



**HONG KONG**

No. 1 OF 1950.

I assent.



*[Handwritten signature]*  
Governor.

5th January, 1950.

An Ordinance to regulate the keeping and control of dogs and cats and to provide for prevention and the control of the spread of rabies.

[6th January, 1950.]

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

1. This Ordinance may be cited as the Dogs and Cats Short title Ordinance, 1950.

2. In this Ordinance—

“cat” includes the male and female animal of any age;

“dog” includes the male and female animal of any age;

“New Territories” does not include New Kowloon;

Interpreta-  
tion.



“officer of the Sanitary Department” includes any veterinary officer, health officer, health inspector or overseer of the Sanitary Department working under the direction of a health officer or health inspector for the purposes of this Ordinance;

“vessel” includes any kind of water-borne craft;

“veterinary officer” includes the Senior Veterinary Officer and any veterinary officer appointed by the Governor to perform the duties of a veterinary officer and also any veterinary surgeon for the time being performing the duties of the Senior Veterinary Officer or a veterinary officer.

Regulations.

3. (1) The Governor in Council may by regulations not inconsistent with the provisions of this Ordinance provide—

(a) for controlling dogs and cats and their importation, movement, slaughter and sale, and for the prohibition of the sale of the flesh of dogs and cats;

(b) for licensing dogs;

(c) for authorizing the inspection, seizure, detention, destruction or other disposition of dogs and cats and their carcases;

(d) for the prevention and control, whether by inoculation, disinfection or otherwise of rabies or the spreading of rabies;

(e) for regulating dogs' or cats' homes and dog or cat shows;

(f) for fees and forms in connection with any licence act or thing prescribed by regulation or for any service rendered in enforcing or otherwise in connection with any regulation;

(g) for the recovery by Government or by any authority of expenses incurred in enforcing or otherwise in connection with the regulations.

(2) It is hereby declared that any regulation made hereunder may provide—

(a) that an offence against the regulations shall be deemed to have been committed, notwithstanding that there has been no guilty intent or knowledge or negligence on the part of the person charged;

(b) that the burden of proof shall in any particular case lie upon the person charged;

(c) generally as to the circumstances in which an offence against the regulations shall be committed or deemed to have been committed;

(d) that any licence, permit or authority issued under such regulations shall be issued subject to such conditions as an officer or person specified in the regulations shall impose;

(e) that any fees and charges which may be provided for by regulation other than the fees for any licence shall be fixed by such officer or person and shall be recoverable in such manner as may be specified in the regulations.

4. (1) If it appears to a magistrate on complaint that any dog is dangerous and is not kept under proper control, the magistrate may make an order that the said dog be either destroyed or kept under proper control.

Dangerous dogs. cf. 34 & 35 Vict. c. 56, s. 2.

(2) Such order may be made either against the owner or against any person appearing to have the custody, control or care of the dog.

(3) If the person against whom the order is made fails to comply therewith he shall be liable to a fine not exceeding fifty dollars for every day on which he fails to comply therewith.

5. (1) Any police officer or officer of the Sanitary Department, or in respect of the New Territories, any police officer or any officer duly authorized by the District Commissioner, who has reason to believe that there is a rabid dog or cat or a dog or cat suspected of having rabies or a dog or cat reasonably suspected of having been in contact with any case of rabies or suspected rabies or which has bitten any person in any vessel, aircraft or place or that there is in any such vessel, aircraft or place any evidence of the breach of a regulation relating to licensing or to the control of the importation, movement or slaughter of dogs or cats or the sale of the flesh of dogs or cats, may without warrant—

Powers of police and other officers in case of suspected rabies or in case of any contravention of the regulations relating to the control of the importation, movement or slaughter of dogs and cats.

(a) search any such vessel, aircraft or place;

(b) break open any outer or inner door of any such place;

(c) forcibly enter any such vessel or aircraft and every part thereof;

(d) remove by force any personal or material obstruction to any arrest, detention, search, seizure or removal which he is empowered to make;

(e) detain every person found in such place or on board such vessel or aircraft or in such place until such vessel or aircraft or place has been searched;

(f) inspect, seize, remove and detain any dog or cat or the carcase thereof or anything with respect to which an offence against any regulation made hereunder may appear to have been committed;

and any such officer as aforesaid may shoot or otherwise destroy any dog or cat which appears to him to be suffering from rabies or other infectious disease or any dog which requires to be licensed and which does not appear to such officer to be licensed or under the control of any person.

(2) If a veterinary officer is of opinion that any dog or cat has been or may reasonably be suspected of having been in contact with any case of rabies or suspected rabies, he may destroy or authorize the destruction of such dog or cat.

Prohibition of obstruction to detention, etc.

6. No person shall obstruct any detention, arrest, search, seizure, removal, killing or destruction authorized by or under this Ordinance.

Penalties.

7. Any person who contravenes or fails to comply with any of the provisions of this Ordinance or of any regulations made hereunder or the conditions of any licence, permit or other authority issued or granted under such regulations shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding six months and to a fine not exceeding one thousand dollars.

Repeal. Ordinance No. 21 of 1927.

8. The Dogs Ordinance, 1927, is hereby repealed.

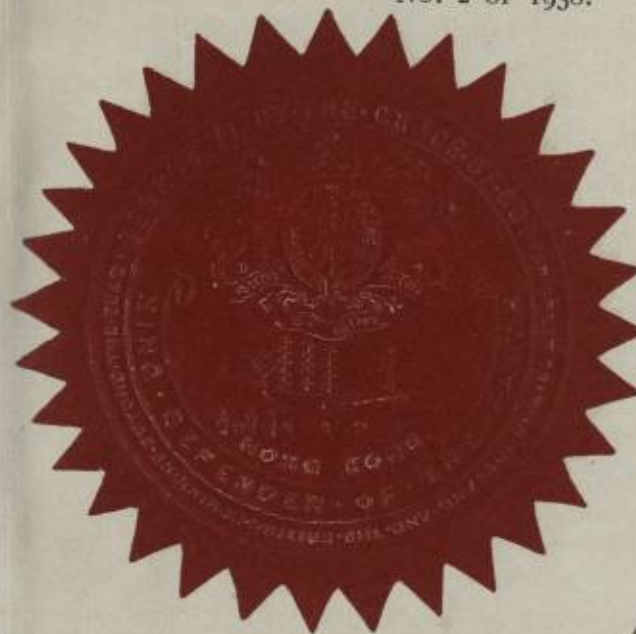
Passed the Legislative Council of Hong Kong, this 4th day of January, 1950.

*M. H. ...*  
Clerk of Councils.

**HONG KONG**

No. 2 OF 1950.

I assent.



*M. H. ...*  
Governor.

9th February, 1950.

An Ordinance to amend and consolidate the law relating to the construction and interpretation of the law applicable to the Colony and to make better provision for the interpretation of the terminology employed therein and for matters incidental thereto.

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

1. This Ordinance may be cited as the Interpretation Short title, Ordinance, 1950.

2. (1) Save where the contrary intention appears either from this Ordinance or from the context of any enactment or instrument, the provisions of this Ordinance shall apply and shall apply only to this Ordinance and to all enactments now or hereafter in force made by competent authority in the Colony Application.

and to any Order in Council applicable exclusively to Hong Kong and to any instrument made or issued under or by virtue of any such enactment or Order in Council.

(2) This Ordinance shall be binding on the Crown.

PART I.

GENERAL PROVISIONS OF INTERPRETATION.

Inter-pretation of certain words and expressions. 52 & 53 Vict. c.63, s.12(4).

3. (1) "act" used with reference to an offence or civil wrong, includes a series of acts, and words which refer to acts done extend to illegal omissions;

"Act" or "Statute" means an Act or Statute of the Imperial Parliament;

"Admiralty" or "the Admiralty" means the Lord High Admiral of the United Kingdom for the time being or the Commissioners for the time being executing the office of Lord High Admiral of the United Kingdom;

"amend" includes repeal, add to or vary and the doing of all or two or more of such things simultaneously or by the same instrument;

"any enactment" or "any Ordinance" includes any enactment or any Ordinance, as the case may be, which is in force in the Colony at the time when the enactment in which the expression occurs is enforced or applied;

52 & 53 Vict. c.63, s.12(8).

"Board of Trade" means the Committee for the time being of the Privy Council appointed for the consideration of matters relating to trade and foreign plantations;

52 & 53 Vict. c.63, s.18(2).

"British possession" means any part of His Majesty's dominions exclusive of the United Kingdom; and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession;

"Christian name" means any name prefixed to a surname, whether received in Christian baptism or otherwise;

"City of Victoria" or "Victoria" means the area within the boundaries specified in the First Schedule;

"Clerk of Councils" means the person appointed by the Governor to be Clerk to the Executive Council and the Legislative Council and includes any person appointed by the Governor to be Deputy Clerk of Councils;

"Colony" or "Hong Kong" means the whole area of land and water lying between the boundaries specified in the Second Schedule;

"Colonial Secretary" includes Deputy Colonial Secretary;

"commencement", when used with reference to any enactment, shall mean the day on which the enactment comes into operation; 52 & 53 Vict. c.63, s.36(1).

"Commissioner of Prisons" means the person appointed to that office under any enactment relating to prisons;

"committed for trial" means, when used in relation to any person, committed to prison with the view to his being tried before a judge and jury, or otherwise as the law directs; and includes a person who is admitted to bail upon recognizances to appear and take his trial before a judge and jury, or otherwise; 52 & 53 Vict. c.63, s.27.

"Commonwealth" means the United Kingdom, the Republic of India, any Dominion, the Colonies, any British possession, any state or territory under His Majesty's protection and any mandated or trust territory;

"consul" and "consular officer" include consul-general, consul, vice-consul, consular agent and any person for the time being authorized to discharge the duties of consul-general, consul or vice-consul; 52 & 53 Vict. c.63, s.12(20).

"contravene" in relation to any requirement or condition prescribed in any enactment or in any permit, licence or authority granted under any enactment includes a failure to comply with that requirement or condition;

"Court" means the Supreme Court as well as any other court holden in the Colony; but in the absence of any words indicating a contrary intention the jurisdiction created by or referred to in any enactment shall be exercised only by the Supreme Court;

"Crown Agents" means the person or persons for the time being acting as Crown Agents for the Colonies in England, or any one of them;

"daily penalty" means a penalty for each day on which an offence is continued after conviction therefor;

"definition" means the interpretation given by an enactment to words or expressions;

“disallowance” means the signification of His Majesty’s pleasure not to allow an Ordinance;

“Dominion” shall mean Canada, Australia, New Zealand, the Union of South Africa, Pakistan, Southern Rhodesia and Ceylon and any territory or group of territories within the Commonwealth which may be or hereafter become a self-governing Dominion;

“enactment” means any provision made by competent authority having the force of law and any part of such provision;

“Financial Secretary” includes Deputy Financial Secretary;

“financial year” means the twelve months ending on the 31st day of March in any year;

“*Gazette*” means the Hong Kong Government Gazette and any Supplement thereto, and includes the Hong Kong (British Military Administration) Gazette published on or between the 12th day of October, 1945 and the 1st day of May, 1946;

“Government” means the Government of Hong Kong;

“Government Chemist” includes any chemist appointed by the Governor under the Adulterated Food and Drugs Ordinance, 1935;

“Government Printer” means the Government Printer of the Colony, and includes any printer purporting to be the printer authorized by Government to print enactments;

“Governor” means the Governor of Hong Kong and includes the officer for the time being administering the Government of Hong Kong and also includes the Governor’s Deputy exercising any power which he is duly appointed to exercise under the Royal Letters Patent constituting the office of Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies;

and where the Governor of Hong Kong is not intended—

“Governor” means, in respect of any Dominion, the Governor General and includes any person who for the time being has the power of the Governor General;

Ordinance  
No. 8 of  
1935.

[*cf.* 52 & 53  
Vict. c.63,  
s.18(6).]

and as respects any other British possession, territory under the protection of His Majesty or any mandated or trust territory, means the Governor or Administrator of that possession or territory and includes the officer for the time being administering the Government of that possession or territory;

“Governor in Council” or “Governor in Executive Council” or “Governor with the advice of the Executive Council” means the Governor acting with the advice of the Executive Council, but not necessarily in such Council assembled;

“Harbour” means the harbour of Victoria and includes the waters of the Colony within the boundaries specified in the Third Schedule;

“Health Officer” includes the Deputy Director of Health Services, any medical officer appointed as a health officer by the Governor, any veterinary officer and any officer for the time being performing the duties of a health officer or veterinary officer under any enactment;

“imperial enactment” means any enactment made by competent authority in the United Kingdom and includes an Order in Council;

“Imperial Parliament” and “Parliament” mean the Parliament of the United Kingdom;

“imprisonment” shall import imprisonment with hard labour save where a sentence of less than two years is imposed or where imprisonment is imposed for not finding sureties and, if a sentence of less than two years is imposed, shall mean imprisonment without hard labour unless a judge or a magistrate otherwise orders;

“judge” means any judge of the Supreme Court; and where any civil jurisdiction is required to be exercised by a judge, such jurisdiction, if it is not otherwise expressed, shall be exercisable by a judge sitting in chambers;

“justice” or “justice of the peace” means a person appointed by the Governor to be a justice of the peace for the Colony;

“Kowloon” means that portion of the peninsula of Kaulung which was ceded to Great Britain by the Emperor of China on the 24th day of October, 1860;

“Legislative Council” and “legislature” mean the Legislative Council of Hong Kong; and when used with reference to a British possession other than Hong Kong, mean the authority,

[*cf.* 52 & 53  
Vict. c.63,  
s.18(7).]

other than the Imperial Parliament or His Majesty the King in Council, competent to make laws for such British possession;

“magistrate” includes marine magistrates and two justices of the peace sitting together, to whom subsection (2) of section 7 of the Magistrates Ordinance, 1932, applies;

Ordinance No. 41 of 1932.

11 & 12 Geo. 6 c.56, s.32.

“mandated territory” means a territory administered by the government of any part of His Majesty’s dominions in accordance with a mandate from the League of Nations;

“medical practitioner”, or any words importing a person recognized at law as a practitioner in medicine or surgery or as a member of any branch of the medical profession, means a medical practitioner duly registered or deemed to be a medical practitioner under the Medical Registration Ordinance, 1935;

Ordinance No. 41 of 1935.

[cf. 52 & 53 Vict. c.63, s.3.]

“month” means calendar month;

“New Kowloon” means that portion of the New Territories which is delineated in red and shown upon a plan marked “New Kowloon” dated the 8th day of December, 1937, signed by the Director of Public Works, countersigned by the Governor and deposited in the Land Office;

“New Territories” means the additional territories leased to Great Britain by the Emperor of China under the Convention dated the 9th day of June, 1898;

[cf. 52 & 53 Vict. c.63, s.3.]

“oath” or “affidavit” includes, in the cases of persons allowed or required by law to affirm instead of swearing, affirmation; and “swear”, in the like cases, includes affirm;

“occupy” includes use, inhabit, be in possession of or enjoy the premises in respect whereof the word is used, otherwise than as a mere servant and for the mere purpose of the care, custody and charge thereof;

“offence” means any crime, misdemeanor, contravention or other breach of the law for which a penalty is provided;

“officer administering the Government” means the officer who succeeds to or is appointed to the administration of the Government of the Colony;

“or”, “other” and “otherwise” shall be construed disjunctively and not as implying similarity, unless the word “similar” or some other word of like meaning is added;

“Order in Council” means an Order made by His Majesty in His Privy Council;

“per cent.”, when used in relation to a rate of interest payable in any circumstances, means the rate of interest specified payable in respect of a year, unless it is expressly provided that it is payable in respect of any other period;

“person” includes any body of persons corporate or unincorporate and this interpretation shall apply notwithstanding that the word “person” occurs in a provision creating or relating to an offence or for the recovery of any fine or any compensation;

[cf. 52 & 53 Vict. c.63, ss. 2 & 19.]

“personal name” means the names other than a surname which a person most commonly adopts in conjunction with his surname or, in the case of a person having no surname, the names which he commonly adopts;

“pier” includes every pier, wharf or jetty of whatever description and any vessel, hulk, pontoon or other structure, fixed or floating, connected to and having direct access to the shore, and used or intended to be used for the purposes of a pier or wharf;

“police officer” and terms or expressions referring to ranks in the Police Force shall bear the meanings respectively assigned to them by the Police Force Ordinance, 1948;

Ordinance No. 41 of 1948.

“power” includes privilege, authority and discretion;

“prescribed” or “provided” when used in reference to any enactment means prescribed or provided by or under such enactment;

“prison” includes any place or building or portion of a building set apart or hereafter to be set apart for the purpose of a prison under any Ordinance relating to prisons;

[cf. Ordinance No. 38 of 1932, s.2.]

“Privy Council” means the Lords and others for the time being of His Majesty’s Most Honourable Privy Council;

[cf. 52 & 53 Vict. c.63, s.12(5).]

“property” includes money, goods, choses in action, land and every description of property, whether real or personal; also obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as above defined;

“public body” means any executive, legislative, municipal or urban council, any Government department or undertaking, any local or public authority or undertaking, any board, commission, committee or other body, whether paid or unpaid, which is invested with or is performing, whether permanently or temporarily, duties of a public nature;

[cf. Ordinance No. 39 of 1948, s.2.]

“public office” means any office or employment the holding or discharging of which by a person would constitute him a public officer;

[cf. Ordinance No. 39 of 1948, s.2.]

“public officer” or “public servant” means any person holding any appointment or discharging the duties whether permanently or temporarily of any office the emoluments of which are wholly or in part derived from the revenues of the Colony and any employee or member of a public body, whether temporary or permanent and whether paid or unpaid and any justice of the peace;

“public place” includes every public highway, street, road, square, court, alley, lane, bridleway, footway, parade, wharf, jetty, quay, bridge, public garden or open space, and every theatre, place of public entertainment of any kind, or other place of general resort, admission to which is obtained by payment, or to which the public have access;

“public seal” means the public seal of the Colony;

“registered”, used with reference to a document, means registered under the provisions of the enactment applicable to the registration of such document;

“regulations” includes rules, rules of court and by-laws;

“repeal” includes rescind, revoke, cancel or substitute for;

[cf. 52 & 53 Vict. c.63, s.14.]

“rules of court” means, when used in relation to any court, rules made by the authority having for the time being power to make rules and orders regulating the practice and procedure of such court;

“Secretary of State” means His Majesty’s Principal Secretary of State for the Colonies unless another Secretary of State is indicated;

“sell” includes exchange and barter;

“sign” includes in the case of a person unable to write the making of a mark or the affixing of a chop;

“solicitor” means a person admitted to practise as a solicitor before the Supreme Court;

“standard time” means the mean time of the 120th meridian east of Greenwich;

“statutory declaration” if made—

(a) in the Colony means a declaration under the Statutory Declarations Ordinance, 1893;

Ordinance No. 8 of 1893.

(b) in any part of the Commonwealth except the Colony means a declaration made before a justice of the peace, notary public, or other person having authority therein under any legal provision for the time being in force in such part to take or receive a declaration;

(c) in any other place, means a declaration before a British Consul or person having authority under any Act for the time being in force to take or receive a declaration;

“street” or “road” includes any highway, street, road, bridge, thoroughfare, parade, square, court, alley, lane, bridleway, footway, passage, or open place whether situate on land leased from the Crown or not, used or frequented by the public, or to which the public have or are permitted to have access;

“summary conviction” means summary conviction by a magistrate in accordance with the procedure prescribed by the Magistrates Ordinance, 1932;

Ordinance No. 41 of 1932.

“Supreme Court” means the Supreme Court of Hong Kong;

“surname” includes a clan or family name;

“time” means standard time;

“treaty” means a treaty, convention or agreement made with a foreign state, together with protocols or declarations attached thereto, or independent thereof but referring thereto;

“trust territory” means a territory administered by the government of any part of His Majesty’s dominions under the trusteeship system of the United Nations;

11 & 12 Geo. 6 c.56, s.32.

“United Kingdom” means the United Kingdom of Great Britain and Northern Ireland;

“waters of the Colony” or “Colonial waters” means all waters whether navigable or not, included within the Colony;

“will” includes any testamentary instrument;

“writing” or “printing” shall include writing, printing, lithography, photography, typewriting and every other mode of representing words or figures in a visible form; but in the case of a book “printing” shall not include writing or typing. Nothing in this definition shall be taken to apply to signatures;

[cf. 52 & 53 Vict. c.63, s.20.]

“year” means a year according to the Gregorian calendar;

“years of age” or words of a like meaning, when used in reference to the age of any person, means years according to English reckoning.

Interpretation of “British Colony”, “India” and “Pakistan” in future enactments and revised edition.

(2) In any such enactment or Order in Council as is mentioned in section 2 coming into force after the commencement of this Ordinance or contained in the revised edition of Ordinances or the revised edition of subsidiary legislation prepared under the authority of the Revised Edition of the Laws Ordinance, 1948, and in any instrument issued thereunder—

“British Colony” or “Colony” shall not include a Dominion;

“India” and “Pakistan” shall mean respectively the Republic of India and the Dominion of Pakistan, including any state from time to time incorporated in such Republic or Dominion respectively.

Ordinance No. 20 of 1948.

Definition to apply to grammatical variations and cognate expressions.

(3) Whenever a definition has been given by this or any other enactment to words or expressions the grammatical variations and cognate expressions of such definition shall also apply to such enactment and such definition and its grammatical variations and cognate expressions shall also apply to any enactment or instrument made or issued under or by virtue thereof.

Reference to Government property.

(4) Whenever any reference is made to property and the expressions used in relation thereto imply that such property is owned by or belongs to the Government or convey a similar meaning such reference shall be deemed to refer to such of the property of the Crown of the description mentioned as has by or with the consent of His Majesty express or implied been appropriated to the use of the Government.

Provisions for gender and number. [cf. 52 & 53 Vict. c.63, s.1.]

(5) (a) Words importing the masculine gender include females.

(b) Words in the singular include the plural and vice versa.

Meaning of service by post. [cf. 52 & 53 Vict. c.63, s.26.]

(6) Where any enactment authorizes or requires any document to be served by post, whether the expression “serve” or “give” or “send” or any other expression is used the service shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the document, and unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

(7) Chinese words or terms whether in Chinese characters or not and whether in apposition or not to English words shall be deemed to form part of any enactment in which they appear and shall be construed according to Chinese language and custom.

Provision for Chinese terms.

(8) (a) Whenever any expression of time occurs in any enactment or instrument, the time referred to shall be held to be standard time.

Reference to time.

(b) The expression “a.m.” indicates the period between midnight and noon on the day succeeding; and the expression “p.m.” indicates the period between noon and the midnight following and where two such expressions occur conjunctively in relation to any specified hours, or in conjunction with the words “sunset” or “sunrise”, they shall be construed as relating to consecutive periods of time.

a.m. and p.m.

(9) Reference to the Sovereign or to the Crown shall be construed as reference to the Sovereign for the time being.

Reference to the Sovereign. [cf. 52 & 53 Vict. c.63, s.30.]

(10) A public officer or department may be referred to by the term designating such office or department as appearing in any enactment or in any provision made by Legislative Council for the payment of the emoluments of such office or the expenses of such department or by any style authorized by the Governor under the proviso hereinafter contained and any reference to a public officer includes the person for the time being executing the duties of such office and a person appointed to perform any portion of such duties: Provided that if the Governor considers it expedient that there should be a change in the style of any public office or department he may by notice in the *Gazette* declare that such change of style shall take effect from a date specified in such notice, and provided further that whenever a change in the style of an office or department occurs whether by virtue of such notice or in any other lawful manner any reference to such former style shall be read and construed as a reference to that office or department, as the case may be, by such new style.

Reference to an officer and change of title.

(11) Any word or expression denoting distance shall denote distance measured in a straight line on a horizontal plane.

Expressions denoting distance. [cf. 52 & 53 Vict. c.63, s.34.]

Computation of days.

(12) In computing a period of days from the happening of an event or the doing of any act or thing the day in which the event happens or the act or thing is done and any general holiday shall be excluded.

Provision where no time prescribed.

(13) A prescribed act or thing shall, if no time is prescribed, be done with all convenient speed and as often as the prescribed occasion arises.

Enactments, when binding on the Crown.

(14) No enactment shall be binding on the Crown unless it appears expressly or by necessary implication that the Crown shall be bound thereby.

PART II.

ENACTMENTS.

(Character—Citation—Reference—Commencement).

Ordinances to be public Ordinances. [cf. 52 & 53 Vict. c.63, s.9.]

4. Every Ordinance shall be a public Ordinance, and shall be judicially noticed as such.

Sections to be substantive enactment. 52 & 53 Vict. c.63, s.8.

5. Every section of an Ordinance shall have effect as a substantive enactment without introductory words.

Schedules, etc. to be part of Ordinances.

6. Every Schedule to or Table in any Ordinance shall, together with any notes thereto, be construed and have effect as part of the Ordinance.

Citation of and in enactments and references thereto. [cf. 52 & 53 Vict. c.63, s.35.]

7. (1) When any enactment is referred to it shall be sufficient for all purposes to cite such enactment by the short title thereof: Provided that in the case of an Ordinance it shall be sufficient either to cite the same by the year in which it was made and its number among the Ordinances of that year or, in the case of a revised edition of Ordinances issued under the Revised Edition of the Laws Ordinance, 1948, by its short title or chapter number; and the reference may in all cases be made according to the copies of enactments printed by the Government Printer.

Ordinance No. 20 of 1948.

(2) A reference in an enactment to another includes a reference to such last-mentioned enactment as the same may from time to time be amended and to any enactment substituted therefor.

Reference to enactment includes reference to amendments and substituted amendments. [cf. 52 & 53 Vict. c.63, s.38(1).]

(3) A reference in any enactment to the number of a line of any section or other part of an enactment means such line in the latest official copy printed by the Government Printer of such enactment at the time of the passing, making or issue of the enactment containing the reference.

Reference to the number of a line.

(4) In any enactment a description or citation of a portion of an enactment, including any imperial enactment applicable to Hong Kong, shall be construed as including the word "section" or other part, mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

Construction of citation of a portion of an enactment. [cf. 52 & 53 Vict. c.63, s.35.]

(5) (a) Where in any Ordinance there is a reference to a section, Part, Chapter or Schedule by number or letter only and not in conjunction with the title or serial number of an Ordinance, such reference shall be construed as a reference to the section, Part, Chapter or Schedule of that number or letter contained in the Ordinance in which such reference occurs.

Construction in an Ordinance of references to sections, etc.

(b) Where in any section of any Ordinance there is a reference to a subsection or paragraph by number or letter only and not in conjunction with the number of any section of that or of any other Ordinance, such reference shall be construed as a reference to the subsection or paragraph of that number or letter contained in the section in which such reference occurs.

Construction in a section of reference to subsections and paragraphs.

(c) The provisions of this subsection shall apply *mutatis mutandis* to other enactments and to instruments issued under or by virtue thereof.

Construction to apply to other enactments.

8. (1) Any enactment, or instrument issued under or by virtue of any enactment which is expressed to come into operation on a particular day shall come into operation on the expiration of the previous day.

Coming into operation of enactments, etc. [cf. 52 & 53 Vict. c.63, s.36.]

(2) Any enactment or instrument published in the *Gazette* shall come into operation on its publication in the *Gazette*.

PART III.

REPEAL, AMENDMENT AND DISALLOWANCE.

Repealed enactment to be in force until substituted provisions in operation. [cf. 52 & 53 Vict. c.63, s.11(2).]

9. (1) Where any enactment repeals any former enactment and substitutes other provisions therefor, the repealed enactment shall remain in force until the substituted provisions come into operation.

Enactments and instruments under repealed enactment to be in force until replaced.

(2) Where any enactment is declared to be made by way of replacement of or substitution for another or re-enacts another, with or without modification, the enactments and instruments made or prescribed by or under the earlier enactment shall remain in force so far as they are not inconsistent with such later enactment and be deemed for all purposes (including penalties) to have been made or prescribed thereby and to be liable to amendment thereby or thereunder.

Effect of repeal generally. [cf. 52 & 53 Vict. c.63, s.38(2).]

10. The repeal of any enactment shall not—  
(a) revive anything not in force or existing at the time at which the repeal takes effect; or  
(b) affect the previous operation of any enactment so repealed, or anything duly done or suffered under any enactment so repealed; or  
(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or  
(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed; or  
(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing enactment had not been passed:

Provided that, where the penalty, forfeiture or punishment imposed by the repealing enactment is heavier than that imposed by the repealed enactment, the provisions by which the lighter penalty, forfeiture or punishment is imposed shall be applied.

11. When any enactment which repeals any earlier enactment is itself repealed, such last repeal shall not be construed as reviving the enactment previously repealed.

Repeal of Ordinances. [cf. 52 & 53 Vict. c.63, s.11(1).]

12. Any enactment which amends another enactment shall be read and construed as one with the amended enactment, and the amended enactment may in the amending enactment be referred to as the principal enactment, that is to say, may be referred to as the principal Ordinance, regulations or as the case may be.

Enactment and amending enactment to be read as one, and former may be referred to as principal enactment.

13. Whenever any enactment is disallowed by His Majesty such disallowance shall be notified by the Governor in the *Gazette*; from and after the date of such notification the enactment, and all instruments thereunder, shall cease to have effect:

Disallowance.

Provided always that the provisions of section 10 shall apply to such disallowance as if the words "disallowance" and "disallowed" were read therein in lieu of the words "repeal" and "repealed" respectively; with this exception only, that any enactment repealed, modified or amended by any enactment disallowed, together with all instruments made or issued under such previous enactment, shall revive and continue in force in their original form as from the date of the said notification.

PART IV.

REGULATIONS AND INSTRUMENTS.

14. The following provisions shall apply to regulations—  
(a) authority to make regulations shall include—  
(i) authority to provide that a contravention thereof shall be punishable on summary conviction by such fine not exceeding one thousand dollars and with imprisonment for such term not exceeding six months as may be specified in the regulations;

Regulations. Authority included in power to make regulations.

[cf. 52 & 53  
Vict. c.63,  
s.32(3).]

(ii) authority to amend or suspend the regulations in the same manner as they were made;

(iii) authority to amend any forms prescribed by the enactment under which the regulations are made and to prescribe new form for the purpose thereof and for the purposes of the regulations;

Regulations to be consistent with empowering enactment.

(b) no regulations shall be inconsistent with the enactment under which they were made;

Regulations to have force and effect of empowering enactment.

(c) regulations shall have the same force and effect and be as binding and shall be construed for all purposes as if they had been contained in the enactment under which they were made;

Regulations may be amended by Legislative Council.

(d) all regulations shall be laid on the table of the Legislative Council at the first meeting thereof after the publication in the *Gazette* of the making of such regulations, and if a resolution be passed at the first meeting of the Legislative Council held after such regulations have been laid on the table of the said Council resolving that any such regulations shall be amended in any manner whatsoever, the said regulations shall, without prejudice to anything done thereunder, be deemed to be amended as from the date of publication in the *Gazette* of the passing of such resolution;

Procedure where regulations require approval of another authority.

(e) if an enactment provides that the regulations shall be subject to the approval of Legislative Council or any other authority or contains words to the like effect then—

(i) the regulations shall be submitted for the approval of such authority; and

(ii) such authority shall have power to amend or disapprove the whole or any part of the regulations and may if it disapproves of them either in whole or in part require further regulations to be submitted for approval;

Construction of power to make regulations for special as well as general purposes.

(f) where the authority to make regulations is authority to make regulations for any general purpose and also for any special purposes incidental thereto, the enumeration of the special purposes shall not be deemed to derogate from the generality of the powers conferred with reference to the general purpose;

(g) a reference in the regulations to "the Ordinance" shall be read as meaning the Ordinance conferring the power to make such regulations;

Reference in regulations to "the Ordinance".

(h) a reference in another enactment to the enactment, including any imperial enactment, under which the regulations were made shall be deemed to include reference to the regulations.

Reference to enactment to include regulations thereunder.

15. Where power is given to the Governor or to the Governor in Council to make, issue or approve any instrument, it shall include the power of amending or suspending such instrument or withdrawing approval thereof and of declaring the date of its coming into force and the period of its operation and also of substituting another therefor: Provided that where any Ordinance is to come into operation on a day to be fixed by proclamation, the power to issue such proclamation shall not in the absence of express provision include (except in the case of and for the purpose of correcting any mistake therein) the power of amending or suspending the same.

Extent of power to make public instruments.

16. Whenever forms are prescribed in any enactment, slight deviations therefrom, not affecting the substance or calculated to mislead, shall not invalidate them.

Deviation in forms.

## PART V.

### PROVISION AS TO POWERS.

17. Where any enactment is not to come into operation immediately on the passing, making or issue thereof, and confers power to make any appointment, or to make or issue any regulations, or to do any other thing for the purposes of the enactment, such power may be exercised at any time after the enactment is passed, made or issued, so far as may be necessary or expedient for the purpose of bringing the enactment into operation at the date of the commencement thereof: Provided that the power conferred by this section shall be subject to the restriction that any appointment, regulation, or thing, made, issued, or done, under such power shall not, unless the appointment, regulation, or thing, is necessary for bringing the enactment into operation, have any effect until the enactment comes into operation.

Exercise of powers between passing and commencement of enactment.

Construction of provisions as to exercise of powers, etc. [cf. 52 & 53 Vict. c.63, s.32(1).]

18. (1) Where any enactment confers a power or imposes a duty, the power may be exercised and the duty shall be performed from time to time as occasion requires.

[cf. 52 & 53 Vict. c.63, s.32(2).]

(2) Where any enactment confers a power or imposes a duty on the holder of an office, as such, the power may be exercised and the duty shall be performed by the holder for the time being of the office or by a person appointed to act for him.

Power to appoint includes power to suspend or remove.

19. Where by or under any enactment a power to make any appointment is conferred, the authority having power to make the appointment shall also have power to remove, suspend, re-appoint or re-instate any person appointed in exercise of the power.

Power to fill vacancy temporarily.

20. Where by or under any enactment, any powers are conferred or any duties are imposed upon a public officer, the Governor may direct, if from any cause the office of such public officer is vacant or if during any period, owing to absence or inability to act from illness or any other cause, such public officer is unable to exercise the powers or perform the duties of his office, that such powers shall be had and may be exercised and such duties shall be performed by the person named by, or by the public officer holding the office designated by, the Governor; and thereupon such person or public officer, during any such period, shall have and may exercise such powers and shall perform such duties, subject to such conditions, exceptions and qualifications as the Governor may direct.

Power to appoint chairman.

21. Where by or under any enactment, power is given to the Governor, or to the Governor in Council, or to any public officer or body, to appoint any board, tribunal, commission, committee, or similar body, then, in the absence of any provision to the contrary, it shall be lawful for the Governor, or the Governor in Council, or such public officer or body, as the case may be, to appoint a chairman of such board, tribunal, commission, committee, or similar body.

Power to appoint by name or by official designation.

22. Where by or under any enactment, the Governor, or the Governor in Council, or any public officer or body, is empowered to appoint or name a person to be a member of any board, tribunal, commission, committee, or similar body, or to have and exercise any powers or perform any duties, the Governor, or the Governor in Council, or such public officer or body, as the case may be,

may either appoint a person by name or direct the person for the time being holding the office designated by the Governor, or by the Governor in Council, or by such public officer or body, as the case may be, to be a member of such board, tribunal, commission, committee, or similar body, or to have and exercise such powers and perform such duties; and thereupon, or from the date specified by the Governor, or by the Governor in Council, or by such public officer or body, as the case may be, the person appointed by name or the person for the time being holding such office shall be a member of such board, tribunal, commission, committee, or similar body, or shall have and may exercise such powers and perform such duties accordingly.

23. Whenever an office is defined as including a deputy or assistant then subject to any instructions of the Governor such deputy or assistant shall—

Effect of defining office to include deputy or assistant.

(a) during the absence or inability to act of such officer unless and until the vacancy is filled whether temporarily or otherwise exercise the powers and discretions vested in such officer and discharge the duties required to be discharged by him; and

(b) notwithstanding that such officer is present and able to act, exercise such powers and discretions and discharge such duties as such officer may delegate.

24. Where in any enactment power is given to any person to do or enforce the doing of any act or thing, all such powers shall be understood to be also given as are reasonably necessary to enable the person to do or enforce the doing of the act or thing.

Construction of enabling words.

25. When by any enactment the Governor is empowered to exercise any powers or perform any duties, he may depute any person by name or the person for the time being holding the office designated by him to exercise such powers or perform such duties on his behalf, subject to such conditions, exceptions and qualifications as the Governor may prescribe, and thereupon or from the date specified by the Governor the person so deputed shall have and exercise such powers and perform such duties subject as aforesaid: Provided that, without prejudice to the provisions of any Royal Letters Patent or Royal Instructions relating to the appointment of a Deputy to the Governor, nothing herein contained shall authorize the Governor to depute any person to make regulations, issue warrants or proclamations or to hear any appeal.

Power of Governor to delegate authority.

Delegation not to preclude exercise of powers by officer delegating same.

26. Where by any enactment the Governor or any public officer is empowered to delegate the exercise of any of the powers or the performance of any of the duties vested in him under such enactment, no delegation made thereunder shall preclude the Governor or public officer, as the case may be, from exercising or performing in person at any time any of the powers or duties so delegated.

Power of majority.

27. Whenever any act or thing is required by any enactment to be done by more than two persons, a majority of them may do it.

Signification of Orders of the Governor and Governor in Council.

28. Where under any enactment the Governor or the Governor in Council is given power to make any regulations or appointment, give any directions, issue any order, authorize any thing or matter to be done, grant any exemption, remit any fee or penalty, or exercise any other power, it shall be sufficient if the exercise of such power be signified, in the case of the Governor, under the hand of the Colonial Secretary and, in the case of the Governor in Council, under the hand of the Clerk of Councils: Provided always that the foregoing provision shall not apply to the power of the Governor to issue any warrants or proclamations which shall be made or issued only under the hand of the Governor himself.

PART VI.

PROVISION AS TO OFFENCES, PENALTIES, FINES, FEES AND FORFEITURES.

Attempt to commit an offence to be deemed an offence.

29. A provision which constitutes or results in the constitution of an offence shall be deemed to include a provision that an attempt to commit such offence shall itself constitute an offence which may be dealt with and punished in like manner as if the offence had been committed.

Provision as to offences under two or more laws.

30. Where any act or omission constitutes an offence under two or more enactments, or both under an enactment and under any other law, the offender shall be liable to be prosecuted and punished under either or any of such enactments or under such other law, but shall not be liable to be punished twice for the same offence.

Penalties prescribed to be maximum penalties.

31. Whenever in or by virtue of any enactment, including any imperial enactment applicable to Hong Kong, a penalty, whether of fine or imprisonment is prescribed for an offence the same shall imply—

(a) that such offence shall be punishable upon conviction by a penalty not exceeding the penalty prescribed; and

(b) if the amount of the fine is unspecified, that such offence shall, without prejudice to any provision of law against excessive and unreasonable fines and assessments, be punishable by a fine of any amount.

32. Where in any enactment any fine, penalty or term of imprisonment is set out at the foot of any section the same shall be deemed to prescribe that any contravention of the section—

(a) shall be an offence against that enactment;

(b) shall be punishable by a fine, penalty or term of imprisonment not exceeding the amount or term stated;

(c) shall be punishable upon indictment if declared to be treason, felony or misdemeanor or if the words "upon indictment" appear, and in every other case shall be punishable on summary conviction.

33. Whenever an offence is declared by any enactment to be a misdemeanor and no punishment is provided therefor and whenever no provision has been made by any enactment for the punishment of a common law misdemeanor the punishment for such misdemeanor shall be imprisonment for three years and a fine of five thousand dollars.

34. Whenever in or by virtue of any enactment including any imperial enactment applicable to Hong Kong, more than one penalty is prescribed for an offence the use of the word "and" shall signify that the penalties may be inflicted alternatively or cumulatively.

35. Any fine or penalty imposed by or under the authority of any enactment shall be paid into the general revenue of the Colony: Provided that the Governor may direct the payment to any aggrieved person, or to any person whose information or evidence has led to the conviction of the offender or to the recovery of the fine or penalty, of such proportion of the fine or penalty as he may think fit.

36. (1) Where under any enactment any animal or thing is adjudged by any court or other authority to be forfeited, it shall be forfeited to the Crown, and the net proceeds thereof, if it is ordered by competent authority to be sold, shall be paid into the general revenue of the Colony.

Statement of penalty after section to indicate maximum penalty for contravention.

Punishment of misdemeanor where punishment not otherwise specified.

If several penalties are provided "and" is to be construed alternatively or cumulatively.

Disposal of fines and penalties.

Disposal of forfeits.

(2) Nothing in this section shall affect any provision in any enactment whereby any portion of any fine or forfeit or of the proceeds of any forfeit is expressed to be recoverable by any person or may be granted by any authority to any person.

Imposition of penalty not to bar civil action.

**37.** The imposition of a penalty or fine by any enactment shall not relieve any person from liability to answer for damages to a person injured.

Reduction, variation, remission, and application of fees and charges.

**38.** Any fee or charge by or under any enactment made payable to the Crown or the Government or to any public body or public officer, not being a fee or charge which a judge has power to regulate by rule or order of court—

(a) may be reduced or varied by order of the Governor in Council published in the *Gazette*: Provided that any variation thereof shall not exceed the original figure;

(b) may be remitted or refunded in whole or in part in any particular case and on any special ground by the Governor in Council;

(c) subject as aforesaid shall be paid into the general revenue of the Colony.

Remission of penalties.

**39.** It shall be lawful for the Governor to remit, in whole or in part, any sum of money which, under any enactment now in force or hereafter to be passed, may be imposed as a penalty or forfeiture on a convicted offender, although such money may be in whole or in part payable to some party other than the Crown, and to order the discharge of any person who may be imprisoned for non-payment of any sum of money so imposed.

### PART VII.

#### IMPERIAL ENACTMENTS.

Application of Act to the Colony shall be read with such modifications as are necessary to make it applicable to the Colony.

**40.** Whenever any Act is extended or applied to Hong Kong and whenever any Order in Council is made which applies to territories other than the Colony as well as to the Colony the same shall be read with such modifications as to names, localities, courts, officers, persons, moneys, penalties and otherwise as may be necessary to make it applicable to the circumstances and in particular any reference to a Probate Court, Bankruptcy Court or Admiralty Court or similar expression shall be construed as a reference to the Supreme Court exercising the appropriate jurisdiction.

**41.** A reference in any enactment to any imperial enactment or to any provision, part or division thereof shall be construed as a reference to the same as the same may be amended from time to time and as a reference to any enactment, provision, part or division substituted therefor.

Construction of reference to imperial enactment or part thereof.

**42.** When any imperial statute is referred to it shall be sufficient for all purposes to cite such imperial enactment by the short title cited therein or by the short title given thereto by the Short Titles Act, 1896.

Citation of imperial statutes.

59 & 60 Vict. c.14.

### PART VIII.

#### REPEAL.

**43.** The following enactments are hereby repealed—

(a) The Penalties (Remission) Ordinance, 1860;

(b) The Crown Fees Ordinance, 1870;

(c) The Misdemeanors Punishment Ordinance, 1898;

(d) The Penalties Amendment Ordinance, 1911;

(e) The Interpretation Ordinance, 1911;

(f) The Public Officers (Changes of Style) Ordinance, 1937.

Repeal of Ordinances Nos. 3 of 1860, 5 of 1870, 1 of 1898, 30 of 1911, 31 of 1911, and 25 of 1937.

### PART IX.

#### COMMENCEMENT.

**44.** This Ordinance shall come into force on such day as the Governor shall notify by proclamation in the *Gazette*.

Commencement.

### FIRST SCHEDULE.

[s. 3(1).]

#### *Boundaries of the City of Victoria.*

On the north—The Harbour;

On the west—A line running north and south drawn through the north-west angle of Inland Lot No. 1299 and extending southwards a distance of 850 feet from the aforesaid angle;

On the south—A line running east from the southern extremity of the western boundary until it meets a contour of the hill-side 700 feet above principal datum, that is to say, a level 17.833 feet below the bench-mark known as "Rifleman's Bolt", or the highest point of a copper bolt set horizontally in the wall of a storehouse

on the previous situation of Marine Lot No. 26, in and near the main entrance to the Royal Naval Dockyard, and thence following the said contour until it meets the eastern boundary;

On the east—A line following the western boundary of the Queen's Recreation Ground until it meets the old Shaukiwan Road, thence to the south-east angle of Inland Lot No. 1018, thence along the southern boundary of Inland Lot No. 1018, produced until it meets the road on the east side of Wongneichong Valley, and thence to the south-east angle of Inland Lot No. 1364, produced until it meets the southern boundary.

SECOND SCHEDULE. [s. 3(1).]

*Boundaries of the Colony.*

On the south—The parallel of latitude  $22^{\circ} 9'$  north between the points where it is intersected by the meridians of longitude  $113^{\circ} 52'$  east and  $114^{\circ} 30'$  east of Greenwich;

On the north—A line drawn from the point where the meridian of longitude  $113^{\circ} 52'$  east of Greenwich intersects the parallel of latitude touching the extreme south-west point of the shore of Deep Bay to the said south-west point of the shore of Deep Bay; thence along the high water mark upon the shore of Deep Bay to the estuary of the Sham Chun River; thence by a line drawn as described in the agreement delimiting the northern frontier of the New Territories signed by James Haldane Stewart Lockhart and Wong Ts'un-shin at Hong Kong on the 19th day of March, 1899, and following the high water mark in Mirs Bay to the point where the meridian of longitude  $114^{\circ} 30'$  east of Greenwich intersects the mainland;

On the east—The meridian of longitude  $114^{\circ} 30'$  east of Greenwich between the points where it intersects the mainland and the parallel of latitude  $22^{\circ} 9'$  north;

On the west—The meridian of longitude  $113^{\circ} 52'$  east of Greenwich between the points where it intersects the parallel of latitude touching the extreme south-west point of the shore of Deep Bay and the parallel of latitude  $22^{\circ} 9'$  north: Provided that, between the points on the north and south coast of Lantao where the meridian of longitude  $113^{\circ} 52'$  east of Greenwich intersects the island, the boundary follows the western coast-line of Lantao and includes the waters appertaining thereto.

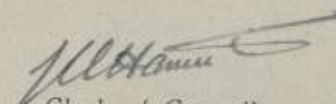
THIRD SCHEDULE. [s. 3(1).]

*Boundaries of the Harbour.*

On the east—A straight line drawn from the westernmost extremity of Siu Chau Wan Point to the westernmost extremity of A Kung Ngam Point (sometimes known as Kung Am);

On the west—A straight line drawn from the westernmost point of the Island of Hong Kong to the westernmost point of Green Island, thence a straight line drawn from the westernmost point of Green Island to the westernmost point of Stonecutters Island, and thence a straight line drawn true north from the westernmost extremity of Stonecutters Island to the mainland.

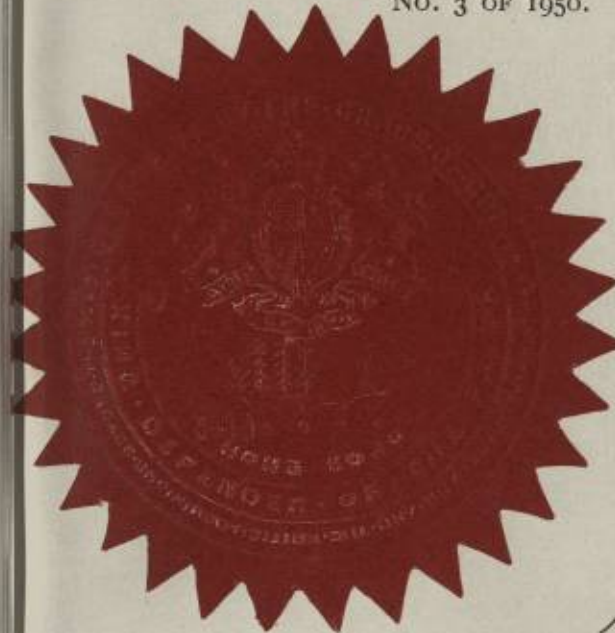
Passed the Legislative Council of Hong Kong, this 8th day of February, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 3 OF 1950.

I assent.



*Altham*  
Governor.

9th March, 1950.

An Ordinance to consolidate and amend the law relating to the right of officers of the legal departments of Government to practise as barristers and solicitors for certain purposes and to recover fees and costs in respect of work done and generally to regulate the status rights privileges and duties of such officers.

[10th March, 1950.]

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

1. This Ordinance may be cited as the Legal Officers Ordinance, 1950. Short title.

2. In this Ordinance—

“duly admitted” means duly approved, admitted and enrolled as a barrister or solicitor under the Legal Practitioners Ordinance, 1948;

Inter-  
pretation.

Ordinance  
No. 37 of  
1948.

“legal officer” means an officer appointed to and serving in the Colony as a legal officer, or an officer lawfully performing the functions of any of the officers designated in the Schedule hereto;

“public body” includes any executive, legislative, municipal, or urban council, any Government department or undertaking, any local or public authority or undertaking, any board, commission, committee or other body whether paid or unpaid appointed by the Governor or Government of Hong Kong or which has power to act in a public capacity under or for the purposes of any enactment;

“public servant” means in addition to the meaning assigned to it by the Interpretation Ordinance, 1911, any employee or member of a public body as defined in this Ordinance, whether temporary or permanent and whether paid or unpaid;

“rights” includes powers privileges and discretions;

“tribunal” includes any council, committee, arbitrator, body or person before which a barrister or solicitor may lawfully appear.

Ordinance No. 31 of 1911.

Rights and privileges of a legal officer.

Ordinance No. 37 of 1948.

3. (1) Any legal officer shall in respect of any of the matters mentioned in subsection (1) of section 4 have all the rights of barristers and solicitors duly admitted under the provisions of the Legal Practitioners Ordinance, 1948.

(2) For the avoidance of doubts and without prejudice to the generality of subsection (1) a legal officer shall in respect of any of the matters mentioned in subsection (1) of section 4 have a right of audience before any court or tribunal.

(3) Notification in the *Gazette* to the effect that a person has been appointed to or holds any of the offices designated in the Schedule or has relinquished or no longer holds any of the said offices, shall be sufficient proof of the facts therein stated.

Matters in which legal officers may act.

4. (1) The matters referred to in subsection (1) of section 3 are—

(a) any matter which by virtue of any enactment in force in the Colony or under any law applicable to the Colony is entrusted to, or is within the discretion or control of or requires to be discharged by, the Attorney General;

(b) any matter in which the Crown is interested;

(c) any proceedings relating to extradition;

(d) any matter which relates to the official acts or omissions of—

- (i) the Naval Military or Air Authorities; or
- (ii) the Trade Commissioner for the United Kingdom or any territory forming part of the Commonwealth; or
- (iii) any public body or public servant.

(2) If in any case doubt should arise whether any matter is a matter mentioned in subsection (1) a certificate under the hand of the Attorney General on the question shall be final and conclusive for all purposes.

5. The Attorney General and the Solicitor General shall be entitled in the courts of the Colony to the same rights as are enjoyed in England by the Attorney General and Solicitor General of England respectively.

Rights and privileges of Attorney General and Solicitor General.

6. The Attorney General shall exercise and discharge so far as regards any proceedings over which the Courts of the Colony have jurisdiction by or by virtue of the Divorce Ordinance, 1932, the rights and duties which in England are customarily exercised and discharged by the King's Proctor.

Attorney General to act as King's Proctor.

Ordinance No. 35 of 1932.

7. (1) The Attorney General may, subject to any special instructions of the Governor, authorize any legal officer to exercise and discharge any of the rights and duties which the Attorney General is by law or by any enactment to which this section applies entitled to exercise or required to discharge.

Attorney General may authorize a legal officer to discharge duties vested or imposed on Attorney General.

(2) The enactments to which this section applies are—

(a) any enactment passed before the commencement of this Ordinance; and

(b) any enactment passed after the commencement of this Ordinance which does not expressly provide that this section shall not apply thereto.

Solicitor General may act for Attorney General.

8. (1) Wherever in any enactment to which this section applies the expression "Attorney General" occurs the Solicitor General shall also be intended: Provided that save where the Attorney General is absent or unable to act the Solicitor General shall exercise and discharge such only of the rights and duties required to be exercised and discharged by the Attorney General as the Attorney General may, subject to the instructions of the Governor, assign to him. Nothing herein contained shall be deemed to require the production of any evidence that an assignment of rights or duties has in fact been made.

(2) The enactments to which this section applies are—

(a) any enactment passed before the commencement of this Ordinance; and

(b) any enactment passed after the commencement of this Ordinance which does not expressly provide that this section shall not apply thereto; and

(c) the enactments contained in this Ordinance other than the proviso to subsection (1) to this section.

(3) Where provision has been made to the like or similar effect as is contained in subsection (1) by any enactment passed before the commencement of this Ordinance or where any such enactment enables the Solicitor General to exercise in whole or in part or in certain circumstances any right or duty to be exercised or discharged by the Attorney General such provision shall be deemed to have been repealed hereby and the provisions of this section substituted in lieu thereof.

Evidence of signature of Attorney General.

9. Any certificate purporting to be a certificate given by the Attorney General under the provisions of section 4 hereof and any document purporting to bear the fiat of or express the consent of the Attorney General shall be received as *prima facie* evidence in any proceeding without proof being given that the signature to such certificate or document is that of the Attorney General.

Substitution of Attorney General for Crown Solicitor.

10. Wherever in any enactment reference is made to the Crown Solicitor there shall be substituted a reference to the Attorney General.

11. (1) It shall be lawful for the Chief Justice to make rules providing either generally or specially for the fees and costs of legal officers in contentious and non-contentious matters: Provided that no such rules shall be binding until the same have been approved by resolution of the Legislative Council and have been published in the *Gazette*. Fees and costs.

(2) Any costs and fees received by a legal officer hereunder shall be paid into the general revenue of the Colony.

12. It shall be lawful for the Governor by order to amend the Schedule in any manner consistent with the Appropriation Ordinance from time to time in force. Power of the Governor to amend Schedule.

13. Nothing in this Ordinance contained shall—

(a) be deemed to confer upon a person who has not been duly admitted any right to practise as a barrister or solicitor after he has ceased to be a legal officer; or Right to practise as barrister or solicitor after ceasing to be a legal officer unaffected by provisions of Ordinance.

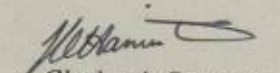
(b) detract from the professional status of any legal officer or affect the right of any duly admitted person to practise as a barrister or solicitor as the case may be after he has ceased to be a legal officer.

14. The Crown Counsel's Fees Ordinance, 1903, and the Crown Solicitors Ordinance, 1912, are hereby repealed. Repeal of Ordinance No. 24 of 1903 and Ordinance No. 35 of 1912.

SCHEDULE. [Sections 2 & 12.]

- Attorney General
- Solicitor General
- Crown Solicitor
- Registrar General
- Legal Draftsman
- Crown Counsel
- Assistant Crown Solicitor
- Deputy Registrar General.

Passed the Legislative Council of Hong Kong, this 8th day of March, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 4 OF 1950.

I assent.



*W. Carrington*  
Governor.

23rd March, 1950.

An Ordinance to amend the Revised Edition of the Laws Ordinance, 1948.

[24th March, 1950.]

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

1. This Ordinance may be cited as the Revised Edition of the Laws (Amendment) Ordinance, 1950, and shall be read as one with the Revised Edition of the Laws Ordinance, 1948, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 20 of  
1948.

2. Section 2 of the principal Ordinance is amended by the deletion of the figures and words "31st day of December, 1948" in the eighth and ninth lines and in the fourteenth line and the substitution therefor in both cases of the figures and words "31st day of December, 1949".

Amendment  
of section  
2 of the  
principal  
Ordinance.

Amendment of section 4 of the principal Ordinance.

3. Section 4 of the principal Ordinance is amended by the addition of the following paragraph after paragraph (11) as paragraph (11A)—

“(11A) to correct references to repealed enactments by replacing such references by references to the substituted enactments, for which purpose it is declared that an enactment is deemed to be substituted for another enactment where it is expressly stated in the subsequent enactment that it is so substituted, or where the subsequent enactment re-enacts with or without modification any provisions of a repealed enactment;”.

Amendment of section 5 of the principal Ordinance.

4. Section 5 of the principal Ordinance is amended by the addition of the following as subsection (3)—

“(3) For the purpose of subsection (1) of this section the expression ‘Ordinances’ shall include ‘Military Proclamations’.”

Amendment of section 6 of the principal Ordinance.

5. Section 6 of the principal Ordinance is amended by the addition of the following as subsection (3)—

“(3) If the Commissioners consider that it is desirable that in the preparation of the revised edition of Ordinances there should be included therein any Ordinance, not in force on the 31st day of December, 1949, but in force on such date as the Governor shall specify by proclamation in the *Gazette*, which replaced, consolidated or amended with or without modifications any Ordinance in force on the 31st day of December, 1949, the same may be included in the revised edition of Ordinances and, in that event, any amendments or omissions consequential upon such inclusion shall be made in the revised edition.”

Amendment of section 7 of the principal Ordinance.

6. Section 7 of the principal Ordinance is amended by the repeal of subsection (2) thereof and the substitution therefor of the following—

“(2) From the date named in the said proclamation the revised edition of Ordinances shall, without prejudice to the provisions of section 5 and section 6, be deemed to be and shall be without any question whatsoever in all Courts of Justice and for all purposes whatsoever the sole and only proper Statute Book of the Colony in respect of Ordinances in force on the 31st day of December, 1949, and also the sole

and only proper Statute Book of the Colony in respect of any Ordinances or parts of Ordinances included in exercise of the powers conferred by section 6.”

7. Section 9 of the principal Ordinance is amended by the addition of the following as subsection (3)—

Amendment of section 9 of the principal Ordinance.

“(3) If the Commissioners consider that it is desirable that in the preparation of the revised edition of subsidiary legislation there should be included therein any subsidiary legislation not in force on the 31st day of December, 1949, but in force on such date as the Governor shall specify by proclamation in the *Gazette*, which replaced, consolidated or amended with or without modifications any subsidiary legislation in force on the 31st day of December, 1949, or which was enacted after submission by the Commissioners under the proviso to subsection (1), the same may be included in the revised edition of subsidiary legislation and, in that event, any amendments or omissions consequential upon such inclusion shall be made in the revised edition of subsidiary legislation.”

8. Section 10 of the principal Ordinance is amended by the addition of the following as subsection (3)—

Amendment of section 10 of the principal Ordinance.

“(3) For the purpose of subsection (1) of this section the expression ‘Ordinances’ shall include ‘Military Proclamations’.”

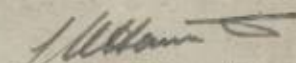
9. Section 11 of the principal Ordinance is amended by the repeal of subsection (2) thereof and the substitution therefor of the following—

Amendment of section 11 of the principal Ordinance.

“(2) From the date named in the said proclamation the revised edition of subsidiary legislation shall, without prejudice to the provisions of section 9 and section 10, be deemed to be and shall be without any question whatsoever in all Courts of Justice and for all purposes whatsoever the sole and only proper Statute Book of the Colony in respect of subsidiary legislation in force on the 31st day of December, 1949, and also the sole and only proper Statute Book of the Colony in respect of any subsidiary legislation or parts of subsidiary legislation included in exercise of the powers conferred by section 9.”

Amendment of section 17 of the principal Ordinance. **10.** Section 17 of the principal Ordinance is hereby amended by the insertion of commas and the words “, as amended by the Revised Edition of the Laws (Amendment) Ordinance, 1950,” after the word “Ordinance” in the first line thereof.

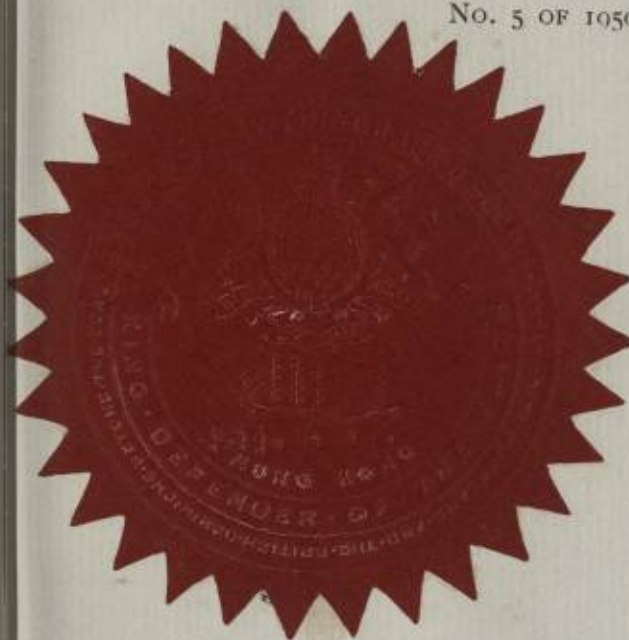
Passed the Legislative Council of Hong Kong, this 22nd day of March, 1950.

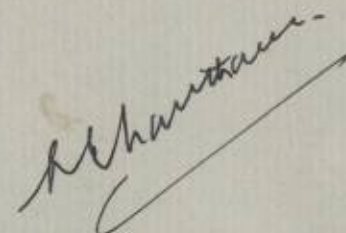
  
Clerk of Councils.

**HONG KONG**

No. 5 OF 1950.

I assent.





Governor.

30th March, 1950.

An Ordinance to authorize the appropriation of a supplementary sum of thirty million one hundred and thirty-five thousand nine hundred and sixty-four dollars to defray the charges of the financial year ending 31st March, 1949.

WHEREAS it has become necessary to make further provision for the public service of the Colony for the financial year ending 31st March, 1949, in addition to the charge upon the revenue of the Colony for the service of the said financial year already provided for.

[31st March, 1950.]

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

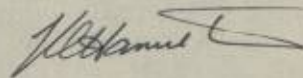
**1.** This Ordinance may be cited as the Supplementary Short title. Appropriation for 1948-49 Ordinance, 1950.

Appropriation.

2. A sum of thirty million one hundred and thirty-five thousand nine hundred and sixty-four dollars is hereby charged upon the revenue and other funds of the Colony for the service of the financial year ending 31st March, 1949, the sum so charged being expended as hereinafter specified; that is to say—

	\$
Colonial Secretariat and Legislature .....	94,693
Subventions .....	127,817
Hong Kong Naval Volunteer Force .....	44,017
Hong Kong Volunteer Defence Corps .....	288,949
Miscellaneous Services .....	27,620,097
Pensions .....	486,717
Police Force .....	287,008
Stores Department .....	951,763
Treasury .....	15,468
Colonial Development and Welfare Schemes .....	219,435
<b>TOTAL .....</b>	<b>30,135,964</b>

Passed the Legislative Council of Hong Kong, this 29th day of March, 1950.

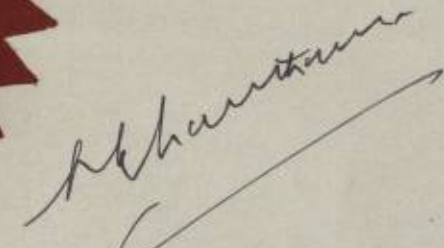
  
Clerk of Councils.

HONG KONG

No. 6 OF 1950.

I assent.



  
Governor.

30th March, 1950.

An Ordinance to amend the Air Armament Practice Ordinance, 1949.

[31st March, 1950.]

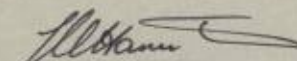
Be it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof :

1. This Ordinance may be cited as the Air Armament Practice (Amendment) Ordinance, 1950, and shall be read as one with the Air Armament Practice Ordinance, 1949, hereinafter referred to as the principal Ordinance. Short title.  
Ordinance No. 38 of 1949.

2. Subsection (5) of section 4 of the principal Ordinance is hereby amended by the addition thereto immediately after the figures "1947" at the end thereof of the following proviso— Amendment of subsection (5) of section 4 of the principal Ordinance.

" : Provided that practice may take place over the Port Shelter Range described in paragraph (a) of the First Schedule hereto on any day which is not a Wednesday or a Sunday".

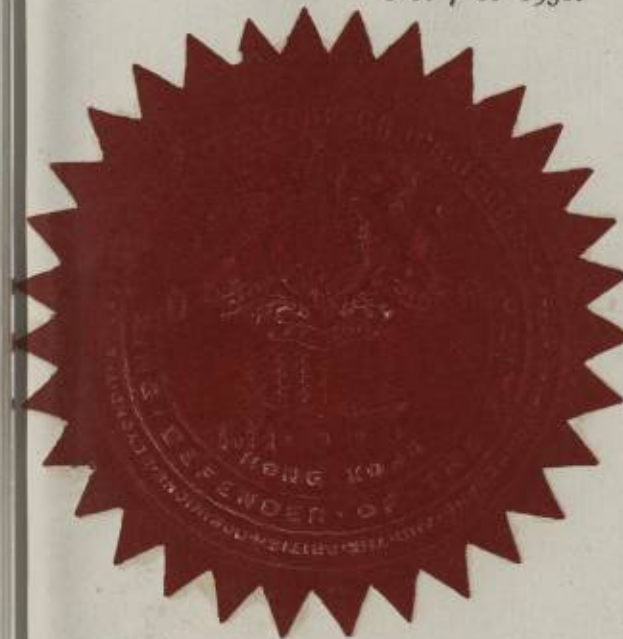
Passed the Legislative Council of Hong Kong, this 29th day of March, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 7 OF 1950.

I assent.



*[Handwritten signature]*  
Governor.

30th March, 1950.

An Ordinance to amend the Defences (Firing Areas) Ordinance, 1936.

[31st March, 1950.]

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

1. This Ordinance may be cited as the Defences (Firing Areas) (Amendment) Ordinance, 1950, and shall be read as one with the Defences (Firing Areas) Ordinance, 1936, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance  
No. 1 of  
1950.

2. Subsection (6) of section 4 of the principal Ordinance is hereby amended by the addition thereto immediately after the figures "1947" at the end thereof of the following proviso—

Amendment  
of sub-  
section (6)  
of section 4  
of the  
principal  
Ordinance.

“: Provided that practice firing may take place over the Port Shelter Range described as Firing Area B in the First Schedule hereto on any day which is not a Wednesday or a Sunday”.

Passed the Legislative Council of Hong Kong, this 29th day of March, 1950.

*[Handwritten signature]*  
Clerk of Councils.



**HONG KONG**

No. 8 OF 1950.



I assent.

*M. H. H. H. H.*  
Governor.

30th March, 1950.

An Ordinance to apply a sum not exceeding two hundred million eight hundred and thirty-nine thousand and eighty-three dollars to the Public Service of the financial year ending 31st March, 1951.

WHEREAS the expenditure required for the service of this Colony for the financial year ending on the 31st March, 1951, has been estimated at the sum of two hundred million eight hundred and thirty-nine thousand and eighty-three dollars.

[31st March, 1950.]

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

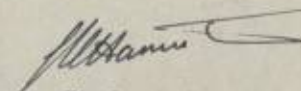
1. This Ordinance may be cited as the Appropriation for 1950-1951 Ordinance, 1950. Short title.
2. A sum not exceeding two hundred million eight hundred and thirty-nine thousand and eighty-three dollars shall be and the same is hereby charged upon the revenue and other funds of the Colony for the service of the financial year commencing on the 1st of April, 1950, and ending on the 31st of March, 1951, and the said sum so charged may be expended in the manner expressed in the Schedule to this Ordinance. Appropriation from general revenues.

SCHEDULE

Number of Vote	Title of Vote	Amount of Vote
		\$
1.	His Excellency the Governor .....	230,285
2.	Agriculture Department .....	813,135
3.	Audit Department .....	247,023
4.	Civil Aviation Department .....	1,136,379
5.	Colonial Secretariat and Legislature ....	1,177,833
6.	Department of Commerce and Industry.	1,236,167
7.	Co-operatives and Marketing .....	155,547
8.	District Office, New Territories .....	383,208
9.	Education Department .....	5,443,781
10.	Fire Brigade .....	1,382,027
11.	Fisheries Department .....	106,641
12.	Forestry Department .....	410,230
13.	Gardens Department .....	341,487
14.	Hong Kong Defence Force .....	1,741,283
15.	Inland Revenue Department .....	889,555
16.	Kowloon Canton Railway .....	5,007,031
17.	Labour Department .....	291,119
18.	Legal Department .....	657,443
19.	Magistracies .....	250,307
20.	Marine Department .....	6,169,258
21.	Medical Department .....	12,668,351
22.	Miscellaneous Services .....	37,521,500
23.	Pensions .....	7,870,000
24.	Police Force .....	15,553,762
25.	Post Office, Broadcasting, and Telecommunications .....	5,574,456
26.	Prisons Department .....	4,268,341
27.	Public Debt .....	5,084,631
28.	Public Relations Office .....	192,042
29.	Public Works Department .....	5,434,368
30.	Public Works Recurrent .....	16,633,000
31.	Public Works Non-Recurrent .....	29,184,563

Number of Vote	Title of Vote	Amount of Vote
		\$
32.	Rating and Valuation Department .....	212,259
33.	Registrar General's Department .....	196,351
34.	Royal Observatory .....	415,046
35.	Sanitary Department and Urban Council.	7,444,297
36.	Secretariat for Chinese Affairs .....	1,111,503
37.	Statistical Department .....	429,267
38.	Stores Department .....	5,564,002
39.	Subventions .....	14,326,900
40.	Department of Supplies and Distribution.	832,349
41.	Supreme Court .....	448,103
42.	Treasury .....	801,347
43.	Colonial Development and Welfare Schemes .....	570,700
44.	Custodian of Property .....	42,156
45.	Quartering Authority .....	204,199
46.	Essential Services Corps .....	185,851
TOTAL .....		<u>200,839,083</u>

Passed the Legislative Council of Hong Kong, this 29th day of March, 1950.

  
 Clerk of Councils.

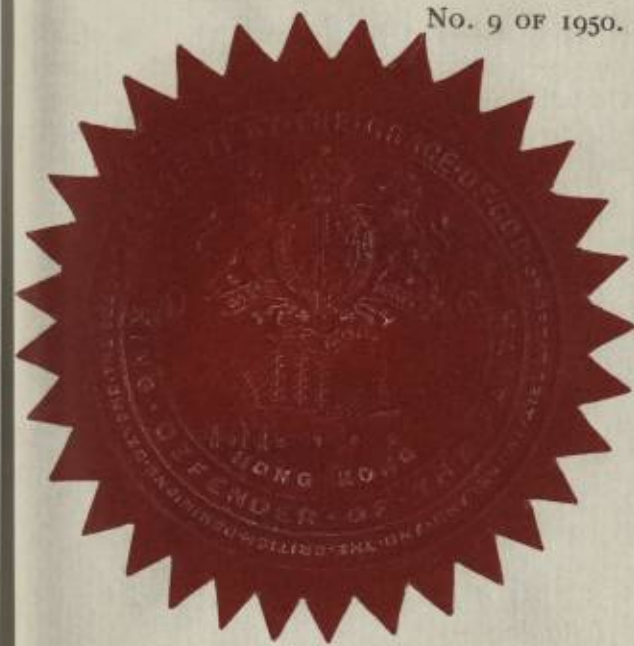
— 3 —

Number of Pages	Date of Issue	Number of Pages
1	1950	1

**HONG KONG**

No. 9 OF 1950.

I assent.



*John M. Williams*  
Governor.

4th May, 1950.

An Ordinance to make amendments to miscellaneous Ordinances for the purpose of facilitating the preparation of the revised edition of the laws.

WHEREAS it is provided by section 6 of the Revised Edition of the Laws Ordinance, 1948, that the Commissioners appointed by that Ordinance may collect and submit to Legislative Council in the form of one or more Ordinances omissions, amendments or additions which could not be supplied, made or added in pursuance of their authority under that Ordinance :

AND WHEREAS it is further provided that upon enactment of such Ordinance or Ordinances the Commissioners should in the preparation of the revised edition give the like effect to such omissions, amendments or additions as if the same had been authorized under that Ordinance :

AND WHEREAS such omissions, amendments or additions have been collected and are now submitted :

[5th May, 1950.]

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

Short title. 1. This Ordinance may be cited as the Law Revision (Miscellaneous Amendments) Ordinance, 1950.

Amend- 2. The Ordinances specified in the first column of the Schedule are upon enactment hereof amended in the manner indicated in the second column thereof or repealed as indicated therein, and it is declared that the provisions of section 6 of the Revised Edition of the Laws Ordinance, 1948, shall have effect accordingly.

SCHEDULE.

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
1. Land Registration Ordinance, 1844. (No. 1 of 1844.)	
(1) Section 7.	(1) Section 7 is repealed and replaced by the following— <p>“7. Every such memorial shall contain a just and true account of the several particulars therein set forth and shall be verified—</p> <p>(a) by the oath of some competent person taken before any justice of the peace, or</p> <p>(b) by the certificate of a person admitted and enrolled as a solicitor in the Colony.”</p>
(2) Section 13.	(2) Section 13 is amended by the repeal of subsection (2) and the substitution therefor of the following— <p>“(2) Every such certificate shall contain a just and true account of the several particulars therein set forth and shall be verified—</p> <p>(a) by the oath of some competent person taken before any justice of the peace, or</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
1. Land Registration Ordinance, 1844. (No. 1 of 1844.) —Contd.	(b) by the certificate of a person admitted and enrolled as a solicitor in the Colony.”
(3) Section 26.	(3) Section 26 is amended by the addition after the words “therein stated.” in the third line of subsection (1) of the following— <p>“It shall be lawful for the Governor in Council to make regulations as to the fees to be taken in the Land Office.”</p>
2. Promissory Oaths Ordinance, 1869. (No. 1 of 1869.)	
(1) Sections 2 to 11.	(1) Sections 2 to 11 are repealed and replaced by the following sections 2 to 7 in substitution therefor— <p>“Oaths of judicial persons. First Schedule.</p> <p>2. Each of the officers specified in the First Schedule shall take the oath of allegiance and the judicial oath, unless the same shall have been taken upon previous appointment to the same office in the Colony, and such oath shall be tendered in the manner specified in such Schedule as soon as may be after acceptance of office.</p> <p>Oaths of Executive Councillors.</p> <p>3. (1) A member of the Executive Council shall take—</p> <p>(a) the oath of allegiance, unless he shall have taken such oath upon previous appointment to Executive Council or to Legislative Council in the Colony; and</p> <p>(b) an oath of fidelity in the discharge of his duties, unless he shall have taken such oath upon previous appointment to Executive Council in the Colony.</p> <p>(2) An <i>ex officio</i> member of Executive Council, unless he shall have taken such</p>

FIRST COLUMN.  
Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

2. Promissory Oaths  
Ordinance, 1869.  
(No. 1 of 1869.)  
—Contd.

oath upon previous appointment to the same office in the Colony, shall also take the official oath relating to the discharge of his duties in such office as soon as may be after his acceptance of office.

(3) The said oaths shall be tendered by the Governor, or other person lawfully presiding.

Oath of  
Legislative  
Councillor.

4. A member of the Legislative Council, unless he shall have taken such oath upon previous appointment to Legislative Council or to Executive Council in the Colony, shall take the oath of allegiance, and the same shall be tendered by the Governor, or other person lawfully presiding.

Oaths of  
Clerk and  
Deputy  
Clerk of  
Councils.

5. (1) The Clerk of Councils and the Deputy Clerk of Councils shall each take the oath of allegiance and an oath of secrecy, unless such officer shall have taken such oaths upon previous appointment as Clerk of Councils or Deputy Clerk of Councils in the Colony.

(2) The said oaths shall be tendered by the Colonial Secretary.

Con-  
sequence of  
non-  
compliance.

6. If any person declines or neglects, when any oath required to be taken by him under this Ordinance is duly tendered, to take such oath, he shall, if he has already entered on his office, vacate the same, and, if he has not entered on his office, be disqualified from entering on the same.

Forms of  
oath.  
Second  
Schedule.

7. The oaths to be taken hereunder shall be in the form prescribed in the Second Schedule."

(2) Sections 13  
and 14.

(2) Sections 13 and 14 are renumbered as sections 8 and 9.

(3) Schedule.

(3) The Schedule is amended—

FIRST COLUMN.  
Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

2. Promissory Oaths  
Ordinance, 1869.  
(No. 1 of 1869.)  
—Contd.

- (a) by the repeal of Part I;
- (b) by the deletion of the words "Part II";
- (c) by the deletion of the word "SCHEDULE" at the head thereof and the substitution therefor of the following—

"FIRST SCHEDULE. [s. 2.]"

(4) Second  
Schedule.

(4) The following is added after the First Schedule—

"SECOND SCHEDULE.

*The Oath of Allegiance.* [ss. 2, 3,  
4, 5, 7.]

I, \_\_\_\_\_, do swear that I will be faithful and bear true allegiance to His Majesty King George the Sixth, His Heirs and Successors, according to law. So help me God.

*The Judicial Oath.* [ss. 2, 7.]

I, \_\_\_\_\_, do swear that I will well and truly serve Our Sovereign Lord King George the Sixth in the office of \_\_\_\_\_, and I will do right to all manner of people after the laws and usages of this Colony, without fear or favour, affection or ill will. So help me God.

*The Oath of Fidelity.* [ss. 3, 7.]

I, \_\_\_\_\_, being chosen and admitted of His Majesty's Executive Council in this Colony, do swear that I will, to the best of my judgment, at all times when thereto required, freely give my counsel and advice to the Governor, or Officer Administering the Government of this Colony for the time being, for the good management of the public affairs of this Colony; that I will not directly or indirectly reveal such matters as shall be debated in Council and committed to my secrecy, but that I will in all things be a true and faithful Councillor. So help me God.

FIRST COLUMN.	SECOND COLUMN.
Ordinance to be amended and item thereof.	Detail of amendment or repeal.
2. Promissory Oaths Ordinance, 1869. (No. 1 of 1869.) —Contd.	<p><i>The Official Oath.</i> [ss. 3, 7.]</p> <p>I, _____, do swear that I will well and truly serve His Majesty King George the Sixth in the office of _____. So help me God.</p> <p><i>The Oath of Secrecy.</i> [ss. 5, 7.]</p> <p>I, _____, having been appointed Clerk of Councils (or Deputy Clerk of Councils) in this Colony, do swear that I will not directly or indirectly reveal such matters as shall be debated in the Executive Council and committed to my secrecy. So help me God."</p>
3. Distress for Rent Ordinance, 1883. (No. 1 of 1883.)  Section 40.	<p>Section 40 is repealed and replaced by the following—</p> <p>"40. The provisions of this Ordinance shall extend to New Kowloon and to any other land exempted from Part II of the New Territories Regulation Ordinance, 1910, notwithstanding anything contained in that Ordinance."</p>
4. Bills of Sale Ordinance, 1886. (No. 7 of 1886.)	<p>(1) Section 23. (1) Section 23 is amended by the deletion of the words "twenty-five cents" in the second line and in the eighth line of subsection (3) and the substitution therefor of the following—</p> <p style="padding-left: 40px;">"one dollar".</p> <p>(2) Section 25. (2) Section 25 is repealed and replaced by the following—</p> <p style="padding-left: 40px;">"25. It shall be lawful for the Governor in Council to make regulations as to the fees to be taken by the Registrar."</p>

FIRST COLUMN.	SECOND COLUMN.
Ordinance to be amended and item thereof.	Detail of amendment or repeal.
5. Ships (Prohibition of Sale of Liquor) Ordinance, 1886. (No. 11 of 1886.)	<p>Section 2. Section 2 is amended by the deletion of the words "not propelled by steam" in the fourth line thereof and substitution therefor of the following—</p> <p style="padding-left: 40px;">"not mechanically propelled".</p>
6. Jury Ordinance, 1887. (No. 6 of 1887.)	<p>(1) Section 4. (1) Section 4 is amended by the repeal of paragraph (12) and the substitution therefor of the following—</p> <p style="padding-left: 40px;">"(12) all officers, warrant officers and non-commissioned officers of the Hong Kong Defence Force, and also such other members of the said Force as shall have been exempted from jury service by the Governor in Council."</p>
(2) Section 7.	<p>(2) Section 7 is amended by the deletion of the words "shall not exceed sixty" in the second line of subsection (3) and the substitution therefor of the following—</p> <p style="padding-left: 40px;">"shall not exceed one hundred and fifty".</p>
(3) Section 10.	<p>(3) Section 10 is amended by the deletion in the second line and in the fifth and sixth lines of subsection (1) of the words "or a Deputy Registrar".</p>
(4) Section 27.	<p>(4) Section 27 is amended by the deletion of the words "good and lawful men" in the fourth line and the substitution therefor of the following—</p> <p style="padding-left: 40px;">"fit and proper persons".</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
7. Coroner's Abolition Ordinance, 1888. (No. 5 of 1888.)	Section 20. Section 20 is amended by the deletion of the figures "\$10" and "\$5" in the sixth line and in the seventh line and the substitution therefor respectively of the following—
	" \$50." and " \$25."
8. Evidence Ordinance, 1889. (No. 2 of 1889.)	
(1) Section 2.	(1) Section 2 is amended by the repeal of the words in the sixth, seventh and eighth lines following the words "in this Colony" in the sixth line.
(2) Section 17.	(2) Section 17 is amended by the deletion of the last ten words thereof and the substitution therefor of the following— "not exceeding fifty cents for every folio of seventy-two words".
(3) Section 26.	(3) Section 26, as amended by the Law Amendment (Transitional Provisions) Ordinance, 1946, is amended by the repeal of paragraph (1).
9. Fire Investigation Ordinance, 1895. (No. 8 of 1895.)	
Section 9.	The Ordinance is amended by the addition of the following section as section 9—
"Applica- tion to vessels.	9. The provisions of this Ordinance shall apply to a ship or boat or any other description of vessel used in navigation, not being a vessel exceeding sixty tons, in the

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
9. Fire Investigation Ordinance, 1895. (No. 8 of 1895.) —Contd.	same manner as such provisions apply to premises, and in respect of any such vessel the report referred to in section 2 hereof shall be given to a marine magistrate, and the duties and powers to be exercised under this Ordinance by a magistrate shall be exercised by such marine magistrate."
10. Probates Ordinance, 1897. (No. 2 of 1897.)	
(1) Section 19.	(1) Section 19 is amended by the deletion of the words "two hundred and fifty dollars" in the second and third lines and the substitution therefor of the following— "two thousand five hundred dollars".
(2) Section 61.	(2) Section 61 is amended— (a) by the deletion of the word "intestate" in the second line of subsection (1); (b) by the deletion of the words "five hundred dollars" in the third line of subsection (1) and the substitution therefor of the following— "two thousand five hundred dollars"; (c) by the deletion of the last twelve words of subsection (1) and the substitution of a full-stop for the comma after the word "applicant" in the penultimate line thereof; (d) by the deletion of the words "five hundred dollars" in the third line of subsection (3) and the substitution therefor of the following— "two thousand five hundred dollars";

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
10. Probates Ordinance, 1897. (No. 2 of 1897.) —Contd.	(e) by the repeal of subsection (4); (f) by the repeal of subsection (5).
(3) Section 62.	(3) Section 62 is amended by the deletion of the words "five hundred dollars" in the second line of subsection (1) and the substitution therefor of the following— "two thousand five hundred dollars".
(4) Section 64.	(4) Section 64 is amended by the deletion of the words "Colonial Secretary" in the first line of subsection (3) and the substitution therefor of the following— "Financial Secretary".
(5) Section 65.	(5) Section 65 is amended— (a) by the deletion of the words "one hundred dollars" in the first and second lines of sub-paragraph (i) of paragraph (b) of subsection (1) and in the first and second lines of sub-paragraph (ii) of paragraph (b) of subsection (1) and the substitution therefor in each case of the following— "five hundred dollars"; (b) by the deletion of the words "one hundred dollars" in the third and fourth lines of subsection (5) and the substitution therefor of the following— "five hundred dollars".
(6) Second Schedule.	(6) The Second Schedule is repealed.
11. Rating Ordinance, 1901. (No. 6 of 1901.) Section 39.	Section 39 is amended by the insertion in subsection (4) of the following comma and words between the word "educational" and

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
11. Rating Ordinance, 1901. (No. 6 of 1901.) —Contd.	the word "institution" in the third line thereof— ", charitable or welfare".
12. Foreshores and Sea Bed Ordinance, 1901. (No. 15 of 1901.) Section 3.	Section 3 is amended by the deletion of the last eleven words of subsection (4) and the substitution therefor of the following— "such one of the judges as the Chief Justice shall in each case nominate for the purpose".
13. Tramway Ordinance, 1902. (No. 10 of 1902.)	
(1) Section 2.	(1) Section 2 is amended by the repeal of paragraph (g).
(2) Section 3.	(2) Section 3 is repealed and replaced by the following— "3. (1) The company may construct, lay down and maintain the tramway authorized by this Ordinance, with all proper electric generating stations, crossings, passing places, sidings, junctions, rails, turn-tables, plates, offices, weigh-bridges, sheds, overhead and other wires, cables, standards, poles and brackets, pipes and all such other works and conveniences in connection therewith as the company may for the purposes thereof think fit, and may work and use the same.  (2) The tramway authorized by this Ordinance is the tramway delineated on a plan or set of plans deposited with the Director of Public Works and signed by

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
13. Tramway Ordinance, 1902. (No. 10 of 1902.) — <i>Contd.</i>	<p>him and on behalf of the company and dated the 1st day of March, 1950, together with such additions, extensions and amendments as may be approved by the Governor in Council or otherwise pursuant to this section or section 5 hereof.</p> <p>(3) The company may construct, lay down and maintain the said tramway in such other positions along the lines of route shown on the said plan or set of plans as the Governor in Council may approve.</p> <p>(4) The company may construct, lay down and maintain as additions to or as extensions of such tramway all such lines, crossings, passing places, sidings, junctions, turn-tables and other works as the Governor in Council may approve, subject however to the following condition—</p> <p>(a) plans thereof shall previously be deposited in the office of the Director of Public Works;</p> <p>(b) the company shall give timely and adequate notification by public advertisement or otherwise of their intention to apply for such approval;</p> <p>(c) such approval shall require confirmation by a resolution of the Legislative Council.</p> <p>(5) Notwithstanding subsections (3) and (4) if in the opinion of the Director of Public Works alterations to the track of such tramway are necessary and can be considered minor realignments, emergency measures or temporary provisions, he may in his discretion permit such alterations either permanently or temporarily by notice in</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
13. Tramway Ordinance, 1902. (No. 10 of 1902.) — <i>Contd.</i>	<p>writing to the company without further reference to the Governor in Council or Legislative Council.”</p> <p>(3) Section 4. (3) Section 4 is repealed.</p> <p>(4) Section 7. (4) Section 7 is repealed and replaced by the following—</p> <p>“Electricity. 7. The company may generate and use electricity for the purposes of lighting its own buildings, erections and premises and for any other purposes of its own.”</p> <p>(5) Section 9. (5) Section 9 is repealed.</p> <p>(6) Section 16. (6) Section 16 is repealed.</p> <p>(7) Section 36. (7) Section 36 is amended by the repeal of the proviso to paragraph (e) of subsection (1) thereof and the substitution therefor of the following—</p> <p>“Provided that the speed on the portions of the route west of Causeway Road shall not (unless another rate be authorized by the Governor in Council under the authority of this paragraph) exceed the rate of fifteen miles per hour, and in Causeway Road and on the portion of the route east thereof shall not exceed the rate of twenty miles per hour, and provided that no cars may pass through movable facing points at a speed exceeding the rate of four miles per hour;”.</p>
14. Railways Ordinance, 1909. (No. 21 of 1909.)	<p>(1) Section 22. (1) Section 22 is amended—</p> <p>(a) by the deletion in the fourth line of subsection (1) of the words “three hundred and fifty” and the substitution therefor of the following—</p> <p>“five hundred”;</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
14. Railways Ordinance, 1909. (No. 21 of 1909.) —Contd.	(b) by the deletion in the fifth line of subsection (1) of the words "one hundred" and the substitution therefor of the following— "one hundred and fifty"; (c) by the deletion in the sixth line of subsection (1) of the word "twenty" and the substitution therefor of the following— "fifty". (2) Section 32. (2) Section 32 is amended by the addition after the word "things" in the second line of subsection (1) of the following— "(including entering into contracts)".
15. Trade Marks Ordinance, 1909. (No. 40 of 1909.)  Section 2.	Section 2 is amended by the deletion of paragraph (c) and the substitution therefor of the following— "(c) "the register" means the register kept under this Ordinance and any register kept for the purpose of complying with the provisions of the Trade Marks Register (Re-construction) Ordinance, 1947;"
16. Midwives Ordinance, 1910. (No. 22 of 1910.)  Section 4.	Section 4 is amended by the addition in the third line of subsection (1) after the words "Medical Services" of the following— ", the Principal Matron of Government Hospitals".

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
17. New Territories Regulation Ordinance, 1910. (No. 34 of 1910.)	(1) Section 6. (1) Section 6 is amended by the deletion in the first three lines of subsection (2) of the figures and words following— "(2) by notification published in the <i>Gazette</i> and by notice in the Chinese language posted in such place as any District Officer may think fit—" and by the renumbering of the present paragraphs (a), (b) and (c) thereof as subsections (2), (3) and (4). (2) Section 7. (2) Section 7 is repealed and replaced by the following— "7. All rules made under section 6 or 6A shall be published in the <i>Gazette</i> and shall be notified in Chinese in the New Territories in such manner as the District Commissioner may direct." (3) Section 13. (3) Section 13 is amended— (a) by the addition in the fourth line of subsection (2) after the word and comma "issued," of the following— "or without such application in the case of a new grant of land by the Crown,"; (b) by the deletion of the words "of this Ordinance" in the fifth and sixth lines of subsection (2) and in the eighth line of subsection (3) and the substitution therefor in each case of the following— "of this Part".

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
17. New Territories Regulation Ordinance, 1910. (No. 34 of 1910.) — <i>Contd.</i>	(4) Section 31 is amended by the addition after the words "upon oath" in the third line of the following—  "or certified by a solicitor".
18. Advertisements Regulation Ordinance, 1912. (No. 19 of 1912.)  Section 3.	Section 3 is amended— (a) by being renumbered as subsection (1) of section 3, and (b) by the addition of the following subsection as subsection (2)—  "(2) By-laws shall be submitted to the Governor, and shall be subject to the approval of the Legislative Council."
19. Importation and Exportation Ordinance, 1915. (No. 32 of 1915.)	(1) Section 2 is amended by the repeal of paragraph (a).  (2) Section 13 is amended— (a) by the insertion of the following subsection as subsection (1A)—  "(1A) For the purposes of this Ordinance, to do any act preparatory to or for the purpose of exportation shall be deemed to be an attempt to export: Provided that an applica-

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
19. Importation and Exportation Ordinance, 1915. (No. 32 of 1915.) — <i>Contd.</i>	tion for an export permit under this Ordinance shall not be deemed to be an attempt to export if such application is in all respects in accord with the provisions of this Ordinance and of all orders of the Governor in Council made thereunder.";  (b) by the insertion in subsection (2) of the following words and brackets between the word "Ordinance" and the words "has been committed" in the third line thereof—  "(including an attempt to commit an offence)".
20. Public Servants Liabilities Ordinance, 1917. (No. 10 of 1917.)  Section 3.	Section 3 is amended by the deletion of the words "two hundred dollars" in the third line of subsection (2) and the substitution therefor of the following—  "five hundred dollars".
21. Boarding-house Ordinance, 1917. (No. 23 of 1917.)  Section 2.	Section 2 is amended by the repeal of the proviso to subsection (1).
22. Contracts (War Restrictions) Ordinance, 1917. (No. 31 of 1917.)  The whole Ordinance.	The Ordinance is repealed.

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
23. Stamp Ordinance, 1921. (No. 8 of 1921.)	
(1) Section 5A.	(1) Section 5A is amended by the repeal of the definition of "new conveyance" in subsection (2) and the substitution therefor of the following—  " "new conveyance" means a conveyance on sale executed after the 10th day of September, 1948;".
(2) Schedule.	(2) The Schedule is amended by the deletion of the symbol and figure "\$1" opposite heading 3A(1) and 3A(2) and the substitution therefor in both cases of the following—  " \$2 ".
24. Prisons Ordinance, 1932. (No. 38 of 1932.)	
Section 4.	Section 4 is amended by the repeal of subsection (3) and the substitution therefor of the following—  "(3) The Commissioner of Prisons on being satisfied that a prisoner is suffering from a disease and cannot properly be treated in a prison, or that he should undergo and desires to undergo a surgical operation which cannot properly be performed in a prison, or that a female prisoner is pregnant and that a birth may be imminent, may order that the prisoner be taken to a Government Hospital or other suitable place for the purpose of treatment or such operation or such birth, and while absent from the prison in pursuance of such order the prisoner shall be deemed to be in legal custody."

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
25. Companies Ordinance, 1932. (No. 39 of 1932.)	
(1) Section 91.	(1) Section 91 is repealed with the heading thereto.
(2) Section 147.	(2) Section 147 is amended by the insertion in subsection (2) after the words and bracket "and sur-tax)" in the sixth line of the following—  "or any tax imposed by the Inland Revenue Ordinance, 1947."
26. Summary Offences Ordinance, 1932. (No. 40 of 1932.)	
(1) Section 19B.	(1) Section 19B is amended by the addition after the words "public entertainment" in the proviso of the following—  "with the consent of the Commissioner of Police".
(2) Section 19D.	(2) Section 19D is amended by the deletion of the words "on summary conviction by a magistrate" between the word "shall" and the words "be liable".
27. Magistrates Ordinance, 1932. (No. 41 of 1932.)	
(1) Section 97.	(1) Section 97 is amended by the deletion in the ninth and tenth lines of subsection (5) of the words following—  "for any of the offences mentioned in subsection (2)"  and by the deletion in the eleventh line of the comma and words following—  ", in such case and"  and by the deletion in the twelfth line of the comma following the word "court".

FIRST COLUMN.  
Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

27. Magistrates

Ordinance, 1932.  
(No. 41 of 1932.)  
—Contd.

(2) Section 118A. (2) The Ordinance is amended by the addition of the following section as section 118A—

“Provisions  
for costs  
in cases  
where the  
Attorney  
General has  
intervened.

**118A.** Notwithstanding the provisions of section 11C and section 118 a complainant or informant shall remain liable to pay and be entitled to recover, as the case may be, the costs incurred prior to the date when he ceases to be a party to the proceedings by reason of the intervention of the Attorney General, and in making any order as to costs a magistrate and the court shall have regard to such intervention and may in his or their discretion and in such manner as he or they may think fit apportion the right to recover costs or the liability to pay costs, as the case may be, between such complainant or informant and the Attorney General: Provided that no order shall be made which would result in a defendant being called upon to pay by way of costs a greater sum than would have been payable had intervention not taken place.”

(3) Section 127. (3) Section 127 is repealed and replaced by the following—

“Rules.

**127.** It shall be lawful for the Governor in Council to make rules for carrying into effect this Ordinance, and with regard to any matter ancillary thereto.”

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Ordinance to be  
amended and  
item thereof.

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Detail of amendment or repeal.

28. Registration of  
United Kingdom  
Patents  
Ordinance, 1932.  
(No. 42 of 1932.)

Section 12.

Section 12 is amended by the repeal of subsection (2).

29. Arms and  
Ammunition  
Ordinance, 1933.  
(No. 2 of 1933.)

(1) Section 2.

(1) Section 2 is amended by the repeal in paragraph (d)(i) of the words “or of the Volunteer Forces” and by the substitution therefor of the following—

“or of the Hong Kong Defence Force”.

(2) Section 4.

(2) Section 4 is amended by the repeal of the last nine words in subsection (4) and the substitution therefor of the following—

“is either a ship of war or a military aircraft of any foreign state”.

(3) Section 34.

(3) Section 34 is repealed and replaced by the following—

“**34.** The powers and duties which may be exercised by the Commissioner of Police under this Ordinance may be exercised by any police officer of or above the rank of Superintendent or Assistant Superintendent.”

30. Trustee

Ordinance, 1934.  
(No. 18 of 1934.)

(1) Section 27.

(1) Section 27 is amended by the repeal of subsection (5) and the substitution therefor of the following—

“(5) The execution of such instrument and statutory declaration may be verified—

FIRST COLUMN.  
Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

30. Trustee  
Ordinance, 1934.  
(No. 18 of 1934.)  
—*Contd.*
- (a) by an affidavit or statutory declaration sworn or made by the attesting witness or some other person in whose presence the same were executed, or by some impartial person who knows the signature of the grantor; or
- (b) by any other evidence which in the opinion of the Registrar of the Supreme Court is sufficient, or which is hereafter required by any enactment in the case of powers of attorney deposited in the Registry of the Supreme Court."
- (2) Section 76. (2) Section 76 is repealed and replaced by the following—
- “76. (1) The Governor in Council may make rules for the administration of trust funds.
- (2) The rules in the First Schedule shall be in force except so far as they may be rescinded or amended by rules made under this section.”
- (3) Sections 77, 81 and 94. (3) Sections 77, 81 and 94 are amended by the deletion of the expression “Colonial Treasurer Incorporated” wherever it appears in such sections and the substitution therefor of the following—
- “Accountant General”.
31. Deportation of Aliens  
Ordinance, 1935.  
(No. 39 of 1935.)  
Section 15.
- Section 15 is repealed and replaced by the following—
- “15. The Governor may appoint any building or portion of a building to be a house of detention for the purposes of this

FIRST COLUMN.  
Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

31. Deportation of Aliens  
Ordinance, 1935.  
(No. 39 of 1935.)  
—*Contd.*
- Ordinance, and any person to be superintendent of such house; in default of such appointment the prisons of the Colony and the prison wards of the Government hospitals in the Colony shall be houses of detention and the Commissioner of Prisons shall be the superintendent of the houses of detention.”
32. Infants Custody  
Ordinance, 1935.  
(No. 48 of 1935.)
- (1) Section 4. (1) Section 4 is amended by the deletion of the words “fifty dollars” in the last line of subsection (1) and the substitution therefor of the following—
- “two hundred and fifty dollars”.
- (2) Section 5. (2) Section 5 is amended by the deletion of the words “ten dollars” in the last line of paragraph (b) of the proviso to subsection (1) and the substitution therefor of the following—
- “thirty dollars”.
33. Separation and Maintenance Orders  
Ordinance, 1935.  
(No. 49 of 1935.)
- (1) Section 7. (1) Section 7 is amended by the deletion of the words “ten dollars” in the sixth line of paragraph (b) of the proviso to section 7 and the substitution therefor of the following—
- “thirty dollars”.
- (2) Section 10. (2) Section 10 is amended by the deletion of the words “fifty dollars” in the last line and the substitution therefor of the following—
- “two hundred and fifty dollars”.

FIRST COLUMN.  
Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

34 Deportation  
(British  
Subjects)  
Ordinance, 1936.  
(No. 16 of 1936.)

- (1) Section 3. (1) Section 3 is amended—
- (a) by being renumbered as subsection (1) of section 3;
  - (b) by the deletion from paragraph (a) thereof of the comma and words “, either in addition to or in lieu of sentence”;
  - (c) by the addition of the following subsection as subsection (2)—

“(2) For the purpose of this section a court or magistrate may recommend in addition to or in lieu of sentence that a deportation order should be made in respect of a convicted person who is an immigrant British subject, and the burden of proof that such person belongs to the Colony shall for such purpose be upon that person: Provided that except as provided in section 4 the exercise or failure to exercise the powers conferred hereby on a court or magistrate shall not be deemed to affect the powers of the Governor in Council.”

- (2) Section 4. (2) Section 4 is amended by the insertion after the words “a court” in the first line of the words “or magistrate”.
- (3) Section 7. (3) Section 7 is amended by the deletion of the words “judge or a court” in the first line, in the fourth line and in the fifth line thereof, and the substitution in each case of the following—
- “judge, court or magistrate”.

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Ordinance to be  
amended and  
item thereof.

SECOND COLUMN.  
Detail of amendment or repeal.

35. Telecommunication  
Ordinance, 1936.  
(No. 18 of 1936.)

- (1) Section 25. (1) Section 25 is repealed and replaced by the following—
- “Corruption. 25. A telegraph officer shall be deemed a public servant and an officer of a public body within the meaning of the Prevention of Corruption Ordinance, 1948.”
- (2) Section 29. (2) Section 29 is amended by the repeal of subsection (3) and the substitution therefor of the following—
- “(3) Every such officer shall be deemed a public servant and an officer of a public body within the meaning of the Prevention of Corruption Ordinance, 1948.”
- (3) Section 30. (3) Section 30 is amended by the repeal of subsection (6) and the substitution therefor of the following—
- “(6) Any person who is guilty of an offence against this section shall be liable on summary conviction to a fine of three thousand dollars (and in default of payment to imprisonment not exceeding twelve months) or to imprisonment for any term not exceeding twelve months, and shall upon conviction on indictment be liable to a fine of ten thousand dollars (and in default of payment to imprisonment not exceeding three years) or to imprisonment for any term not exceeding three years.”
- (4) Section 37. (4) Section 37 is repealed.

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
36. Asylums Ordinance, 1936. (No. 22 of 1936.)	<p>(1) Section 8. (1) Section 8 is amended by the addition at the end thereof of the following—</p> <p style="padding-left: 40px;">“and subject to the provisions of the next following section to detain for the periods therein stated a person who has voluntarily submitted himself under that section for care and treatment”.</p> <p>(2) Section 8A. (2) The Ordinance is amended by the insertion after section 8 of the following section as section 8A—</p> <p style="padding-left: 40px;">“8A. (1) Any person not under the age of sixteen years who is desirous of voluntarily submitting to treatment but whose mental condition may not be such as to justify the issue of a certificate of unsoundness of mind, may, on making an application in writing to the medical practitioner in charge of an asylum, in the discretion of such medical practitioner and on such conditions as he may think fit, be received into such asylum for care and treatment.</p> <p style="padding-left: 40px;">(2) No such person shall be detained for a period of more than seventy-two hours after he has given notice in writing of his intention to leave the asylum except under and in accordance with a certificate under section 10 or an order under section 9 hereof.”</p>
37. Nursing and Maternity Homes Registration Ordinance, 1936. (No. 48 of 1936.) Section 8.	Section 8 is repealed and replaced by the following—

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
37. Nursing and Maternity Homes Registration Ordinance, 1936. (No. 48 of 1936.) —Contd.	<p>“8. The Governor in Council may by resolution grant exemption from the operation of this Ordinance in respect of any hospital or institution. The hospitals and institutions in the Schedule shall be deemed to have been granted exemption under this section. The Governor in Council may at any time add to or amend the Schedule and may withdraw any exemption granted, or deemed to have been granted, under this section or may by resolution impose a condition or conditions in any or all cases for such exemption to continue.”</p>
38. Pharmacy and Poisons Ordinance, 1937. (No. 8 of 1937.) Section 18.	<p>Section 18 is amended—</p> <p>(a) by the repeal of subsection (1) and the substitution therefor of the following—</p> <p style="padding-left: 40px;">“(1) The Governor in Council shall by regulations prescribe a list of substances which shall be treated as poisons for the purposes of this Ordinance.”;</p> <p>(b) by the repeal of subsection (3).</p>
39. Protection of Women and Girls Ordinance, 1938. (No. 5 of 1938.) Section 2.	Section 2 is amended by the repeal therein of the definition of the word “Brothel”.
40. Holidays Ordinance, 1947. (No. 1 of 1947.) Section 7.	Section 7 is amended by the addition in the fourth line after the words “section 3” of the following—

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
40. Holidays Ordinance, 1947. (No. 1 of 1947.) —Contd.	“either in any particular year or annually thereafter”; and the addition in the fifth line after the words “substituted day” of the following— “in such year or annually as the case may be”.
41. Helena May Institute for Women Ordinance, 1947. (No. 3 of 1947.)  Section 3.	Section 3 is amended by the repeal of subsection (3) and the substitution therefor of the following—  “(3) Subsequent members of the Council, whether appointed in immediate succession to any of the first members or not, shall be appointed in accordance with the Constitution, and shall for the periods of their respective appointments be members of the Corporation.”
42. Inland Revenue Ordinance, 1947. (No. 20 of 1947.)  (1) Section 10.	(1) Section 10 is amended by the deletion of the word “conveyance” in the sixth line of paragraph (i) of subsection (1) and the substitution therefor of the following— “holiday warrant or passage”.
(2) Section 49.	(2) Section 49 is amended by the deletion of the word “those” in the first line of paragraph (ii) of subsection (1) and the substitution therefor of the following— “profits”.

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
43. Trade Marks Register (Re- construction) Ordinance, 1947. (No. 33 of 1947.)  Section 7.	Section 7 is amended by the deletion of the word “enactment” in the second line and the substitution therefor of the following— “commencement”.
44. Legal Practitioners Ordinance, 1948. (No. 37 of 1948.)  Section 42.	Section 42 is amended by the deletion in the first line of the words “Any person” and the substitution therefor of the following— “Any unqualified person”.
45. Prevention of Corruption Ordinance, 1948. (No. 39 of 1948.)  Section 9.	Section 9 is amended by the deletion of the word “liability” in the penultimate line and the substitution therefor of the following— “reliability”.
46. Immigrants Control Ordinance, 1949. (No. 4 of 1949.)  (1) Section 2.	(1) Section 2 is amended—  (a) by the addition after the words “British protected person” in the fifth line of the following—  “11 & 12 (as defined in the British Geo. 6 Nationality Act, 1948)”; c. 56.

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
46. Immigrants Control Ordinance, 1949. (No. 4 of 1949.) —Contd.	(b) by the addition of the following sub- section as subsection (4)—  “(4) This Ordinance shall have effect in relation to the citizens of the Republic of Ireland who are not British subjects in like manner as it has effect in relation to British subjects.”
(2) Section 7.	(2) Section 7 is amended by the repeal of sub- section (4) and the substitution therefor of the following—  “(4) In the case of an aircraft, the captain shall, in addition to the require- ments of subsection (1), produce—  (a) a passenger list arranged as in paragraph (a) of subsection (2);  (b) a complete list of the officers and crew of his aircraft;  (c) all the passengers for inspection and interrogation.”
(3) Section 8.	(3) Section 8 is amended by the addition at the end thereof of the following—  “Contravention of such instructions shall be an offence punishable on summary conviction by a fine not exceeding two thousand dollars.”
(4) Section 9.	(4) Section 9 is amended—  (a) by the addition in the sixth line of sub- section (1) after the words “incriminate him” of the following—  “under this Ordinance”;  (b) by the renumbering of subsection (2) as subsection (4);  (c) by the addition of the following sub- sections as subsections (2) and (3)—

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
46. Immigrants Control Ordinance, 1949. (No. 4 of 1949.) —Contd.	“(2) The Immigration Officer may require any person who arrives in the Colony or who is about to leave the Colony by sea, air or land to make and sign any prescribed form of declaration.  (3) If any person arriving in the Colony refuses to answer any questions put to him under this sec- tion or gives unsatisfactory answers or refuses to make and sign any prescribed form of declaration, the Immigration Officer may prohibit him from landing and may in his discre- tion detain him pending an oppor- tunity to return him to his place of embarkation or to the country of his birth or citizenship.”
(5) Section 11.	(5) Section 11 is amended—  (a) by the deletion of the words “on repatriation” in the second and third lines of paragraph (f) of subsection (1);  (b) by the addition in the third line of para- graph (h) of subsection (1) after the word “employment” of the following—  “or that he is a person of independ- ent means”;  (c) by the addition in the second line of paragraph (a) of subsection (3) after the word “vessel” of the following—  “or aircraft”;  (d) by the insertion in the third line of paragraph (a) of subsection (5) after the words “five thousand dollars” of the following—

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
46. Immigrants Control Ordinance, 1949. (No. 4 of 1949.) — <i>Contd.</i>	<p>“and to imprisonment not exceeding twelve months”;</p> <p>(e) by the deletion in the sixth and seventh lines of subsection (6) of the words “who fails to furnish such list or who furnishes any list” and the substitution therefor of the following—</p>
	<p>“who fails to furnish such copy or who furnishes any list or copy thereof”.</p>
(6) Section 13.	<p>(6) Section 13 is amended by the repeal of paragraph (a) of subsection (1) and the substitution therefor of the following—</p> <p>“(a) detain for a period not exceeding four days for further inquiries under this Ordinance any person concerning whom he has reason to believe that such further inquiries should be made;”.</p>
(7) Section 14.	<p>(7) Section 14 is amended by the insertion after the words “reasonable amount” in the fourth line of the following—</p> <p>“recoverable summarily as a civil debt under the Magistrates Ordinance, 1932”.</p>
(8) Section 17.	<p>(8) Section 17 is amended—</p> <p>(a) by the addition after the words “represents himself” in the second line of the following—</p> <p>“to an Immigration Officer”;</p> <p>(b) by the deletion of the words “twelve months” in the sixth line and the substitution therefor of the following—</p> <p>“six months”;</p> <p>(c) by the deletion of the marginal note and the substitution therefor of the following—</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
46. Immigrants Control Ordinance, 1949. (No. 4 of 1949.) — <i>Contd.</i>	“Penalty on certain false representation.”
(9) Section 33.	<p>(9) Section 33 is amended—</p> <p>(a) by the repeal of subsection (1) and the renumbering of subsections (2) and (3) as subsections (3) and (4);</p> <p>(b) by the addition of the following subsections as subsections (1) and (2)—</p> <p>“(1) It shall be an offence under this Ordinance to contravene any of the conditions imposed in pursuance of section 15 or any of the following provisions of this Ordinance—</p> <p>sections 4 to 7; subsections (1) and (2) of section 9; section 10; subsections (3) and (4) of section 11; subsection (3) of section 13; section 18; sections 23 to 28; sections 31 and 32.</p> <p>(2) Any regulation made under this Ordinance may provide that a contravention thereof shall be an offence and a person guilty of such an offence shall be liable on summary conviction to a fine not exceeding two thousand dollars and to imprisonment for a term not exceeding six months unless a lesser penalty is prescribed by such regulation.”</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
47. District Watch Force Ordinance, 1949. (No. 15 of 1949.)	
(1) Section 17.	(1) Section 17 is amended— <ul style="list-style-type: none"> <li>(a) by the addition after the words “deliver up” in the third line of subsection (1) of the following—  “the certificate of identity issued to him under section 13 and”;</li> <li>(b) by the addition after the word “such” in the first line of subsection (2) of the following—  “certificate or”.</li> </ul>
(2) Section 19.	(2) Section 19 is amended— <ul style="list-style-type: none"> <li>(a) by the repeal of paragraph (k) and the substitution therefor of the following—  “(k) unlawful or unnecessary exercise of authority resulting in loss or injury to any other person or to Government;”;</li> <li>(b) by the deletion of the words “and in such case he may be ordered to resign forthwith in which case he shall not receive salary in lieu of notice” at the end thereof and the substitution therefor of the following—  “or he may be ordered to resign forthwith and if he fails so to do may be dismissed, and in the case of such dismissal or such resignation he shall not receive salary in lieu of notice”.</li> </ul>
(3) Section 24.	(3) Section 24 is amended by the deletion of the word “taking” in the third line and the substitution therefor of the word “verifying”.

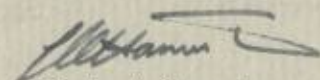
FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
47. District Watch Force Ordinance, 1949. (No. 15 of 1949.) — <i>Contd.</i>	
(4) Schedule.	(4) The Schedule is amended by the deletion of the word “Schedule” where it first appears and the repeal of the forms of “Oath of Office” and “Declaration of Office” and the substitution therefor of the following—  <p style="text-align: center;">“ FIRST SCHEDULE.      [s. 16.] <i>Oath or Declaration of Office.</i></p> <p>I, ....., swear by Almighty God ) do solemnly and sincerely declare) that I will well and faithfully serve His Majesty and His Heirs and Successors according to law, as a district watchman, that I will obey uphold and maintain the laws of the Colony of Hong Kong, that I will execute the powers and duties of my office honestly faithfully and diligently without fear of or favour to any person and with malice or ill will toward none, and that I will obey without question all lawful orders of those set in authority over me.</p> <p style="text-align: right;">..... <i>Signature.</i></p> <p>SWORN before me } DECLARED            day } this                    19 : } of                      :</p> <p style="text-align: right;">..... <i>Magistrate/Justice of the Peace.</i>”</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.				
<p>47. District Watch Force Ordinance, 1949. (No. 15 of 1949.) —Contd.</p> <p>(5) Third Schedule.</p>	<p>(5) Part B of the Third Schedule is amended by the deletion in the third and fourth columns of the words and figures "I.L. 1732 \$4 p.a." and the substitution therefor of the following—</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><i>In the third column.</i></td> <td style="text-align: center;"><i>In the fourth column.</i></td> </tr> <tr> <td style="text-align: center;">                     " { I.L. 680 Sec.A.ss.1.                      I.L. 680 Sec.A.ss.2.                      I.L. 1732.                      I.L. 1794. } "</td> <td style="text-align: center;">                     " { As apportioned.                      " " "                      \$4 p.a. "                      \$16 " } "</td> </tr> </table>	<i>In the third column.</i>	<i>In the fourth column.</i>	" { I.L. 680 Sec.A.ss.1. I.L. 680 Sec.A.ss.2. I.L. 1732. I.L. 1794. } "	" { As apportioned. " " " \$4 p.a. " \$16 " } "
<i>In the third column.</i>	<i>In the fourth column.</i>				
" { I.L. 680 Sec.A.ss.1. I.L. 680 Sec.A.ss.2. I.L. 1732. I.L. 1794. } "	" { As apportioned. " " " \$4 p.a. " \$16 " } "				
<p>48. China Peniel Missionary Society Incorporation Ordinance, 1949. (No. 18 of 1949.)</p> <p>Section 2.</p>	<p>Section 2 is amended by the deletion of the quotation marks after the words "The President" and the quotation marks before the word "China" in the fourth line.</p>				
<p>49. North Point Wharves Limited Ordinance, 1949. (No. 19 of 1949.)</p> <p>Section 3.</p>	<p>Section 3 is amended by the addition after the word "business" in the third line of subsection (1) of the following—</p> <p>"at the wharves and godowns belonging to the Company and situate at North Point".</p>				

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
<p>50. Air Armament Practice Ordinance, 1949. (No. 38 of 1949.)</p> <p>(1) Section 8.</p> <p>(2) Section 11.</p>	<p>(1) Section 8 is amended by the insertion after the words "Any vessel" in the fifth line of subsection (2) of the following—                      ", aircraft".</p> <p>(2) Section 11 is amended by the insertion after the word "may" in the first line of the following—                      "by order signified in the <i>Gazette</i>".</p>
<p>51. Expulsion of Undesirables Ordinance, 1949. (No. 39 of 1949.)</p> <p>Section 5.</p>	<p>Section 5 is amended—</p> <p>(a) by the deletion of the word "hereinafter" in the first and second lines of subsection (2);</p> <p>(b) by the addition of the following subsection as subsection (9)—</p> <p style="padding-left: 40px;">"(9) For the purposes of the prescribed inquiry a competent authority shall have all the powers conferred upon a magistrate by the Magistrates Ordinance, 1932, including power to compel the attendance of witnesses and to punish a witness who fails to appear."</p>
<p>52. Interpretation Ordinance, 1950. (No. 2 of 1950.)</p> <p>Section 3.</p>	<p>Section 3 is amended—</p> <p>(a) by the repeal of the definition in subsection (1) of "Colony" or "Hong</p>

FIRST COLUMN. Ordinance to be amended and item thereof.	SECOND COLUMN. Detail of amendment or repeal.
52. Interpretation Ordinance, 1950. (No. 2 of 1950.) — <i>Contd.</i>	<p>Kong" and the substitution therefor of the following—</p> <p>"Colony" or "Hong Kong" means the whole area of land and the whole area of Deep Bay and Mirs Bay lying within the boundaries specified in the Second Schedule, together with the territorial waters appertaining thereto;"</p> <p>(b) by the repeal of the definition in subsection (1) of "waters of the Colony" or "Colonial waters" and the substitution therefor of the following—</p> <p>"waters of the Colony" or "Colonial waters" means all waters whether navigable or not included within the Colony, and includes territorial waters;"</p> <p>(c) by the repeal of subsection (12) and the substitution therefor of the following—</p> <p>"(12) In computing a period of days from the happening of an event for the doing of any act or thing there shall be excluded the day on which the event happens or the act or thing is done and, if the period is less than six days, any general holiday within such period."</p>

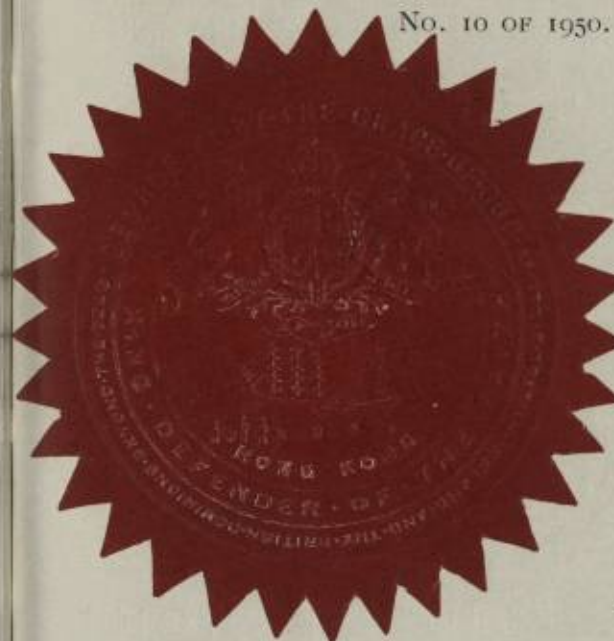
Passed the Legislative Council of Hong Kong, this 3rd day of May, 1950.

  
Clerk of Councils.

**HONG KONG**

No. 10 OF 1950.

I assent.



*McMahon*

Governor.

25th May, 1950.

An Ordinance to amend the Inland Revenue Ordinance, 1947.

[26th May, 1950.]

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

- 1.** This Ordinance may be cited as the Inland Revenue (Amendment) Ordinance, 1950, and shall be read as one with the Inland Revenue Ordinance, 1947, hereinafter referred to as the principal Ordinance.

Short title.  
Ordinance No. 20 of 1947.
- 2.** Section 5 of the principal Ordinance is hereby repealed and replaced as follows—

“**5.** For the purpose of charging tax under this Ordinance the standard rate shall be twelve and one-half per cent.”

Repeal and replacement of section 5 of the principal Ordinance.
- 3.** Subsection (2) of section 10 of the principal Ordinance is hereby repealed and replaced as follows—

Amendment of section 10 of the principal Ordinance.