

LEGISLATIVE COUNCIL.

No. S. 136.—The following Bill was read a first time at a Meeting of the Council held on the 7th May, 1914 :—

A BILL

ENTITLED

An Ordinance for more effectually preventing the Publication of Obscene Books, Pictures, and other Articles.

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 Obscene Publications Ordinance, 1914.

Warrant to search for and seize obscene articles kept for publication.

2. When it appears to any Justice of the Peace upon the oath of any person that there is reasonable cause to believe that any obscene or indecent books, papers, writings, prints, pictures, drawings, figures, or other representations, are kept in any house, shop, or other place, or on board any boat or vessel (not being a vessel which is or has the status of a ship of war) within the Colony for the purpose of sale, distribution, exhibition, lending upon hire, or being otherwise published, such Justice of the Peace may by his warrant directed to any police officer empower such officer by day or by night to enter such house, shop, or other place, or to go on board such boat or vessel, and there to search for and take possession of any such books, papers, writings, prints, pictures, drawings, figures, or other representations as aforesaid found in such house, shop, or other place, or on board such boat or vessel, and to carry all the articles so seized before a Magistrate.

Powers of officer executing warrant.

3. Such officer may if necessary :—

- (a.) break open any outer or inner door of such house, shop, or other place, and enter therein;
- (b.) forcibly enter such boat or vessel and every part thereof ;
- (c.) remove by force any obstruction to such entry, search, seizure, or removal as he is empowered to effect ; and
- (d.) detain any person found in such house, shop, or place, or on board such boat or vessel, until such house, shop, place, boat, or vessel has been searched.

Summons to occupier, etc., and destruction of articles.

4. When any such books, papers, writings, prints, pictures, drawings, figures, or other representations so seized as aforesaid shall be brought before a Magistrate, such Magistrate or some other Magistrate shall thereupon issue a summons calling upon the occupier of the house, shop, or other place, or the licensee or captain of the boat or vessel, where or on board which the said articles were so found, to appear at a place and time to be named in such summons before a Magistrate to show cause why the articles so seized should not be destroyed ; and if such occupier or some other person claiming to be the owner of the said articles shall not appear at the time and place aforesaid, or shall appear and the Magistrate shall be satisfied that such articles or any of them are obscene or indecent and that such or any of them have been kept for any of the purposes aforesaid, it shall be lawful for the said Magistrate and he is hereby required to order the articles so seized, except such of them as he considers necessary to be preserved as evidence in some further proceedings, to be destroyed after the expiration of 7 days, unless an application be duly made to the said Magistrate in the meantime to state and sign a case or to grant leave to appeal to the Full Court by way of a re-hearing, and such articles shall be in the meantime impounded.

Objects and Reasons.

The object of this Bill is to introduce into the Colony the provisions of the Obscene Publications Act, England, 20 & 21 Vict. c. 83, which empowers Magistrates and Justices of the Peace to issue warrants to search for obscene books, pictures, and other articles, and, after giving parties who may be interested an opportunity of being heard, to order the destruction of any obscene articles so seized. Such a power does not exist in this Colony at present.

J. H. KEMP,
Attorney General.

No. S. 137.— The following Bill as passed in Committee at a Meeting of the Legislative Council held on the 7th May, 1914, is published for general information:—

A BILL

ENTITLED

An Ordinance to provide for the registration of qualified Dental Surgeons and otherwise to regulate the practice of Dentistry.

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 Dentistry Short title. Ordinance, 1914.

2. In this Ordinance,—

Interpreta-
tion of
terms.

“Dental Board” means the Dental Board established under the provisions of this Ordinance.

Dental
Board.

“Dental operation” includes the extraction of teeth, the administration of any general or local anæsthetic or any operation on the teeth involving the use of any instrument.

Dental
operation.

“Exempted person” means a person who has been granted a certificate of exemption under the provisions of section 5 (2) of this Ordinance.

Exempted
person.

“Registered Dental Surgeon” means any person who has been registered as a Dental Surgeon in the Register of Dental Surgeons established under the provisions of this Ordinance.

Registered
Dental
Surgeon.

3.—(1.) A Board to be styled “the Dental Board” shall be established and shall consist of the Principal Civil Medical Officer (who shall be Chairman of the Board), two persons registered under the provisions of the Medical Registration Ordinance, 1884, and two dental practitioners.

Constitution
of Dental
Board.

(2.) The un-official members of the Dental Board shall be appointed by the Governor and shall hold office for 3 years but may be re-appointed or removed by the Governor at his pleasure.

Appoint-
ment of
members of
Dental
Board.

(3.) Three members of the Board shall form a quorum.

Quorum.

4.—(1.) The Colonial Secretary shall keep a Register of Dental Surgeons qualified to practise in this Colony and of persons exempted under the provisions of section 5 (2) of this Ordinance and such Register shall be styled the “Dental Register”.

Dental
Register:
To be kept.