

No. S. 344.—The following Bills were read a first time at a Meeting of the Council held on the 23rd November, 1911 :—

A BILL

ENTITLED

An Ordinance to make provision for impounding stray animals and for the disposal thereof.

1. This Ordinance may be cited as the Pounds Ordinance, 1911. Short title.

2. Any animal which may be found at large without any person having the charge thereof and which may in the opinion of any police officer appear to have been lost or to be doing damage may be seized and impounded by such police officer in any convenient place and may be detained therein until the owner thereof shall have paid to the Captain Superintendent of Police the reasonable expenses of impounding and keeping such animal together with the pound fee. Impounding stray animal. cf. 10 & 11 Vict. c. 89 s. 26.

3. The Governor-in-Council may make regulations fixing the pound fees for animals generally or for any particular classes of animal. Provided however that if no such regulations shall have been made, or if the animal impounded does not fall within any class in respect of which a pound fee shall have been fixed, the pound shall be one dollar. Pound fees.

4.—(1). If the said expenses and pound fee be not paid within three days after such impounding notice of the intention to sell the animal shall be published in the *Gazette*. Power to sell impounded animals.

(2). If the expenses of impounding and keeping the animal and of the publication in the *Gazette* and the pound fee are not paid within seven days after the said publication it shall be lawful for the Captain Superintendent of Police to cause the animal to be sold either by private treaty or by public auction as he may think fit and the purchaser thereof shall acquire a good title. If the animal should prove unsaleable or if in the opinion of the Captain Superintendent of Police it should be unsaleable it may be destroyed or otherwise disposed of as he may direct.

(3). The money arising from such sale after deducting the pound fee and the expenses of impounding and keeping the animal, of the publication in the *Gazette* and of the sale shall be paid by the Captain Superintendent of Police on demand to the owner of such animal. Provided that if such demand is not made within one month after the sale all right to make it shall cease and the money shall be paid into the General Revenue of the Colony.

5. Every person who releases or or attempt to release any animal from any place where it shall have been impounded or who pulls down, damages or destroys such place or any part thereof with intent to procure the unlawful release of such animal shall be liable on summary conviction to a fine not exceeding twenty-five dollars or to imprisonment for any term not exceeding three months. Pound breach. cf. 10 & 11 Vict. c. 89 s. 26.

Objects and Reasons.

The law of the Colony as to impounding animals is very vague and it has been considered desirable to bring into force an adaptation of certain provisions of the Town Police Clauses Act 1847.

C. G. ALABASTER,
Attorney General.

An Ordinance to amend the law relating to Stamps and Stamp Duty.

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

Short title. 1. This Ordinance may be cited as the Stamp Further Amendment Ordinance, 1911.

Repeals a section of Ordinance No. 16 of 1901. 2. Section 15 of the Stamp Ordinance, 1901, renumbered as section 19 thereof by the Stamp Amendment Ordinance, 1911, is hereby repealed.

Amends Ordinance No. 34 of 1911. 3. Sub-section (4) of section 15 of the Stamp Amendment Ordinance, 1911, is hereby amended by the deletion of the words and figures :—

“for each endorsement { up to \$1,000,\$10
over “ 25”

and by the substitution thereof of the words and figures :—

“for each endorse- ment, and in substitution for any other duty, { up to \$1,000, ...10 cents.
over “ ...25 cents.”

Amends a section of Ordinance No. 16 of 1901. 4. Section 23 of the Stamp Ordinance, 1901, renumbered as section 28 thereof by the Stamp Amendment Ordinance, 1911, is hereby amended by renumbering sub-section (3) thereof as sub-section (4) and by the insertion of the following sub-section :—

“(3.) refusing to give a receipt duly stamped in any case where a receipt would be liable to duty.”

Objects and Reasons.

Clause 2 repeals a section of Ordinance No. 16 of 1901, the substance of which is already contained in section 8 of Ordinance No. 34 of 1911. Clause 3 corrects an error in the amount of duty chargeable on endorsements of Floating Policies and makes it clear that the duty is in substitution for any other duty. And Clause 4 introduces the provisions of section 103 (2) of the Stamp Act 1891 into the statute book of the Colony.

C. G. ALABASTER,
Attorney General.

A BILL

An Ordinance to amend the Stamp Duties Management Ordinance, 1911.

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

Short title. 1. This Ordinance may be cited as the Stamp Duties Management Amendment Ordinance, 1911.

Amends Ordinance No. 35 of 1911. 2. The Stamp Duties Management Ordinance, 1911, is hereby amended as follows :—

(a.) in sub-section (1) of section 14 thereof by the deletion of the words “having knowledge of the concealment or deposit of any stamps”, and by the substitution thereof of the words “who has reason to believe that any stamps have been concealed or deposited” ;

(b.) in sub-section (b) of the proviso to section 19 thereof by the deletion of the words “chief office or one of the head offices” and by the substitution thereof of the word “Collector”.

Objects and Reasons.

These amendments to the Principal Ordinance are introduced at the suggestion of His Majesty's Principal Secretary of State for the Colonies who in a despatch dated the 6th October, 1911, expressed a desire that section 14 (1) should be slightly extended in its scope so as to more closely follow the model of the Imperial Act (54 and 55 Vict. c. 38 s. 17) and that the meaning of the words “the chief office or one of the head offices” in the second proviso to section 19 should be made more clear.

C. G. ALABASTER,
Attorney General.

A BILL

ENTITLED

An Ordinance to further amend the University Ordinance, 1911.

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

1. This Ordinance may be cited as the University Further Amendment Ordinance, 1911. Short title.

2. The University Ordinance, 1911, as amended by the University Amendment Ordinance, 1911, is hereby further amended as follows: Amends Ordinance No. 10 of 1911 as amended by Ordinance No. 17 of 1911.

(a.) in sub-section (7) of section 4 thereof by the deletion of the words "proper authority" and by the substitution therefor of the words "Director of Education to permit the University Professors and Lecturers or any of them".

(b.) by the repeal of sub-section (11) of section 4 thereof and by the substitution therefor of the following sub-section:—

"(11.) To enter into arrangements under which the Examiners of the London University, or of any other University, may act as External Examiners for any degree or distinction of the University of Hongkong with the power of reporting on the examination papers of candidates and of veto over the passing of any candidate who does not reach the standard, both in separate subjects and collectively, which may be required for corresponding examinations by the London University, or by any such other University as the case may be. Provided always that the curricula for the University of Hongkong shall be worked out and arranged by the University of Hongkong and that all examination papers shall be read and marked in the first instance by members of the University of Hongkong teaching staff."

(c.) by renumbering sub-section (20) of section 4 thereof as sub-section (21) and by inserting after sub-section (19) of the said section the following sub-section:—

"(20.) To make provision for the establishment of a University printing press and for the publication of books and other matter by the University."

(d.) By adding at the end of section 8 thereof the words "The Vice-Chancellor shall be the chief administrative officer of the University and shall have such powers and duties as the Council shall assign to him."

(e.) By the repeal of paragraph No. 4 of *Statute 8* in the Second Schedule thereto and by the substitution therefor of the following paragraph:—

"4. To appoint Professors, Lecturers, and other academic officers of the University and also External Examiners, provided that when the Senate is constituted no appointment shall be made without due consideration of the claims of any candidate who may be recommended by it."

(f.) By the repeal of paragraph No. 3 of *Statute 10* in the Second Schedule thereto and by the substitution therefor of the following paragraph:—

“3. To recommend, for appointment by the Council, Professors, Lecturers, and other academic officers of the University and also, after report from the Board of Faculty or Boards of Faculties concerned, External Examiners.”

Objects and Reasons.

The Secretary of State has expressed a desire that the University Ordinances of 1911 should be amended in the light of certain criticisms which have been passed on them by the Board of Education and has meantime refrained from tendering any advice to His Majesty in respect of the said Ordinances. The Board of Education are desirous that the employment of the University of London Examiners in collaboration with the members of the teaching staff of the Hongkong University should not imply that the degrees of the Hongkong University will be given on the same examination papers as those which are set to the external students of the University of London, as, if this were done, the syllabuses of the London external examinations would simply become the curricula of the Hongkong University and all freedom and initiative on the part of the latter institution would be destroyed. They suggest therefore that the Hongkong curricula should be worked out by the Hongkong University and that the London University should be asked to accept the curricula as broadly equivalent to that required for a London degree. The University of London should then, they think, be requested to appoint one of their own examiners in each subject to act as the external examiners for the Hongkong examinations with the power of veto over the passing of any candidate who does not reach the standard required of a London student and with instructions to assure themselves that the standard of the examination both in the separate subjects and collectively is the same as that for a London degree in the particular Faculty concerned. The external examiners would make reports accordingly both to the University of Hongkong and to the University of London, but the examination papers should all be read and marked in the first instance by members of the Hongkong teaching staff, the papers thus marked being then sent with the report to the London Examiners. The Board of Education also think that it is important that the Hongkong University should have the power to set up a printing press and publish books if it desires. They consider that section 4 (7) of the Principal Ordinance gives the University the power of examining and inspecting schools independently of the Government and suggest that the sub-section should be modified with a view to safeguarding the position of the Education Department of the Colony in this respect though they see no reason why the Government should not employ such University Professors and Lecturers as they think desirable for the purpose of inspecting and examining schools.

The Board consider that it is of great importance that the position of the Vice-Chancellor should be placed beyond all reasonable doubt and suggest the addition of a clause to the effect that the Vice-Chancellor is the chief administrative officer of the University and shall have such powers and duties as the Council shall assign to him. The Board of Education have also suggested the modification of the Statutes of the University, which is effected by this Bill, in order to avoid a possible cause of friction between the Council and the Senate.

C. G. ALABASTER,
Attorney General.