure	Amount of Vote	Appropriations-in-Aid	Gross Expenditure
		\$	\$	\$
21.	His Excellency the Governor's Establishment .....	1,993,000	—	1,993,000
22.	Agriculture and Fisheries Department .....	60,401,000	979,000	61,380,000
23.	Audit Department .....	5,964,000	—	5,964,000
24.	Census and Statistics Department .....	12,281,000	—	12,281,000
25.	Civil Aviation Department .....	—	42,573,000	42,573,000
26.	Commerce and Industry Department .....	31,648,000	35,969,000	67,617,000
27.	Defence: Auxiliary Medical Service .....	2,868,000	—	2,868,000
28.	Defence: Civil Aid Services .....	5,118,000	—	5,118,000
29.	Defence: Miscellaneous Measures .....	346,758,000	—	346,758,000
30.	Defence: Royal Hong Kong Auxiliary Air Force .....	6,400,000	171,000	6,571,000
31.	Defence: Royal Hong Kong Regiment (The Volunteers) .....	5,129,000	—	5,129,000
32.	Education Department .....	223,095,000	31,027,000	254,122,000
33.	Fire Services Department .....	115,336,000	1,520,000	116,856,000
34.	Government Secretariat .....	64,352,000	—	64,352,000
35.	Government Secretariat: London Office .....	8,033,000	—	8,033,000
36.	Government Supplies Department .....	17,076,000	5,200,000	22,276,000
37.	Home Affairs Department .....	21,025,000	501,000	21,526,000
38.	Housing Department .....	112,695,000	—	112,695,000
39.	Immigration Department .....	3,401,000	45,591,000	48,992,000
40.	Independent Commission Against Corruption .....	48,373,000	—	48,373,000
41.	Information Services Department .....	11,883,000	5,000,000	16,883,000
42.	Inland Revenue Department .....	50,017,000	—	50,017,000
43.	Judiciary .....	22,204,000	9,960,000	32,164,000
44.	Kowloon-Canton Railway .....	—	36,301,000	36,301,000
45.	Labour Department .....	28,063,000	3,505,000	31,568,000
46.	Legal Department .....	11,818,000	245,000	12,063,000

Number of Vote	Head of Expenditure	Amount of Vote	Appropriations-in-Aid	Gross Expenditure
		\$	\$	\$
47.	Legal Aid Department .....	9,346,000	2,000,000	11,346,000
48.	Marine Department .....	45,557,000	21,402,000	66,959,000
49.	Medical and Health Department .....	495,169,000	27,336,000	522,505,000
50.	Miscellaneous Services .....	487,992,000	—	487,992,000
51.	New Territories Administration .....	53,071,000	1,837,000	54,908,000
52.	Office of Unofficial Members of Executive and Legislative Councils .....	3,404,000	—	3,404,000
53.	Pensions .....	229,113,000	—	229,113,000
54.	Police: Royal Hong Kong Police Force .....	561,758,000	1,282,000	563,040,000
55.	Police: Royal Hong Kong Auxiliary Police Force .....	28,334,000	—	28,334,000
56.	Post Office .....	—	169,619,000	169,619,000
57.	Printing Department .....	25,813,000	700,000	26,513,000
58.	Prisons Department .....	114,138,000	—	114,138,000
59.	Public Debt .....	51,627,000	—	51,627,000
60.	Public Services Commission .....	600,000	—	600,000
61.	Public Works Department: Headquarters .....	10,883,000	—	10,883,000
62.	Public Works Department: Building Development .....	141,499,000	2,900,000	144,399,000
63.	Public Works Department: Engineering Development .....	254,730,000	53,950,000	308,680,000
64.	Public Works Department: Lands and Survey .....	44,780,000	1,150,000	45,930,000
65.	Public Works Department: New Territories Development .....	6,673,000	—	6,673,000
66.	Public Works Department: Water Supplies .....	—	233,857,000	233,857,000
67.	Public Works Non-recurrent: Headquarters .....	90,131,000	—	90,131,000
68.	Public Works Non-recurrent: Buildings .....	226,831,000	—	226,831,000
69.	Public Works Non-recurrent: Engineering .....	369,237,000	—	369,237,000
70.	Public Works Non-recurrent: New Towns and Public Housing (other than Housing Authority) .....	630,961,000	—	630,961,000
71.	Public Works Non-recurrent: Waterworks .....	146,988,000	—	146,988,000
72.	Radio Television Hong Kong .....	24,151,000	—	24,151,000
73.	Rating and Valuation Department .....	15,689,000	—	15,689,000
74.	Registrar General's Department .....	—	17,018,000	17,018,000
75.	Registry of Trade Unions .....	759,000	—	759,000
76.	Royal Observatory .....	10,341,000	—	10,341,000
77.	Social Welfare Department .....	346,687,000	—	346,687,000
78.	Subventions: Education .....	995,744,000	—	995,744,000

<i>Number of Vote</i>	<i>Head of Expenditure</i>	<i>Amount of Vote</i>	<i>Appropriations-In-Aid</i>	<i>Gross Expenditure</i>
		\$	\$	\$
79.	Subventions: Medical .....	231,407,000	—	231,407,000
80.	Subventions: Miscellaneous .....	88,692,000	—	88,692,000
81.	Subventions: Social Welfare .....	68,000,000	—	68,000,000
82.	Transport Department .....	13,345,000	6,850,000	20,195,000
83.	Treasury .....	17,122,000	—	17,122,000
84.	Universities and Polytechnic .....	351,857,000	—	351,857,000
85.	Urban Services Department .....	75,406,000	2,968,000	78,374,000
	Total .....	<u>7,483,766,000</u>	<u>761,411,000</u>	<u>8,245,177,000</u>

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

*Clerk to the Legislative Council.*

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*Clerk to the Legislative Council.*



I assent.

*Governor.*

5th May, 1977.

An Ordinance to amend The Scout Association Ordinance

	\$	\$	\$
79. Subventions: Medical .....	231,407,000	—	231,407,000
80. Subventions: Miscellaneous .....	88,692,000	—	88,692,000
81. Subventions: Social Welfare .....	68,000,000	—	68,000,000
82. Transport Department .....	13,345,000	6,850,000	20,195,000
83. Treasury .....	17,122,000	—	17,122,000
84. Universities and Polytechnic .....	351,857,000	—	351,857,000
85. Urban Services Department .....	75,406,000	2,968,000	78,374,000
Total .....	<u>7,483,766,000</u>	<u>761,411,000</u>	<u>8,245,177,000</u>

Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

**HONG KONG**

No. 28 OF 1977



I assent.

Governor.

5th May, 1977.

An Ordinance to amend The Scout Association Ordinance.

[ ]

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

1. This Ordinance may be cited as The Scout Association (Amendment) Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.
2. The long title of the principal Ordinance is repealed and replaced by the following— Amendment of long title. (Cap. 1005.)  
*"To incorporate the Scout Association of Hong Kong, and to further and protect its activities."*
3. Section 1 of the principal Ordinance is amended by deleting "The Scout Association" and substituting the following— Amendment of short title.  
 "the Scout Association of Hong Kong".
4. Section 2 of the principal Ordinance is amended— Amendment of section 2.
  - (a) by deleting the definition of "The Scout Association" and substituting the following—  
 " "Association" means the Scout Association of Hong Kong being the body recognized by the World Scout Con-

ference, and registered with the World Scout Bureau, as the sole Scout organization in Hong Kong;";

- (b) by inserting after the definition of "Association" the following new definition—

"constitution" means the constitution of the Association as approved by the World Scout Conference, any amendment duly made thereto and all by-laws and rules made thereunder;"; and

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

"Scout" includes Cub Scout, Scout, Sea Scout, Air Scout, Venture Scout, Venture Sea Scout, Venture Air Scout, Rover Scout, Rover Sea Scout, Rover Air Scout, Lone Scout, Deep Sea Scout, Cadet Leader, and Scouter recognized as such, and also any person recognized as an officer, under the constitution."

Amendment of section 3.

5. Section 3 of the principal Ordinance is amended—

- (a) by deleting "The Scout Association, Hong Kong Branch," and substituting the following—

"the Association"; and

- (b) in paragraph (a), by deleting "The Scout" and substituting the following—

"the".

Amendment of section 4.

6. Section 4 of the principal Ordinance is amended—

- (a) by deleting "The Scout Association or of The Scout Association, Hong Kong Branch," and substituting the following—

"the Association"; and

- (b) in paragraph (a), by deleting "The Scout" and substituting the following—

"the".

Amendment of section 5.

7. Section 5 of the principal Ordinance is amended by deleting "The Scout" and substituting the following—

"the".

Amendment of section 6.

8. Section 6 of the principal Ordinance is amended—

- (a) by deleting "The Scout" where it first appears and substituting the following—

"the"; and

- (b) by deleting "rules of The Scout Association" and substituting the following—

"constitution".

Amendment of section 7.

9. Section 7 of the principal Ordinance is amended—

- (a) in subsection (1)—

(i) by deleting "The Scout" where it first appears and substituting the following—

"the";

(ii) by deleting "The Scout Association, Hong Kong Branch" and substituting the following—

"the Association"; and

(iii) by deleting "The Scout Association or with The Scout Association, Hong Kong Branch" and substituting the following—  
"the Association"; and

- (b) by deleting subsection (2).

10. Section 8 of the principal Ordinance is amended by deleting "6". Amendment of section 8.

11. Section 9 of the principal Ordinance is amended— Amendment of section 9.

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

"(1) The Scout Association of Hong Kong shall be a body corporate consisting of the persons for the time being holding office in the Association as—

- (a) President;  
(b) Chief Commissioner;  
(c) Chairman of the Executive Committee;  
(d) Secretary; and  
(e) Treasurer."; and

- (b) in subsection (2), by deleting "or Honorary Treasurer of The Scout Association, Hong Kong Branch" and substituting the following—

", Secretary or Treasurer of the Association".

12. Section 9A(2) of the principal Ordinance is amended by deleting "Constitution of The Scout Association, Hong Kong Branch" and substituting the following— Amendment of section 9A.

"constitution".

13. Section 10 of the principal Ordinance is amended— Amendment of section 10.

- (a) in subsection (1), by deleting "corporation" where it first appears and substituting the following—

"Association";

- (b) in subsection (2), by deleting "corporation" in all places where it appears and substituting the following—

"Association"; and

- (c) in subsection (3)—

(i) by deleting "corporation may, with the approval of The Scout Association," and substituting the following—

"Association may"; and

(ii) by deleting "the corporation" and substituting the following—

"the Association".

14. Section 11 of the principal Ordinance is amended— Amendment of section 11.

- (a) by deleting "corporation" in both places where it appears and substituting the following—

"Association"; and

- (b) by deleting "and (d)" and substituting the following—

", (d) and (e)".

Amendment of  
section 12.

15. Section 12 of the principal Ordinance is amended by deleting "by-laws and rules of The Scout Association, and with the Constitution, by-laws and rules of the Hong Kong Branch thereof" and substituting the following—

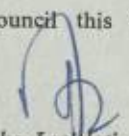
"constitution".

Transitional  
and savings  
provisions.

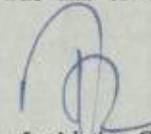
16. (1) The corporation called the Scout Association of Hong Kong established by section 9(1) of the principal Ordinance (as substituted by section 11(a)) is, for all purposes, the successor of the corporation called The Scout Association, Hong Kong Branch dissolved by the repeal of the former section 9(1) of the principal Ordinance.

- (2) Without limiting the generality of subsection (1)—
- (a) all immovable property vested in, or held for or on behalf of, the dissolved corporation immediately before the commencement of this Ordinance is as from that date vested in, or held for or on behalf of, the new corporation, by virtue of this section and without any further assurance, for the residue of the term of years created by the respective Crown Leases, subject to the covenants, conditions, and other provisions contained in the said Crown Leases;
  - (b) any other property, right or privilege vested in, or held for or on behalf of, the dissolved corporation at the commencement of this Ordinance is as from that date vested in or held for or on behalf of the new corporation, by virtue of this section and without any further assurance, on the terms and conditions, if any, on which the same was vested or held at that date;
  - (c) all obligations and liabilities of the dissolved corporation immediately before the commencement of this Ordinance are as from that date the obligations and liabilities of the new corporation;
  - (d) all office-bearers, members and persons belonging to or affiliated with The Scout Association, Hong Kong Branch at the commencement of this Ordinance are respectively as from that date, but subject to the constitution, the office-bearers, members and persons belonging to or affiliated with the Scout Association of Hong Kong;
  - (e) all badges, tokens and emblems adopted by The Scout Association, Hong Kong Branch for the purposes of sections 3(a), 4(a) and 5(a) of the principal Ordinance before the commencement of this Ordinance and remaining in use at that date shall be deemed to have been adopted by the Scout Association of Hong Kong for the purposes of the said provisions; and
  - (f) all authorities given by The Scout Association, Hong Kong Branch for the purposes of sections 4 and 7(1) of the principal Ordinance before the commencement of this Ordinance and remaining in force at that date shall be deemed to have been given by the Scout Association of Hong Kong for the purposes of those sections.

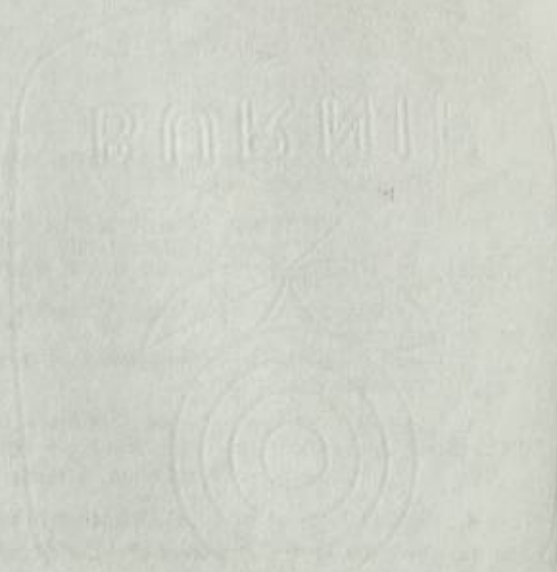
Passed by the Hong Kong Legislative Council this 4th day of May, 1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



Clerk to the Legislative Council.



I assent.

*Mary M. Linn*

*Governor.*

*19th May, 1977.*

**HONG KONG**

No. 29 OF 1977



I assent.

*Governor.*

19th May, 1977.

An Ordinance to amend the Legal Practitioners Ordinance.

[20th May, 1977]

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

1. This Ordinance may be cited as the Legal Practitioners (Amendment) Ordinance 1977. Short title.

2. The principal Ordinance is amended by inserting after section 7 the following new section— Addition of section 7A. (Cap. 159.)

"Solicitors may exercise functions of commissioner for oaths.

7A. (1) For the purpose of administering and receiving an oath, affidavit or affirmation any solicitor who is in practice in Hong Kong and who holds a current practising certificate shall possess and may exercise all the powers of a commissioner for oaths that are conferred by or under any law.

(2) A document containing an oath, affidavit or affirmation administered and received under subsection (1) and purporting to be signed by a solicitor shall be admitted in evidence without proof of the signature of the solicitor, and without proof that he is a solicitor who is in practice in Hong Kong or that he holds a current practising certificate."

Passed by the Hong Kong Legislative Council this 18th day of May, 1977.



*Clerk to the Legislative Council.*

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



*Clerk to the Legislative Council.*



I assent.

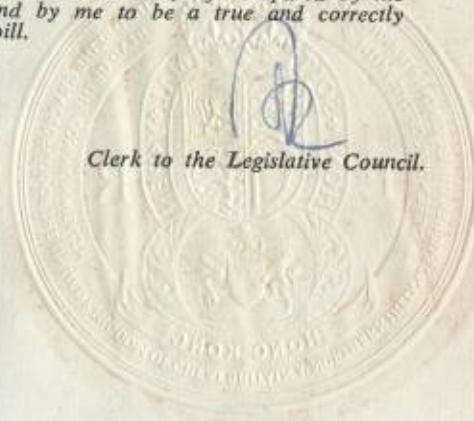
*Mr. Theobald*

**HONG KONG**

No. 30 OF 1977


102  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



Clerk to the Legislative Council.

I assent.



*[Signature]*  
Governor

19th May, 1977.

An Ordinance to amend the Industrial and Reformatory Schools Ordinance.

[20th May, 1977]

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

1. This Ordinance may be cited as the Industrial and Reformatory Schools (Amendment) Ordinance 1977. Short title.

2. The long title to the principal Ordinance is amended by deleting "industrial and". Amendment of long title. (Cap. 225.)

3. Section 1 of the principal Ordinance is amended by deleting "Industrial and". Amendment of section 1.

4. Section 2 of the principal Ordinance is amended— Amendment of section 2.

(a) by deleting the definitions of "certified industrial school" and "industrial training";

(b) in the definition of "expenses" by deleting "industrial training";

(c) by deleting the definition of "manager" and substituting the following—

"manager" means the superintendent or manager of any reformatory school established by the Government;" and

(d) in the definition of "visitor" by deleting "or certified industrial".

Deletion of heading.

5. The principal Ordinance is amended by deleting the heading "CERTIFIED INDUSTRIAL SCHOOLS."

Repeal of sections 3, 4, 5, 6, 7, 8, 9, 24 and 25.

6. Sections 3, 4, 5, 6, 7, 8, 9, 24 and 25 of the principal Ordinance are repealed.

Deletion of heading.

7. The principal Ordinance is amended by deleting the heading "EXPENSES OF CERTIFIED INDUSTRIAL SCHOOLS."

Amendment of sections 14, 15, 17, 19, 21, 26, 27, 29, 31, 32, 34 and 36.

8. Sections 14, 15, 17, 19, 21, 26, 27, 29, 31, 32, 34 and 36 of the principal Ordinance are amended by deleting the words "or certified industrial" wherever they occur.

Amendment of section 16.

9. Section 16 of the principal Ordinance is amended by deleting "and every certified industrial school".

Amendment of heading.

10. The principal Ordinance is amended by deleting the heading "OFFENCES IN RELATION TO REFORMATORY AND CERTIFIED INDUSTRIAL SCHOOLS." and substituting the following—

"OFFENCES IN RELATION TO REFORMATORY SCHOOLS."

Amendment of section 28.

11. Section 28 of the principal Ordinance is amended—

(a) in subsection (1) by inserting after "training centre" the following—

"or in a detention centre"; and

(b) by inserting after subsection (3) the following new subsections—

(Cap. 239.)

"(3A) An order under subsection (1) for the detention of a youthful offender in a detention centre shall take effect as if it had been made under the Detention Centres Ordinance.

(3B) A court or magistrate shall not make an order under subsection (1) for the detention of a youthful offender in a training centre or detention centre unless the Commissioner of Prisons has informed the court or magistrate that in his opinion the youthful offender is suitable for detention in a training centre or a detention centre and that a place is available for him in a training centre or a detention centre.

(3C) On an application made under subsection (1) a court or magistrate shall remand the youthful offender who is the subject of the application in the custody of the Commissioner of Prisons for such period, not exceeding 3 weeks, as the court thinks necessary to enable the Commissioner to form an opinion as to whether or not the youthful offender is suitable for detention in a training centre or in a detention centre."

12. Section 30 of the principal Ordinance is repealed and replaced by the following—

Repeal and replacement of section 30.

"Prosecution of detained person committing offence.

30. (1) Any youthful offender detained in a reformatory school who—

(a) during his period of detention commits any offence; or

(b) prior to being detained committed any offence, other than the offence for which he is detained,

shall be liable to be prosecuted on account of such offence.

(2) If found guilty and sentenced—

(a) to imprisonment or to detention in a detention centre or training centre, the order for the youthful offender's detention in the reformatory school shall be discharged;

(b) to any other punishment, including a suspended sentence, he shall be taken back to the reformatory school wherein he was detained or such other school as the Governor may direct, there to complete his period of detention:

Provided that such youthful offender shall not be detained longer than until he attains the age of eighteen years."

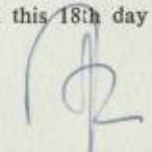
13. Section 35 of the principal Ordinance is amended—

Amendment of section 35.

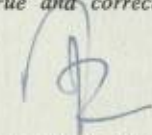
(a) by deleting paragraphs (1) and (2); and

(b) in paragraph (3) by deleting the words "or certified industrial".

Passed by the Hong Kong Legislative Council this 18th day of May, 1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.



I assent.

*M. N. Scher*  
Governor

**HONG KONG**

No. 31 OF 1977



I assent.

*M. N. S. Chan*  
Governor.

2nd June, 1977.

An Ordinance to amend the Estate Duty Ordinance.

[3rd June, 1977]

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

1. This Ordinance may be cited as the Estate Duty (Amendment) Ordinance 1977. Short title.

2. Section 3(1) of the principal Ordinance is amended in the definition of "applicable Schedule" by deleting "means the Twelfth Schedule" and substituting the following— Amendment of section 3. (Cap. 111.)

"but before the commencement of the Estate Duty (Amendment) Ordinance 1977 means the Twelfth Schedule, and in the case of persons dying on or after the commencement of the Estate Duty (Amendment) Ordinance 1977 means the Thirteenth Schedule".

3. Section 13 of the principal Ordinance is amended by deleting subsection (1) and substituting the following— Amendment of section 13.

"(1) In determining the value of an estate for the purpose of estate duty, allowance shall be made for reasonable funeral expenses incurred in the Colony not exceeding—

- (a) in the case of persons dying before the 1st January 1963, \$1,000 or 2½ per cent of the ascertained value of the estate, whichever is the smaller;
- (b) in the case of persons dying on or after the 1st January 1963 but before the 1st April 1972, \$2,000 or 2½ per cent of the ascertained value of the estate, whichever is the smaller;
- (c) in the case of persons dying on or after the 1st April 1972 but before the commencement of the Estate Duty (Amendment) Ordinance 1977, \$5,000 or 2½ per cent of the ascertained value of the estate, whichever is the smaller;
- (d) in the case of persons dying on or after the commencement of the Estate Duty (Amendment) Ordinance 1977, \$10,000,

and for debts and incumbrances, but an allowance shall not be made—

- (i) for debts incurred by the deceased and incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created *bona fide* for full consideration for money or money's worth wholly for the deceased's own use and benefit and take effect out of his interest; nor
- (ii) for any debt in respect whereof there is a right to reimbursement from any other estate or person unless such reimbursement cannot be obtained; nor
- (iii) more than once for the same debt or incumbrance changed upon different portions of the estate,

and any debt or incumbrance for which an allowance is made shall be deducted from the value of the property liable thereto."

Amendment of section 35.

4. Section 35(4) of the principal Ordinance is amended by deleting "Thirteenth" and substituting the following—  
"Fourteenth".

Amendment of Twelfth Schedule.

5. The Twelfth Schedule to the principal Ordinance is amended by deleting "until this Schedule is superseded" and substituting the following—  
"before the commencement of the Estate Duty (Amendment) Ordinance 1977".

Renumbering of Thirteenth Schedule and insertion of new Thirteenth Schedule.

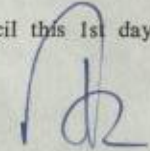
6. The principal Ordinance is amended—
  - (a) by renumbering the Thirteenth Schedule as the Fourteenth Schedule; and
  - (b) by inserting before the Fourteenth Schedule (as so renumbered) the following new Schedule—

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

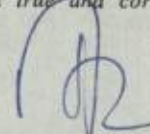
(Persons dying on or after the commencement of the Estate Duty (Amendment) Ordinance 1977 and until this Schedule is superseded)

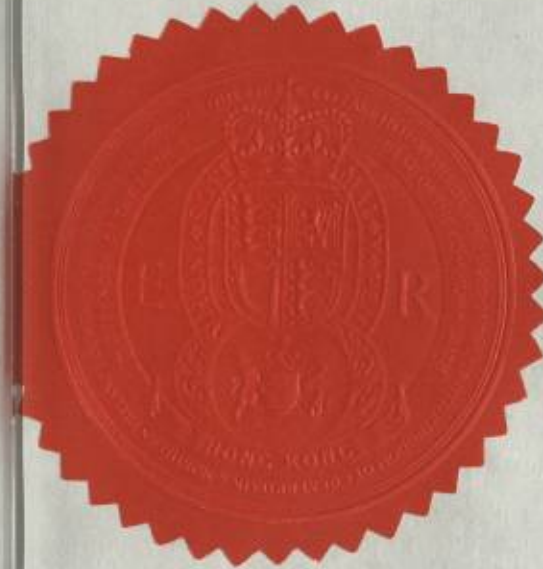
Where the principal value of the estate				Estate duty shall be payable at the rate per cent of
	\$		\$	
Exceeds	400,000	and does not exceed	500,000	7
"	500,000	" " " "	550,000	8
"	550,000	" " " "	600,000	9
"	600,000	" " " "	650,000	10
"	650,000	" " " "	700,000	11
"	700,000	" " " "	800,000	12
"	800,000	" " " "	900,000	13
"	900,000	" " " "	1,000,000	14
"	1,000,000	" " " "	1,500,000	15
"	1,500,000	" " " "	2,000,000	16
"	2,000,000	" " " "	3,000,000	17
"	3,000,000	.....		18

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.



I assent.

*M. N. Srinivasan*

*Governor.*

*2nd June, 1977.*

An Ordinance to amend the Inland Revenue Ordinance.

**HONG KONG**

No. 32 OF 1977



I assent.

*Mr. N. S. Leung*  
Governor.

2nd June, 1977.

An Ordinance to amend the Inland Revenue Ordinance.

[3rd June, 1977]

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

1. (1) This Ordinance may be cited as the Inland Revenue (Amendment) Ordinance 1977.

Short title,  
commence-  
ment and  
application.

(2) Section 2 shall be deemed to have come into operation on the 1st April 1976.

(3) The amendments to the principal Ordinance made by section 2 shall apply in relation to—

- (a) all assessments, other than assessments to provisional salaries tax made under section 63C, made in respect of the year of assessment commencing on the 1st April 1976;
- (b) all assessments in respect of the year of assessment commencing on the 1st April 1977 and all subsequent years of assessment.

2. Section 42B(1) of the principal Ordinance is amended—

Amendment of  
section 42B.  
(Cap. 112.)

(a) by inserting after paragraph (a) the following new paragraph—

“(aa) an additional personal allowance of \$2,500 if the individual was not entitled during the year of assessment to an additional allowance under paragraph (bb), but

this allowance of \$2,500 shall be reduced by 15 per cent of the amount, if any, by which—

(i) in the case of an individual who is chargeable to salaries tax under Part III, the assessable income of that individual, less the outgoings, expenses, allowances and excesses provided for in sections 12(1)(a), (b) and (c) and 12A, exceeds \$12,500; and

(ii) in the case of an individual who has elected for personal assessment under this Part, the total income of that individual (as reduced under section 42(2)) exceeds \$12,500;”;

(b) by inserting after paragraph (b) the following new paragraph—

“(bb) an additional allowance of \$5,000 if at any time during the year of assessment the individual was married to a wife, but this allowance of \$5,000 shall be reduced by 15 per cent of the amount, if any, by which—

(i) in the case of an individual who is chargeable to salaries tax under Part III, the assessable income of that individual, less the outgoings, expenses, allowances and excesses provided for in sections 12(1)(a), (b) and (c) and 12A, exceeds \$25,000;

(ii) in the case of an individual who has elected for personal assessment under this Part, the total income of that individual (as reduced under section 42(2)) exceeds \$25,000:

Provided that—

(i) where the wife is living apart from her husband the additional allowance shall be granted only where the husband is maintaining or supporting the wife and on due claim being made therefor by the husband;

(ii) where the allowance is granted in respect of a wife living apart from her husband, the wife shall be treated as being a wife not living apart from her husband for the purposes of sections 10, 15B, 41(4) and 42A;

(iii) any claim made under this paragraph in respect of a wife living apart from her husband may be revoked by the husband within the year of assessment in respect of which it was made or within 6 years after the expiration of that year;”;

(c) in paragraph (c)—

(i) by deleting “\$3,000” and substituting the following—  
“\$4,000”;

(ii) by deleting “\$2,500” and substituting the following—  
“\$3,000”;

(iii) by deleting “\$1,500” and substituting the following—  
“\$2,000”; and

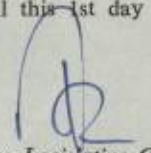
(iv) in paragraph (i) of the proviso by deleting “\$11,500” and substituting the following—  
“\$13,500”.

Amendment of  
section 65.

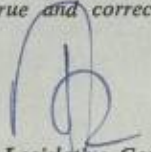
3. Section 65(1) of the principal Ordinance is amended by deleting  
“60” and substituting the following—

“75”.

Passed by the Hong Kong Legislative Council this 1st day of June,  
1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me  
with the bill, and is found by me to be a true and correctly  
printed copy of the said bill.*

  
Clerk to the Legislative Council.



I assent.

*Wm. H. Johnson*

Governor.

2nd June 1877

**HONG KONG**

No. 33 OF 1977



I assent.

*Governor.*

*2nd June, 1977.*

An Ordinance to amend the Rating Ordinance.

[1st April, 1977]

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

1. This Ordinance may be cited as the Rating (Amendment) Ordinance 1977 and shall be deemed to have come into operation on the 1st April 1977.

Short title and commencement.

2. The principal Ordinance is amended by adding after section 18 the following new section—

Addition of new section 19. (Cap. 116.)

"Temporary reduction in rates.

19. (1) Notwithstanding section 18, the rates payable in respect of any tenement or part thereof included in a valuation list in force on the 31st March 1977 shall be reduced so that—

- (a) the rates payable for the year commencing on the 1st April 1977 shall not exceed by 33.33 per cent the rates payable for the year commencing on the 1st April 1976 determined in accordance with section 18 by reference to the rateable value in force on the 31st March 1977;

(Cap. 7.)

- (b) the rates payable for the year commencing on the 1st April 1978 shall not exceed by 33.33 per cent the rates payable for the year commencing on the 1st April 1977; and
- (c) in the case of a tenement the rent of which is controlled under Part I of the Landlord and Tenant (Consolidation) Ordinance, the rates payable for the year commencing on the 1st April 1979 and all subsequent years shall not exceed by 33.33 per cent the rates payable for the year immediately preceding:

Provided that where, after the 31st March 1979, the rent of such tenement ceases to be so controlled, no reduction under this paragraph shall be made in respect of the year immediately following that in which the rent ceased to be controlled or any subsequent year.

- (2) For the purpose of applying subsection (1)—
- (a) any reduction in rates shall be made from the general rates;
- (b) in determining the rates for any year no account shall be taken of any sum added to rates deemed to be in default under section 22;
- (c) if the rateable value of any tenement is increased after the 31st March 1977 on account of any structural alteration or addition, such increase shall be disregarded.
- (3) Subsection (4) shall apply to any tenement not separately included in a valuation list in force on the 31st March 1977 and which, in the year commencing on the 1st April 1977 or any subsequent year, previously formed—
- (a) the whole or part of one or more tenements included in a valuation list in force on the 31st March 1977; or
- (b) a combination of the whole and parts of one or more such tenements.
- (4) The Commissioner shall, so far as may be necessary for the purpose of calculating the proper reduction under subsection (1), apportion or amalgamate, or both, the rateable values applicable on the 31st March 1977 of the tenements referred to in subsection (3)(a) and (b) so as to ascertain, after giving effect where necessary to any reduction under subsection (1), the rates which would have been payable in respect of a tenement to which this section applies had it been separately included in a valuation list in force on the 31st March 1977; and the Commissioner's decision on any such apportionment or amalgamation or both shall be final.
- (5) Without prejudice to section 31, if the Collector of Rates is satisfied that by reason of the application of this section too much has been paid in respect of rates charged for any tenement he shall refund the amount overpaid including where applicable on appropriate amount on account of any sum added to rates deemed to be in default under section 22 or 29."

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

*Mr. The Secy.*

**HONG KONG**

No. 34 OF 1977



I assent.

*Governor.*

*2nd June, 1977.*

An Ordinance to amend the Stamp Ordinance.

[1st April, 1977]

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

1. (1) This Ordinance may be cited as the Stamp (Amendment) Ordinance 1977.

Short title,  
commencement  
and  
application.

(2) This Ordinance shall be deemed to have come into operation on the 1st April 1977 and paragraphs (b) and (c) of section 6 shall apply to documents executed on or after that date.

2. Section 3 of the principal Ordinance is amended by deleting the definition of "comprador order".

Amendment of  
section 3.  
(Cap. 117.)

3. Section 12B of the principal Ordinance is amended by deleting subsection (2).

Amendment of  
section 12B.

4. Section 15B of the principal Ordinance is repealed.

Repeal of  
section 15B.

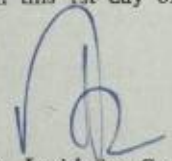
Amendment of  
section 15E.

5. Section 15E of the principal Ordinance is amended—
- (a) by deleting subsection (1) and substituting the following—  
“(1) This section shall apply to any agreement entered into by the Collector with any corporate body under section 15A.”;
- (b) in subsection (2)(b) by deleting “person” and substituting the following—  
“corporate body”;
- (c) in subsection (4)—  
(i) by deleting “person” in both places where it occurs and substituting in each place the following—  
“corporate body”; and  
(ii) by deleting “or executed, as the case may be,”;
- (d) in subsections (5), (6) and (7)—  
(i) by deleting “or executed, as the case may be,” wherever it occurs; and  
(ii) by deleting “person” in each place where it occurs and substituting the following—  
“corporate body”;
- (e) in subsection (8) by deleting “person” and substituting the following—  
“corporate body”; and
- (f) in subsection (9) by deleting “or executed”.
6. The Schedule to the principal Ordinance is amended—
- (a) by deleting heads 7, 17, 33, 35 and 51;
- (b) in head 19(1)—  
(i) by deleting “\$75,000” wherever it occurs and substituting in each place the following—  
“\$100,000”;
- (ii) by deleting “\$75,730” wherever it occurs and substituting in each place the following—  
“\$100,990”;
- (iii) by deleting “\$150,000” wherever it occurs and substituting in each place the following—  
“\$175,000”;
- (iv) by deleting “\$152,702” in both places where it occurs and substituting in each place the following—  
“\$178,150”;
- (v) by deleting “\$730” and substituting the following—  
“\$990”;
- (vi) by deleting “\$1,500” and substituting the following—  
“\$1,750”; and
- (vii) by deleting “\$2,702” and substituting the following—  
“\$3,150”; and

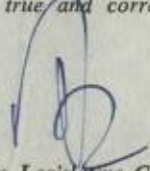
Amendment of  
Schedule.

- (c) in head 53(1) by deleting paragraphs (a) and (b) and substituting the following—
- “(a) if the value of the land disposed of, conveyed or transferred does not exceed \$100,000 and the instrument is certified in accordance with section 12B at \$100,000;
- (a) \$20.  
(b) 30 days after execution.  
(c) All persons executing.
- (b) if the value of the land disposed of, conveyed or transferred exceeds \$100,000 but does not exceed \$100,990 and the instrument is certified in accordance with section 12B at \$100,990;
- (a) \$20 with the addition thereto of an amount, not exceeding \$990, by which the value of the land exceeds \$100,000.  
(b) 30 days after execution.  
(c) All parties executing.
- (c) if the value of the land disposed of, conveyed or transferred exceeds \$100,990 but does not exceed \$175,000 and the instrument is certified in accordance with section 12B at \$175,000;
- (a) \$1 for every \$100 or part thereof of the value of the land.  
(b) 30 days after execution.  
(c) All parties executing.
- (d) if the value of the land disposed of, conveyed or transferred exceeds \$175,000 but does not exceed \$178,150 and the instrument is certified in accordance with section 12B at \$178,150;
- (a) \$1,750 with the addition thereto of an amount, not exceeding \$3,150, by which the value of the land exceeds \$175,000.  
(b) 30 days after execution.  
(c) All parties executing.”.

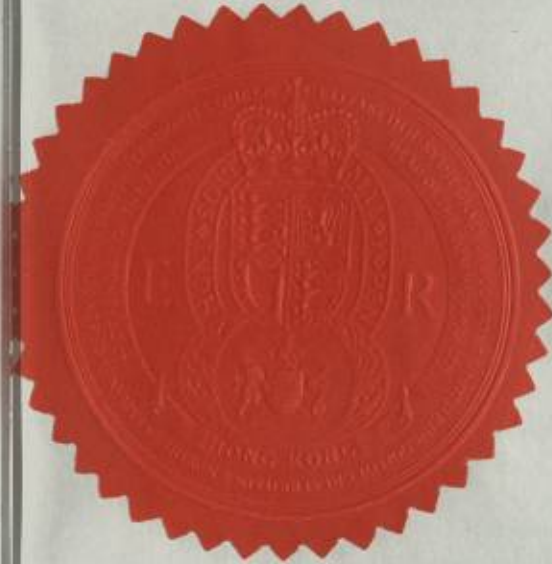
Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

  
Clerk to the Legislative Council.

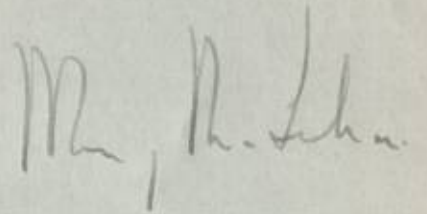
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



*Clerk to the Legislative Council.*



I assent.



*Clerk to the Legislative Council.*

**HONG KONG**

No. 35 of 1977



I assent.

*M. R. L. Chan*

*Governor.*

*2nd June, 1977.*

An Ordinance to amend the Prisons Ordinance.

[1st August, 1977]

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

1. This Ordinance may be cited as the Prisons (Amendment) Ordinance 1977 and shall come into operation on the 1st August 1977.

Short title and commencement.

2. Section 2 of the principal Ordinance is amended—

Amendment of section 2.

(a) by inserting, after the definition of "Commissioner", the following—

(Cap. 234.)

"disciplinary offence" means a disciplinary offence prescribed by rules made under section 25; and

(b) by deleting the definition of "senior officer" and substituting the following—

"senior officer" means the Commissioner, Deputy Commissioner, and any Assistant Commissioner, Senior Superintendent, Superintendent, or Chief Officer;".

Repeal and replacement of section 3 and addition of section 4.

3. The principal Ordinance is amended by repealing section 3 and substituting the following new sections—

"Appointment of Commissioner of Prisons and other officers.

3. The Governor may appoint fit persons to be, respectively, Commissioner, Deputy Commissioner, Assistant Commissioners, Senior Superintendents, Superintendents, Chief Officers, Chaplains, Medical Officers and such other officers for the service of the prisons as the Governor may think necessary.

Setting apart of places as prisons.

4. The Secretary for Security may by order published in the *Gazette* provide for—

- (a) any place or building or portion of a building to be set apart for the purposes of a prison;
- (b) the discontinuance of the use of any prison."

Addition of new sections 20A to 20F.

4. The principal Ordinance is amended by adding, after section 20, the following new sections—

"Offences against discipline generally.

20A. Any officer of the Prisons Department or other person employed in the prisons who commits a disciplinary offence shall be liable to be dismissed or otherwise dealt with as provided by or under this Ordinance.

Offences against discipline by Superintendents and higher ranks.

20B. Whenever it is alleged that a Superintendent or any officer of a higher rank of the Prisons Department has committed a disciplinary offence or whenever an investigation is being undertaken into any conduct which may amount to the commission of a disciplinary offence by a Superintendent or any such officer—

- (a) the provisions of Colonial Regulations and Regulations of the Government which relate to interdiction and to the payment of emoluments thereafter shall apply;
- (b) the matter shall be investigated and the officer concerned dealt with in the appropriate manner provided for in those regulations for allegations of misconduct made against a public officer.

Offences against discipline by Chief Officers, subordinate officers and other persons employed in the prisons.

20C. (1) Whenever a Chief Officer or any subordinate officer or other person employed in the prisons is charged with a disciplinary offence—

- (a) the Commissioner may interdict him from duty; and
- (b) the matter shall be investigated and the officer or person concerned dealt with in the appropriate manner provided in the rules made under section 25.

(2) Whenever an investigation is being undertaken into any conduct which may amount to the commission of a disciplinary offence by a Chief Officer or any subordinate officer or other person employed in the prisons, and the Commissioner considers that it is contrary to the public interest for the officer or person to continue to exercise the powers and functions of his office, the Commissioner may interdict him from duty but the officer or person shall be entitled, until such time as he is charged with a disciplinary offence, to the full amount of the emoluments which he would have received if he had not been interdicted.

(3) An officer or person interdicted under subsection (1), and an officer interdicted under subsection (2) who is charged with a disciplinary offence, shall receive such proportion of the emoluments of his office, not being less than one-half, as the Commissioner may direct.

(4) If the proceedings against such officer or person do not result in any punishment of the officer or person, he shall be entitled to the full amount of the emoluments which he would have received if he had not been interdicted.

(5) If a punishment other than dismissal is inflicted the officer or person may be paid such proportion of the emoluments withheld as a result of his interdiction as the Commissioner may direct.

Interdiction where criminal proceedings are instituted against an officer.

20D. (1) If criminal proceedings have been, or are likely to be, instituted against any officer of the Prisons Department or other person employed in the prisons, or an investigation is being undertaken into any conduct which may amount to the commission of a criminal offence by such officer or person, the officer or person may be interdicted from duty and thereafter paid emoluments as follows—

- (a) if a Superintendent or officer of a higher rank, in accordance with Colonial Regulations and Regulations of the Government;
- (b) if a Chief Officer or subordinate officer or other person employed in the prisons, in accordance with section 20C.

(2) A Chief Officer or subordinate officer or other person employed in the prisons who is found guilty of or pleads guilty to any criminal offence which in the opinion of the Commissioner is serious enough to warrant dismissal shall not, as from the time when he is found or pleads guilty as aforesaid, be paid any emoluments of his office pending the consideration of the case in accordance with rules made under section 25.

Punishment of officers and other persons employed in the prisons guilty of a criminal offence.

20E. (1) If in criminal proceedings before any court an officer of the Prisons Department or other person employed in the prisons is found guilty of or pleads guilty to any criminal offence and any appeal or other application for review of those proceedings is not allowed or is abandoned or withdrawn, the officer or person concerned may be punished—

- (a) in the case of a Superintendent or officer of higher rank, in accordance with Colonial Regulations and Regulations of the Government;
- (b) in the case of a Chief Officer or subordinate officer or other person employed in the prisons, in the appropriate manner provided in the rules made under section 25.

(2) In section 20D and in subsection (1) of this section "criminal proceedings" and "criminal offence" include, respectively—

- (a) criminal proceedings in, and

(b) a criminal offence against the law of, any place outside Hong Kong.

Saving in respect of Colonial Regulations and Government Regulations.

20F. Nothing in this Ordinance shall be construed to preclude—

- (a) the summary dismissal of any officer of the Prisons Department or other person employed in the prisons in accordance with Colonial Regulations and Regulations of the Government;
- (b) the termination of the employment in accordance with Colonial Regulations of any such officer or person on the grounds that, having regard to the conditions of the public service, the usefulness of the officer or person thereto and all other circumstances of the case, such termination is desirable in the public interest."

Repeat and replacement of section 24.

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

"Powers of delegation.

24. (1) Save where the contrary intention appears from the context of this or any other Ordinance and subject to any special instructions of the Commissioner, the Deputy Commissioner may exercise and perform any of the powers, functions and duties which are conferred or imposed upon the Commissioner by this or any other Ordinance except any power to dismiss a subordinate officer which may be conferred on the Commissioner by or under this Ordinance.

(2) Save where the contrary intention appears from the context of this or any other Ordinance and subject to any special instructions of the Governor, the Commissioner may authorize any senior officer by name, office or appointment to exercise and perform any of the powers, functions and duties which are conferred or imposed upon the Commissioner by this or any other Ordinance except any power to dismiss a subordinate officer which may be conferred on the Commissioner by or under this Ordinance."

Amendment of section 25.

6. Section 25 of the principal Ordinance is amended—

(a) in subsection (1), by inserting, after paragraph (dd), the following new paragraph—

"(de) the conferring on any officer of the Prisons Department or other person employed in the prisons of rights of appeal against a finding of guilt or a punishment awarded;" and

(b) by adding, after subsection (2), the following new subsection—

"(3) Rules made under paragraph (de) of subsection (1) may authorize the Governor to delegate to the Secretary for the Civil Service, or to a public officer not below the rank of Secretary, the determination of an appeal referred to in that paragraph."

Consequential amendment. (Cap. 232.)

7. Section 37(3) of the Police Force Ordinance is amended by deleting "3" and substituting the following—

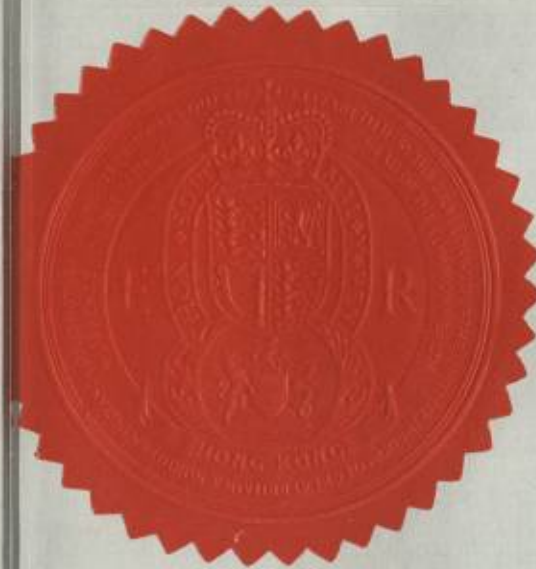
"4".

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

*M. R. L.*

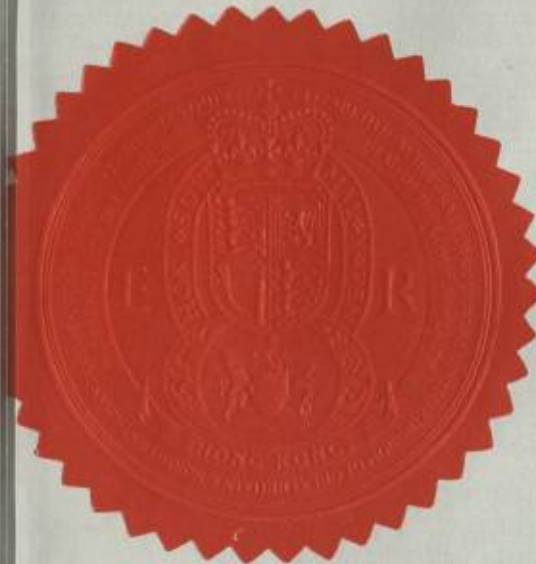
*Governor.*

*2nd June, 1977.*

An Ordinance to amend the Companies Ordinance.

**HONG KONG**

No. 36 OF 1977



I assent.

Governor.

2nd June, 1977.

An Ordinance to amend the Companies Ordinance.

[ ]

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

1. This Ordinance may be cited as the Companies (Amendment) (No. 2) Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.

2. The principal Ordinance is amended by adding after section 20 the following new section— Addition of section 20A. (Cap. 32.)

“Reservation of proposed name.

**20A.** (1) A person may apply in writing to the Registrar for advice as to whether a name set out in the application as—

- (a) the name of an intended company; or
- (b) the name to which a company proposes to change its name,

is not reserved and could be registered without contravention of section 20 or any other provision in that behalf, whether in this Ordinance or otherwise.

(2) An application under subsection (1) shall be accompanied by a fee of \$20 for each name.

(3) If the Registrar is satisfied that a name, being the subject of an application under subsection (1), is not already reserved and could be registered without contravention of section 20 or any other provision in that behalf, whether in this Ordinance or otherwise, he may advise the applicant accordingly and reserve the name for a period of 3 months from the date of the making of the application.

(4) If at any time during the period for which a name is reserved, application is made in writing for an extension of that period the Registrar may extend such period for a further 3 months.

(5) An application for an extension of the period during which a name is reserved shall be accompanied by a fee of \$10 for each name.

(6) During the period for which a name is reserved, no company (other than the intended company) shall be formed and registered under this Ordinance under the reserved name or any other name which so nearly resembles the reserved name as to be calculated to deceive and no company (other than the company in respect of which the name is reserved) shall change its name to the reserved name or any other name which so nearly resembles the reserved name as to be calculated to deceive.

(7) The reservation of a name under this section shall not by that reason only entitle an intended company to be formed and registered under this Ordinance by that name or a company to change its name to that name."

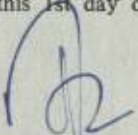
Amendment of  
section 22.

3. Section 22 of the principal Ordinance is amended by deleting subsection (2) and substituting the following—

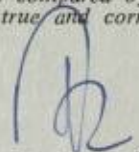
"[*cf.* 1948  
c. 38,  
s. 18(2).]

(2) If, through inadvertence or otherwise, a company on its first registration, or on its registration by a new name, is registered by a name which in the opinion of the Registrar contravenes section 20 or any other provision in that behalf, whether in this Ordinance or otherwise, the company shall within a period of 6 weeks from the date of its being required by the Registrar to do so, or such longer period as the Registrar may think fit to allow, change its name to a name approved by the Registrar. If a company makes default in complying with the requirements of this subsection, it shall be liable to a fine of \$500 for every day during which the default continues."

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

  
Clerk to the Legislative Council.



I assent.

A handwritten signature in black ink, appearing to read 'M. P. ...'.

Governor.

2nd June, 1977.

**HONG KONG**

No. 37 OF 1977



I assent.

*Governor.*

2nd June, 1977.

An Ordinance to amend the Summary Offences Ordinance.

[3rd June, 1977]

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

1. This Ordinance may be cited as the Summary Offences (Amendment) Ordinance 1977. Short title.

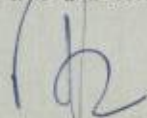
2. Section 6A(1) of the principal Ordinance is amended by inserting after "dollars" the following— Amendment of section 6A. (Cap. 228.)

"in the case of a first offence, and to a fine of two thousand dollars and to imprisonment for six months in the case of a second or subsequent offence".

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

*Clerk to the Legislative Council.*

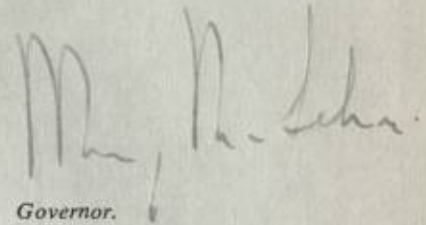
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



*Clerk to the Legislative Council.*



I assent.



*Governor.*

*2nd June, 1977.*

An Ordinance to provide for the registration and control of agricultural pesticides and for matters connected therewith.


102  
Clerk to the Legislative Council.



HONG KONG

No. 38 OF 1977

I assent.



*Ma Kuo-fan*  
Governor.

2nd June, 1977.

An Ordinance to provide for the registration and control of agricultural pesticides and for matters connected therewith.

[ ]

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

PART I

PRELIMINARY

1. This Ordinance may be cited as the Agricultural Pesticides Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.

2. In this Ordinance, unless the context otherwise requires— Interpretation.  
"agricultural pesticide" means any insecticide, fungicide, herbicide, nematocide, molluscicide or any substance (whether organic or inorganic) having any of the properties of— 1967 c. 50, s. 2.

- (a) destroying or repelling any insect, mite, mollusc, nematode, fungus, bacterium, virus or other pest capable of destroying or damaging plants;
- (b) directly or indirectly controlling the activity of, or preventing or mitigating the harmful effect on plants of, any such pest;
- (c) destroying weeds;
- (d) acting as a bird or animal repellent, plant growth regulator, defoliant or desiccant;

"Director" means the Director of Agriculture and Fisheries and the Deputy Director of Agriculture and Fisheries;

"inspector" means any public officer authorized to be an inspector under section 14;

"licence" means a licence to import, sell or supply registered agricultural pesticides issued under section 9;

(Cap. 342.)

"member of the Preventive Service" means any person holding an office specified in the First Schedule to the Preventive Service Ordinance;

"permit" means a permit to import, be in possession of, sell or supply an unregistered agricultural pesticide issued under section 9;

"plants" include trees, bushes and seeds;

"register" means the register of agricultural pesticides maintained under section 4;

"registered agricultural pesticide" means an agricultural pesticide which is registered in the register;

"unregistered agricultural pesticide" means an agricultural pesticide which is not registered in the register.

Application.

3. (1) This Ordinance shall not apply to an agricultural pesticide which—

- (a) is not in a liquid, powder or granular form;
- (b) is contained in an aerosol dispenser;
- (c) is in transit; or
- (d) is transhipped in Hong Kong.

(2) For the purposes of subsection (1)(b), "aerosol dispenser" means a container incorporating a valve constructed and adapted to contain a substance which is kept at a pressure greater than atmospheric pressure by means of a gas and is thereby discharged from the container when the valve is opened.

(3) For the purposes of subsection (1)(c), an agricultural pesticide is in transit if it is destined for a place outside Hong Kong and is passing through Hong Kong on the same ship, aircraft or vehicle without transhipment.

(4) For the purposes of subsections (1)(d) and (3), an agricultural pesticide is in transhipment if it is consigned on a through bill of lading or air waybill from a place outside Hong Kong to another place outside Hong Kong and is or is to be removed from the ship, vehicle, train or aircraft in which it was imported and either returned to the same ship, vehicle, train or aircraft or transferred to another ship, vehicle, train or aircraft before being exported, whether it is or is to be transferred directly between such ships, vehicles, trains or aircraft or whether it is to be landed in Hong Kong after its importation and stored, pending exportation.

## PART II

### REGISTRATION OF AGRICULTURAL PESTICIDES

4. The Director shall maintain a register of agricultural pesticides in which—

- (a) Part I shall contain a list of all agricultural pesticides the registration of which is not subject to conditions imposed under this Part; and
- (b) Part II shall contain a list of all agricultural pesticides the registration of which is subject to conditions imposed under this Part.

Register of agricultural pesticides.

5. (1) Any person may apply to the Director for registration of an agricultural pesticide. Registration.

(2) An application under subsection (1) shall be made in writing in the prescribed manner.

(3) After considering an application under subsection (1) the Director may—

- (a) register the agricultural pesticide in Part I or II of the register; or
- (b) refuse to register it.

(4) The Director may register an agricultural pesticide in Part I or Part II of the register although an application for registration of the agricultural pesticide has not been made under subsection (1).

(5) The Director may register an agricultural pesticide subject to such conditions as he may think fit.

6. The Director may at any time—

- (a) cancel the registration of an agricultural pesticide in Part I of the register and register it in Part II of the register subject to such conditions as he may think fit;
- (b) modify or add to, or cancel, any condition imposed by him under this Part in respect of the registration of an agricultural pesticide; or
- (c) cancel or suspend the registration of an agricultural pesticide if it appears to him to be necessary in the interests of public safety.

Power of Director to cancel or modify registration.

## PART III

### CONTROL OF AGRICULTURAL PESTICIDES

7. (1) Save under and in accordance with a licence, no person shall—

- (a) import into or cause to be imported into Hong Kong;
- (b) sell or offer or expose for sale; or
- (c) supply or offer to supply,

any registered agricultural pesticide.

(2) Subsection (1)(b) and (c) shall not apply to any person who—

- (a) is not engaged in the trade or business, whether for wholesale, retail or otherwise, of selling, offering or exposing for sale, supplying or offering to supply agricultural pesticides; and
- (b) sells, offers or exposes for sale, supplies or offers to supply any agricultural pesticide which he acquired for his own use in connexion with agricultural pursuits carried on by him.

8. Save under and in accordance with a permit, no person shall—

- (a) import into or cause to be imported into Hong Kong;
- (b) sell or offer or expose for sale;
- (c) supply or offer to supply; or
- (d) have in his possession,

any unregistered agricultural pesticide.

Control of registered agricultural pesticides.

Control of unregistered agricultural pesticides.

9. (1) An application for a licence or permit shall be made in writing to the Director in the prescribed manner.

(2) After considering an application under subsection (1) the Director may—

Licence or permit for agricultural pesticides.

- (a) issue to the applicant a licence or a permit, as the case may be; or
- (b) refuse to issue a licence or permit.
- (3) Where the Director refuses to issue a licence or a permit he shall send to the applicant a notice of the refusal and state in the notice the reasons for the refusal.
- (4) A licence may authorize the holder in respect of—
- (a) registered agricultural pesticides generally;
- (b) all agricultural pesticides registered in Part I of the register or any such agricultural pesticides as may be specified in the licence; or
- (c) all agricultural pesticides registered in Part II of the register or any such agricultural pesticides as may be specified in the licence.
- (5) The Director may issue a licence subject to such conditions as he may think fit.
- (6) A licence authorizing the sale of an agricultural pesticide registered in Part II of the register shall be subject to the conditions of registration of that agricultural pesticide imposed under Part II.
- (7) The Director may issue a permit subject to such conditions as he may think fit and any permit issued shall specify the unregistered agricultural pesticide to which it relates.
- (8) The Director may at any time vary the particulars of a licence or permit or modify, add to, or cancel, the conditions of a licence or permit.

Cancellation or suspension of licence.

10. Subject to section 12, the Director may cancel, or suspend for such period as he may think fit, a licence—
- (a) for breach of this Ordinance;
- (b) for breach of any of the conditions of the licence; or
- (c) if it appears to him to be necessary in the interests of public safety.

Cancellation of permit.

11. Subject to section 12, the Director may cancel a permit—
- (a) for breach of this Ordinance;
- (b) for breach of any of the conditions of the permit; or
- (c) if it appears to him to be necessary in the interests of public safety.

Notice of intention to cancel or suspend.

12. (1) Where the Director intends to cancel or suspend a licence under section 10 or cancel a permit under section 11, he shall give to the holder of the licence or permit 14 days' notice in writing of his intention to cancel or suspend the licence or cancel the permit as the case may be and the notice shall specify the grounds for the intended cancellation or suspension.

(2) The holder of a licence or permit may, within the 14 day period referred to in subsection (1), make written submissions to the Director as to why his licence or permit should not be cancelled or his licence suspended as the case may be.

Directions on disposal of agricultural pesticide where licence or permit cancelled.

13. (1) Where the Director cancels a licence or a permit under section 10 or 11 he may give to the licence holder or permit holder such directions as he thinks fit for the disposal of the agricultural pesticide to which the licence or permit relates and for the disposal of any container containing that agricultural pesticide.

(2) A licence holder or permit holder referred to in subsection (1) may apply in writing to the Director for a variation of any direction given under that subsection, stating the grounds of the application and the facts and circumstances relied upon in support of those grounds.

(3) The Director shall consider every application under subsection (2) and shall within 14 days from the receipt of any such application advise the licence holder or permit holder in writing of his decision to confirm or vary the directions given under subsection (1).

(4) Where any licence holder or permit holder referred to in subsection (2) appeals pursuant to section 16 against a decision under subsection (3), any period for compliance embodied in such direction shall be extended by the period between presentation of the appeal and notification of the Governor's decision.

(5) Any act done or omitted to be done in the carrying out of any direction given under this section shall not constitute an offence under this Ordinance.

#### PART IV

##### MISCELLANEOUS

14. The Director may appoint in writing any public officer to be an inspector for the purposes of this Ordinance.

Appointment of inspectors.

15. (1) If it appears to a magistrate upon the oath of any person that there is reasonable cause to suspect that there is in any place or premises any agricultural pesticide in respect of which an offence under this Ordinance is being or has been committed, the magistrate may by warrant authorize any inspector or member of the Preventive Service with such assistants as may be necessary to enter the place or premises, by force if necessary, and search the place or premises named in the warrant.

Powers of entry, seizure, etc.

(2) In any premises or place entered pursuant to subsection (1) an inspector or member of the Preventive Service may—

- (a) seize and detain any article, document or thing which appears to him to be or to contain evidence of an offence under this Ordinance;
- (b) open and examine any article, document or thing specified in paragraph (a).

(3) An inspector upon production of his authority as an inspector or any member of the Preventive Service may, at any time between the hours of 9 a.m. and 6 p.m., without a warrant enter any premises or place in or upon which he reasonably suspects any agricultural pesticide is kept, stored, sold or offered or exposed for sale and may—

- (a) require the production of—
- (i) any licence or permit; or
- (ii) any document which relates to the origin or nature of any agricultural pesticide or which he suspects to be relevant to an offence under this Ordinance;
- (b) examine and take copies of any licence or permit or of any document referred to in paragraph (a); and
- (c) require such other information and take, on payment therefor, such samples as may be necessary for the purposes of the inspection.

## Appeals.

16. Any person who is aggrieved by any decision of the Director under this Ordinance may, within 28 days after the receipt of the notification of the decision, appeal therefrom to the Governor and on any such appeal the Governor may confirm, vary or revoke the decision of the Director.

## Offences and penalties.

17. (1) Any person who contravenes section 7 or 8 commits an offence and is liable on conviction to a fine of \$50,000 and to imprisonment for 1 year.

(2) Any holder of a licence who contravenes any of the conditions of his licence or any holder of a permit who contravenes any of the conditions of his permit commits an offence and is liable on conviction to a fine of \$25,000 and to imprisonment for 6 months.

(3) Any person who—

- (a) wilfully obstructs an inspector or member of the Preventive Service in the exercise of any power under section 15;
- (b) refuses to allow any sample to be taken in accordance with section 15(3);
- (c) fails without reasonable excuse to produce any licence, permit or document, or to give any information, when required to do so under section 15(3); or
- (d) fails without reasonable excuse to obey a direction given by the Director under section 13,

commits an offence and is liable on conviction to a fine of \$10,000 and to imprisonment for 6 months.

## Forfeiture.

18. (1) A magistrate may, on application by the Crown, order to be forfeited any agricultural pesticide, or any container containing an agricultural pesticide, with respect to which any offence under this Ordinance has been committed, whether or not any person has been convicted of such offence and upon the making of an order of forfeiture such agricultural pesticide or container shall be deemed to be the property of the Crown free from all rights of any person.

(2) In any proceedings under subsection (1), any statement or other indication of the nature of any agricultural pesticide written upon or indicated on the container, or on any box or other covering of whatever nature enclosing the agricultural pesticide or the container, shall, until the contrary is proved, be deemed to be a true description of the agricultural pesticide or of the contents of the container, as the case may be.

## Regulations.

19. (1) The Governor in Council may by regulation provide for—

- (a) applications for registration of agricultural pesticides including the information to be supplied by applicants therefor;
- (b) the imposition of conditions on registration in Part II of the register;
- (c) the cancellation and suspension for any period of registration;
- (d) the form and contents of the register;
- (e) the proof of matters relating to registration by the production of certificates;
- (f) the issue of licences and permits including—
  - (i) the information to be supplied by applicants therefor;
  - (ii) the imposition of conditions thereof;

- (iii) the cancellation and suspension for any period thereof;
- (g) the duration of licences and permits and the renewal of licences;
- (h) the surrender of licences and permits;
- (i) the issue of duplicate licences and permits;
- (j) the containers for agricultural pesticides or classes or types of agricultural pesticides including—
  - (i) the shape and size;
  - (ii) the design and colour;
  - (iii) the composition; and
  - (iv) the labelling and marking,
 of such containers;
- (k) the storage of agricultural pesticides and conditions under which they are to be kept;
- (l) the approval of premises for the storage, repackaging or sale of agricultural pesticides;
- (m) the sale and supply of agricultural pesticides;
- (n) the advertisement of agricultural pesticides;
- (o) the forms to be used;
- (p) fees and charges;
- (q) exemption by the Director from compliance with any regulation, either generally or in a particular case;
- (r) generally for the better carrying out of the provisions of this Ordinance.

(2) Regulations made under this section may provide that a contravention of specified provisions thereof shall be an offence and may provide penalties therefor not exceeding a fine of \$10,000 and imprisonment for 1 year.

20. The registration of, or issue of any licence or permit in respect of, an agricultural pesticide by the Director under section 5 or 9 respectively shall not grant to any person any proprietary right in respect of that agricultural pesticide and shall not confer or affect any rights under the Trade Marks Ordinance, the Merchandise Marks Ordinance, the Registration of United Kingdom Patents Ordinance or the Copyright Ordinance.

21. Subject to section 23, the Pharmacy and Poisons Ordinance shall not apply to any agricultural pesticide to which this Ordinance applies.

22. Nothing in this Ordinance shall derogate from the provisions of the Dangerous Goods Ordinance.

23. (1) Notwithstanding anything in this Ordinance a person who, immediately before the commencement of this Ordinance—

- (a) had in his possession any agricultural pesticide; or
- (b) is carrying on a business of selling, offering or exposing for sale or supplying or offering to supply any agricultural pesticide,

Trademarks, merchandise marks, patents and copyright not affected. (Cap. 43.) (Cap. 41.) (Cap. 42.) (Cap. 39.)

Pharmacy and Poisons Ordinance not to apply to agricultural pesticides. (Cap. 138.)

Dangerous Goods Ordinance to apply. (Cap. 295.)

Transitional provisions.

shall be entitled to have in his possession that agricultural pesticide or to continue to carry on that business without a licence or permit—

- (i) for the period of 6 months from the commencement of this Ordinance; and
- (ii) if before the expiry of that period he applies for a licence or permit, until the licence or permit is issued, or finally refused.

(2) A person may import into Hong Kong any agricultural pesticide without a licence or permit during a period of 6 months immediately following the commencement of this Ordinance if that agricultural pesticide was ordered not less than 2 months before the commencement of this Ordinance.

(Cap. 138.)

(3) The Pharmacy and Poisons Ordinance in force at the commencement of this Ordinance shall apply to any agricultural pesticide imported before the commencement of this Ordinance or imported under subsection (2) if such agricultural pesticide is an agricultural poison within the meaning of that Ordinance.

Consequential  
amendments.  
(Cap. 138.)

24. (1) The Pharmacy and Poisons Ordinance is amended—

- (a) in section 2 by deleting the definition of "agricultural poison";
- (b) by repealing section 30; and
- (c) by deleting the Schedule.

(Cap. 138,  
sub. leg.)

(2) The Pharmacy and Poisons (Agricultural Poisons) Regulations are revoked.

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

*Clerk to the Legislative Council.*

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*Clerk to the Legislative Council.*



I assent.

*Governor.*

2nd June, 1977.

Ordinance; and

(ii) if before the expiry of that period he applies for a licence or permit, until the licence or permit is issued, or finally refused.

(2) A person may import into Hong Kong any agricultural pesticide without a licence or permit during a period of 6 months immediately following the commencement of this Ordinance if that agricultural pesticide was ordered not less than 2 months before the commencement of this Ordinance.

(Cap. 138.)

(3) The Pharmacy and Poisons Ordinance in force at the commencement of this Ordinance shall apply to any agricultural pesticide imported before the commencement of this Ordinance or imported under subsection (2) if such agricultural pesticide is an agricultural poison within the meaning of that Ordinance.

Consequential amendments.

(Cap. 138.)

24. (1) The Pharmacy and Poisons Ordinance is amended—

(a) in section 2 by deleting the definition of "agricultural poison";

(b) by repealing section 30; and

(c) by deleting the Schedule.

(Cap. 138, sub. leg.)

(2) The Pharmacy and Poisons (Agricultural Poisons) Regulations are revoked.

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.

**HONG KONG**

No. 39 OF 1977



I assent.

Governor.

2nd June, 1977.

An Ordinance to amend the Employment Ordinance.

[3rd June, 1977]

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

1. This Ordinance may be cited as the Employment (Amendment) Short title. (No. 2) Ordinance 1977.

2. Section 31G of the principal Ordinance is amended—

Amendment of section 31G. (Cap. 57.)

(a) in subsection (1) by deleting paragraphs (a) and (b) and substituting the following—

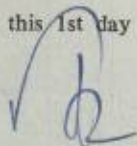
"(a) in the case of a monthly rated employee, one-half of his last full month's wages;

(b) in any other case, 13 days' wages based on any 13 days chosen by the employee and occurring during his last 30 normal working days;"

(b) in subsection (3) by deleting "5" and substituting the following—

"8".

Passed by the Hong Kong Legislative Council this 1st day of June, 1977.



*Clerk to the Legislative Council.*

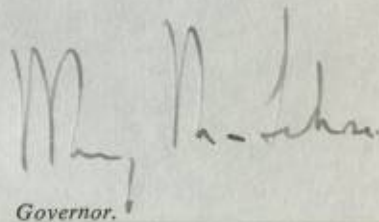
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



*Clerk to the Legislative Council.*



I assent.



*Governor.*

V 02  
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.

**HONG KONG**

No. 40 OF 1977

I assent.

Governor.

16th June, 1977.

An Ordinance to amend the Mass Transit Railway Corporation Ordinance.  
[17th June, 1977]

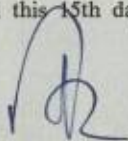
Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Mass Transit Railway Corporation (Amendment) Ordinance 1977. Short title.

2. Section 12 of the principal Ordinance is amended by adding after subsection (1) the following new subsection— Amendment of section 12. (Cap. 270.)

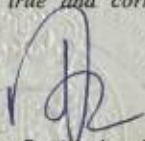
“(1A) For the avoidance of doubt it is hereby declared that no guarantee granted under subsection (1), whether granted before or after the enactment of the Mass Transit Railway Corporation (Amendment) Ordinance 1977, which includes interest, amounts payable in consequence of the operation of any price variation clause, premium or other charges, shall be invalid by reason only that such interest, amounts, premium or charges, although specified in the resolution authorizing the granting of the guarantee, are not quantified as to total amount or included in the amount quantified in such resolution.”

Passed by the Hong Kong Legislative Council this 15th day of June, 1977.

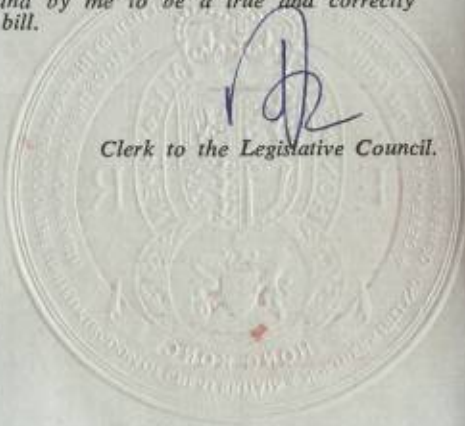


*Clerk to the Legislative Council.*

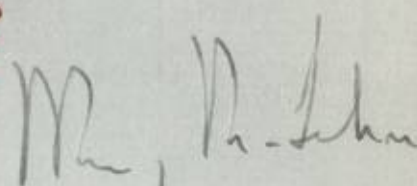
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



*Clerk to the Legislative Council.*



I assent.



*Governor.*

16th June, 1977.

*[Handwritten signature]*

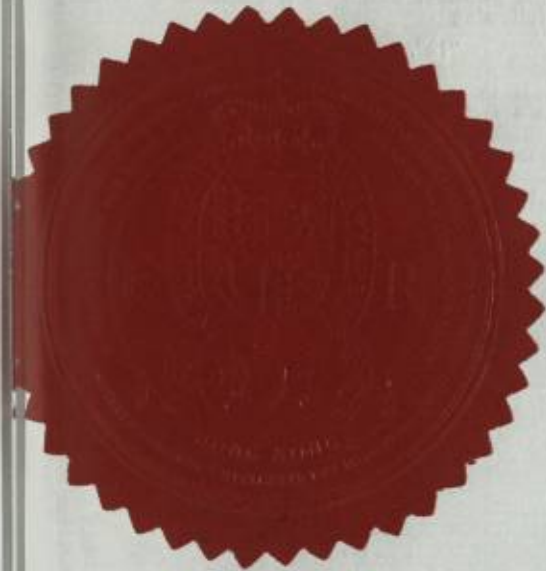
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



**HONG KONG**

No. 41 of 1977



I assent.

*[Handwritten signature]*  
Governor.

16th June, 1977.

An Ordinance to amend the Drug Addiction Treatment Centres Ordinance.

[17th June, 1977]

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

1. This Ordinance may be cited as the Drug Addiction Treatment Centres (Amendment) Ordinance 1977. Short title.

2. Section 2 of the principal Ordinance is amended in the definition of "addiction treatment centre" by deleting "Governor" and substituting the following— Amendment of section 2. (Cap. 244.)  
"Secretary for Security".

3. Section 3 of the principal Ordinance is amended by deleting "Governor" and substituting the following— Amendment of section 3.  
"Secretary for Security".

4. Section 4(2) of the principal Ordinance is amended by deleting "6 months and not more than 18 months" and substituting the following— Amendment of section 4.  
"4 months and not more than 12 months".

Amendment of section 6.

5. Section 6(2) of the principal Ordinance is amended by deleting "18 months from the date of the detention order or 6 months" and substituting the following—

"12 months from the date of the detention order or 4 months".

Amendment of section 8A.

6. Section 8A(2) of the principal Ordinance is amended by deleting "18" and substituting the following—

"12".

Transitional provision.

7. (1) The amendments to sections 4(2) and 6(2) of the principal Ordinance made by sections 4 and 5 of this Ordinance shall apply to any person who, at the commencement of this Ordinance, is detained in an addiction treatment centre pursuant to a detention order made under section 4(1) of the principal Ordinance or pursuant to a recall order made under section 6(1) of the principal Ordinance.

(2) Where, upon the commencement of this Ordinance, any person detained in an addiction treatment centre pursuant to a detention order made under section 4(1) of the principal Ordinance or pursuant to a recall order made under section 6(1) of the principal Ordinance has been so detained for more than 12 months, such person shall be released from detention.

Passed by the Hong Kong Legislative Council this 15th day of June, 1977.

Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

Governor.

16th June 1977

Amendment of section 8A.

"12 months from the date of the detention order or 4 months".

6. Section 8A(2) of the principal Ordinance is amended by deleting "18" and substituting the following—

"12".

Transitional provision.

7. (1) The amendments to sections 4(2) and 6(2) of the principal Ordinance made by sections 4 and 5 of this Ordinance shall apply to any person who, at the commencement of this Ordinance, is detained in an addiction treatment centre pursuant to a detention order made under section 4(1) of the principal Ordinance or pursuant to a recall order made under section 6(1) of the principal Ordinance.

(2) Where, upon the commencement of this Ordinance, any person detained in an addiction treatment centre pursuant to a detention order made under section 4(1) of the principal Ordinance or pursuant to a recall order made under section 6(1) of the principal Ordinance has been so detained for more than 12 months, such person shall be released from detention.

Passed by the Hong Kong Legislative Council this 15th day of June, 1977.



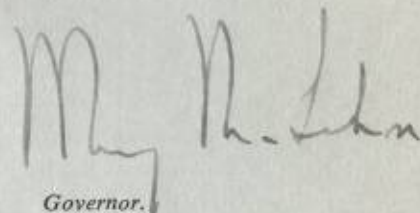
Clerk to the Legislative Council.

**HONG KONG**

No. 42 OF 1977



I assent.



Governor.

16th June, 1977.

An Ordinance to amend the Police Force Ordinance.

[ ]

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

1. This Ordinance may be cited as the Police Force (Amendment) Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.

2. Section 3 of the principal Ordinance is amended—

(a) by deleting the definition of "appropriate tribunal";

(b) by deleting the definition of "commanding officer" or "officer commanding";

(c) in the definition of "non-commissioned officer" by deleting "corporal" and substituting the following—

"sergeant";

(d) in the definition of "police constable" or "constable" by deleting "corporal" and substituting the following—

"sergeant".

Amendment of section 3. (Cap. 232.)

Amendment of section 7.

3. Section 7(2) of the principal Ordinance is amended by deleting "inspector" and substituting the following—

"station sergeant, or any public officer attached to the police force not below a grade or rank equivalent to that of station sergeant".

Amendment of section 14.

4. Section 14(3) of the principal Ordinance is amended by deleting "and may also be appointed or advanced in salary by a commanding officer".

Repeal and replacement of section 15.

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

"Dismissal.

15. Subject to section 13(1) a police officer may be dismissed under the provisions of this Ordinance or by virtue of the rights reserved by section 38."

Repeal and replacement of section 17.

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

"Interdiction.

17. (1) If the Commissioner considers that the public interest requires that a police officer should cease to exercise the powers and functions of his office forthwith, he may interdict the police officer from the exercise of such powers and functions where—

(a) disciplinary or criminal proceedings are being instituted or are about to be instituted against such officer; or

(b) such officer is the subject of an inquiry into his conduct in connexion with his duties as a police officer or the subject of an investigation into any report, allegation or suspicion that he has committed an offence.

(2) A police officer who has been interdicted under—

(a) subsection (1)(a), shall be allowed to receive such proportion of his pay, not being less than one-half, as the Commissioner shall in every case direct, until such time as he may be convicted of an offence whereupon the matter shall be determined under section 37(4);

(b) subsection (1)(b), shall not on that account receive less than his full pay.

(3) If the proceedings, inquiry or investigation do not result in the dismissal or other punishment of such officer, he shall be entitled to the full amount of the pay which he would have received if he had not been interdicted.

(4) If the proceedings, inquiry or investigation result in punishment other than the dismissal of such officer, he may be paid such proportion of the pay withheld as a result of his interdiction as the Commissioner may direct."

Repeal of section 31.

7. Section 31 of the principal Ordinance is repealed.

Repeal and replacement of section 32.

8. Section 32 of the principal Ordinance is repealed and replaced by the following—

"Punishment of non-commissioned officers and constables.

32. Any non-commissioned officer or constable found guilty of an offence against discipline under regulations made under section 45 and required to resign or dismissed for failure to do so, shall not receive salary in lieu of notice."

9. Sections 33, 35 and 36 of the principal Ordinance are repealed.

Repeal of sections 33, 35 and 36.

10. Section 37 of the principal Ordinance is repealed and replaced by the following—

Amendment of section 37.

"Conviction of police officer.

37. (1) Nothing in this Ordinance shall be construed to exempt any police officer from being proceeded against by the ordinary course of law when accused of any offence punishable under any other Ordinance or law.

(2) No police officer who has been acquitted by a court of any crime or offence shall be tried departmentally on the same charge.

(3) A sentence passed upon a police officer subject to this Ordinance shall be in no respect affected by such officer ceasing to be subject to this Ordinance by discharge or otherwise.

(4) No pay or allowance shall be payable to any police officer following the date of the conviction of such officer by a court for any crime or offence unless the approval of the Commissioner of such payment be given.

(5) A police officer convicted of an offence punishable with imprisonment may, unless the conviction is reversed on appeal, be dismissed, reduced or reverted in rank or subjected to a lesser punishment—

(a) by the Governor in the case of an inspector who has been confirmed in his appointment, subject to any conditions of his appointment; and

(b) by the Commissioner in the case of—

(i) an inspector who has not been confirmed in his appointment; or

(ii) a non-commissioned officer; or

(iii) a police constable;

Provided that an inspector shall not be reduced or reverted to a rank lower than inspector.

(6) Any station sergeant or sergeant dismissed under subsection (5) shall be reduced to the rank of constable before dismissal.

(7) Where a police officer is dismissed under paragraph (5) any arrears of pay due to him may be forfeited by order of—

(a) the Governor in the case of an inspector who has been confirmed in his appointment subject to any conditions of his appointment; and

(b) by the Commissioner in the case of—

(i) an inspector who has not been confirmed in his appointment; or

(ii) a non-commissioned officer; or

(iii) a police constable."

11. Section 39(3) of the principal Ordinance is amended—

Amendment of section 39.

(a) in paragraph (a) by deleting "inspectors, non-commissioned officers and constables" and substituting the following—

"police officers and public officers attached to the police force";

- (b) in paragraph (b) by deleting "inspectors, non-commissioned officers and constables" and substituting the following—

"police officers and public officers attached to the police force"; and

- (c) in paragraph (c) by inserting after "police officers" the following—  
"and public officers attached to the police force".

Amendment of  
section 45.

12. Section 45 of the principal Ordinance is amended—

- (a) in subsection (1)(d) by inserting after "punishments" the following—

"and for compensation to be paid to the Government by an officer for loss or damage of any property entrusted or supplied to him in his capacity as an officer, or of any Government property, and for reimbursement of the Government of any compensation or money reasonably paid by the Government, whether *ex-gratia* or otherwise, in respect of loss or damage of any property for the care or custody of which the officer is responsible, or where such loss or damage results from the neglect or fault of the officer"; and

- (b) in subsection (2) by inserting after "than gazetted police officers," the following—

"for suspension of punishment awarded."

Repeal and  
replacement  
of section 46.

13. Section 46 of the principal Ordinance is repealed and replaced by the following—

"Police  
general  
orders.

46. (1) Subject to subsection (2), the Commissioner may from time to time make such orders as he thinks expedient to enable him to administer the police force, render the police force efficient in the discharge of its duties and for carrying out the objects and provisions of this Ordinance, and in addition, such orders may provide for any of the matters specified in section 45.

(2) Any orders made under this section shall be called "police general orders" and shall not be inconsistent with this Ordinance or any regulations under section 45."

Repeal of  
section 48.

14. Section 48 of the principal Ordinance is repealed.

Amendment of  
section 49.

15. Section 49 of the principal Ordinance is amended by inserting after "any member of the police force by office" the following—

"or any public officer attached to the police force".

Amendment of  
section 63.

16. Section 63 of the principal Ordinance is amended by deleting "two hundred and fifty dollars" and substituting the following—

"five thousand dollars".

Passed by the Hong Kong Legislative Council this 15th day of June, 1977.

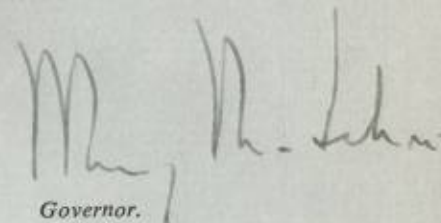
Clerk to the Legislative Council.

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

Clerk to the Legislative Council.



I assent.

  
Governor.

16th June, 1977.

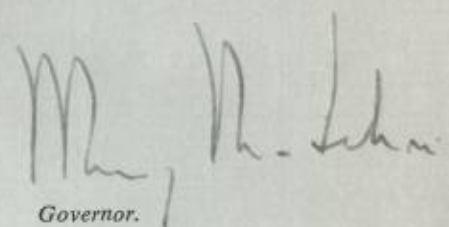
An Ordinance to amend the Public Health (Animals and Birds) Ordinance.

HONG KONG

No. 43 OF 1977



I assent.

  
Governor.

16th June, 1977.

An Ordinance to amend the Public Health (Animals and Birds) Ordinance.

[17th June, 1977]

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

1. This Ordinance may be cited as the Public Health (Animals and Birds) (Amendment) Ordinance 1977. Short title.
2. Section 3(1) of the principal Ordinance is amended in paragraph (a) by inserting after "transhipment," the following—  
"importation, landing and removal,". Amendment of section 3. (Cap. 139.)
3. Section 4(2) of the principal Ordinance is amended by deleting "either by land or by sea" and substituting the following—  
"by land, sea or air". Amendment of section 4.

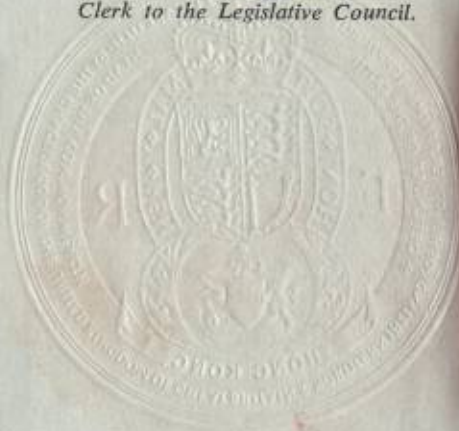
Passed by the Hong Kong Legislative Council this 15th day of June, 1977.

  
Clerk to the Legislative Council.

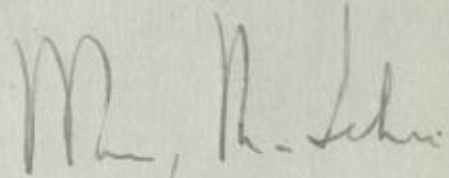
*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*



*Clerk to the Legislative Council.*



I assent.

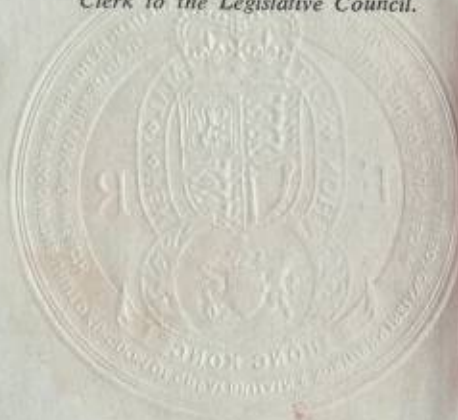


*Governor.*

**HONG KONG**

No. 44 OF 1977

112  
Clerk to the Legislative Council.



I assent.

Governor.

16th June, 1977.

An Ordinance to empower appropriate measures to be taken to prevent, mitigate and repair pollution of and damage to the waters, foreshore and adjoining areas of Hong Kong arising from oil spillage, and for matters incidental thereto and connected therewith.

[17th June, 1977]

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

**PART I**

**PRELIMINARY**

1. This Ordinance may be cited as the Oil Pollution (Land Use and Short title. Requisition) Ordinance 1977.

2. In this Ordinance, unless the context otherwise requires— Interpretation.  
"competent authority" means a competent authority appointed under section 3, the Director of Public Works and the Director of Marine;  
"land" includes land covered with water, and any building or part of any building;

"oil" means oil of any description, spirit produced from oil, coal tar, a mixture containing oil, and waste material consisting of or arising from oil;

"requisition", in relation to any property, means to require the use of the property, or to require the property to be placed at the disposal of the authority or officer requisitioning it, or to take possession of the property;

"specified purpose" means the prevention, clearing-up or repair, as the case may be, of pollution, fouling or damage of or to the waters of the Colony, the foreshore and adjacent areas, beaches, coastal amenities, piers and marine life, caused by oil.

3. The Governor may appoint a public officer to be a competent authority for the purposes of this Ordinance.

## PART II

### POWER TO ENTER AND REQUISITION PROPERTY

4. (1) This Part shall not come into operation except on such day as the Governor may appoint by order and, subject to subsection (2) but without prejudice to the making of further orders under this subsection, shall then remain in force for 30 days.

(2) Without prejudice to his power to make further orders under subsection (1), the Governor may by order discontinue the operation of this Part by revoking the order under subsection (1).

(3) An order under this section need not be published in the *Gazette* prior to its commencement, but shall be given such publicity as the Governor may deem fit, and shall as soon as may be convenient be published for information in the *Gazette*.

5. (1) Any public officer so directed by a competent authority may, for a specified purpose and accompanied by such other public officers or other persons as he thinks necessary—

- (a) enter any land, and pass over any land;
- (b) use any land and conduct therein any operation; and
- (c) remove from any land or prevent from entry to any land any person, including the owner or occupier thereof;

Provided that such a power shall not be exercised in relation to any part of a building used for residential purposes unless the competent authority's directions are given in writing.

(2) Any such public officer may cause to be taken on to any land such vehicles, machinery, equipment and material as he thinks necessary for the specified purpose.

6. (1) A competent authority and any public officer authorized in that behalf by a competent authority in writing may, if and for so long as it appears to him to be necessary or expedient for a specified purpose—

- (a) requisition any property, other than land, vessels of foreign registration and aircraft;
- (b) give such directions and take such steps as appear to him to be necessary to secure effective use or possession of the requisitioned property; and
- (c) use and deal with any such property as if he were the owner thereof.

Appointment of competent authority.

Operation of Part II.

Power to enter and use land.

Power to requisition property.

(2) All property requisitioned under subsection (1) shall as far and as soon as practicable be returned to the owner or person from whom it was requisitioned.

## PART III

### COMPENSATION

7. (1) Any person who sustains loss or damage in consequence of arising out of the exercise of any power under Part II, or is entitled to the use of or rent from any property requisitioned under section 6, shall, subject to this Part, be entitled to recover such compensation as is just having regard to all the circumstances of the case.

Compensation.

(2) A claim for compensation under this Ordinance shall be made in writing to the Secretary for the Environment not later than 3 months after the last day on which the power was exercised or the use of any land or requisitioned property ceased:

Provided that the Secretary for the Environment may, in any particular case, extend the period for making claims.

(3) Upon receipt of a claim, the Secretary for the Environment shall as soon as practicable cause the amount of compensation to be assessed and notice of the amount assessed to be served upon the claimant personally or by registered post.

(4) If the claimant agrees in writing that he accepts such amount in full settlement of his claim, that amount shall be paid to the claimant.

8. In the absence of agreement as to—

- (a) whether compensation is payable under this Ordinance; or
- (b) the amount of such compensation; or
- (c) the person to whom it is payable,

Compensation to be determined by civil proceedings in default of agreement.

the issue shall be determined in civil proceedings begun by the claimant not later than 3 months after the service upon him of notice under section 7(3), and no compensation shall be due or payable otherwise than so determined.

## PART IV

### MISCELLANEOUS

9. Compensation payable under this Ordinance is charged on and shall be paid out of the general revenue of Hong Kong.

Compensation to be paid from general revenue.

10. (1) The owner of—

- (a) a vessel from which oil, not being part of a cargo of persistent oil in bulk within the meaning of the Merchant Shipping (Oil Pollution) (Hong Kong) Order 1975, has escaped or been discharged within the waters of the Colony; or
- (b) any installation or container, whether on land or in or on water, not being a vessel or part thereof, from which any oil has escaped or been discharged into the waters of the Colony,

Liability for costs of cleaning-up operations. (L.N. 47/76.)

shall be liable to the Government for the costs of all measures taken under this Ordinance or otherwise reasonably taken by the Government for a specified purpose in relation to the escape or discharge of oil, including the amount of any compensation reasonably paid under Part III.

(2) In any proceedings by the Government to recover any costs referred to in subsection (1), a certificate purporting to be signed by the Director of Accounting Services shall, unless the contrary is proved, be proof of the amount of the costs incurred.

(3) In this section "owner", in relation to a registered ship, means the person or persons registered as its owner, except that in relation to a ship owned by a State which is operated by a person registered as the ship's operator, it means the person registered as its operator.

**Offences.**

**11.** Any person who without reasonable excuse—

(a) obstructs a competent authority, or a public officer acting in exercise of his powers under this Ordinance, or any public officer or other person accompanying or assisting any such public officer; or

(b) fails to comply with any direction given under section 6(1),

commits an offence and is liable to a fine of \$20,000 and to imprisonment for one year.

Passed by the Hong Kong Legislative Council this 15th day of June, 1977.

*Clerk to the Legislative Council.*

*This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.*

*Clerk to the Legislative Council.*



I assent.

*Governor.*