

# LEGISLATIVE COUNCIL.

**No. S. 10.**—The following Bills were read a first time at a Meeting of the Council held on the 12th January, 1911 :—

## A BILL

ENTITLED

### An Ordinance to amend the Lepers Ordinance, 1910.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title and construction.

1. This Ordinance may be cited as The Lepers Ordinance Amendment Ordinance, 1911, and shall be read and construed as one with The Lepers Ordinance, 1910.

Repeals section 14 of the Lepers Ordinance, 1910, and substitutes a new section.

2. Section 14 of the Lepers Ordinance, 1910, is hereby repealed and the following is substituted for and shall be read in lieu thereof :—

Prohibition of leper immigration.

“ 14 —(1.) No person, not being a subject of His Majesty, suffering from leprosy may enter this Colony, and every person so doing may be banished in the manner hereinafter provided.

(2.) The Governor-in-Council may, by order, prohibit any leper not being a subject of His Majesty who may enter the Colony in contravention of the last preceding sub-section from residing or being within the Colony for such period as the Governor-in-Council may think fit, and may by the same or any subsequent order, fix the time for the departure of such leper from the Colony.

The leper named in such order shall be arrested and detained in custody by the Police until he leaves the Colony or until the final departure from the Colony of any vessel in which he leaves.”

### Memorandum.

This Bill amends the Lepers Ordinance, 1910, (No. 24 of 1910), and modifies the power given to the Governor-in-Council to order the banishment of alien lepers.

It prohibits the entry into the Colony of persons, not being subjects of His Majesty, suffering from leprosy, and authorises the Governor-in-Council to banish such persons.

W. REES DAVIES,  
*Attorney General.*

## A BILL

ENTITLED

### An Ordinance to amend The Defences (Sketching Prevention) Ordinance, 1895, and to control balloonists and others who have special opportunities for obtaining information respecting the defences of the Colony.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title and construction.

1. This Ordinance may be cited as “The Defences (Sketching Prevention) Amendment Ordinance, 1910”, and shall be read and construed as one with The Defences (Sketching Prevention) Ordinance, 1895, hereinafter called “The Principal Ordinance”.

2. Section 2 of the Principal Ordinance is hereby amended by the insertion in sub-section (1) after the word "make" in the third line thereof of the words "or have in his possession, custody or control", and by the insertion in sub-section (2) after the word "made" in the third line thereof of the words "or possessed".

Amends section 2 of the Principal Ordinance.

3. The following section is hereby inserted after section 4 of the Principal Ordinance :—

"4A. Any person who without lawful authority or excuse (proof whereof shall lie on the accused) is found in or upon any battery, field work, or fortification in this Colony or in or upon any place whether fortified or not which is set apart or reserved for naval or military operations or purposes and which the general public have no right to enter into or upon shall be guilty of an offence against this Ordinance and shall on conviction before a Magistrate be liable to a fine not exceeding five hundred dollars or at the discretion of the Magistrate to imprisonment with or without hard labour for any term not exceeding six months."

Trespassing on fortifications or naval and military premises an offence.

4. The following sections are hereby added to the Principal Ordinance and shall be inserted at the end thereof :—

"7. Whenever it appears to any Magistrate upon the oath affirmation or declaration of any person of repute that there is good cause to believe that there is in any house, shop, room or other place any sketch, drawing, photograph, picture or painting in respect of which it may appear that an offence has been committed against this Ordinance such Magistrate may by warrant directed to any European Police Officer empower such officer to enter into any such house, shop, room or other place, with such assistance as may be necessary in the daytime, and if necessary to use force by breaking open doors or otherwise and search for and seize any such sketch, drawing, photograph, picture or painting as aforesaid, found in such house, shop, room or other place, and to arrest any person or persons who may appear to have such articles so seized in his or their possession, custody or control.

Issue of search warrant by Magistrate.

8.—(1.) It shall not be lawful for any person to make an ascent in a balloon, whether dirigible or otherwise, or in an aeroplane without having previously obtained the permission in writing of the Governor.

Control of balloonists

(2.) Such permission shall clearly state the number and direction of ascents which are thereby authorised and may be issued subject to any conditions, which shall be specified in the written permission, that the Governor may think fit to impose.

(3.) Every person who contravenes the provisions of this section or who contravenes any of the conditions imposed by the Governor under this section shall, on summary conviction before a Magistrate, be liable to a penalty not exceeding five hundred dollars or, at the discretion of the Magistrate, to imprisonment, with or without hard labour, for any term not exceeding three months."

*Memorandum.*

The development of Aviation since the Principal Ordinance was passed has rendered it necessary to introduce legislation with a view to controlling ascents in balloons and aeroplanes in a fortress such as Hongkong, for without such control the purposes of the Ordinance would be nullified. Opportunity has been taken to bring the Ordinance into line in some other details with the law existing in other Eastern British Colonies.

W. REES DAVIES,  
*Attorney General.*