

**No. S. 48.**—The following Bills were read a first time at a meeting of the Council held on the 17th February, 1921:—

A BILL

INTITULED

An Ordinance to amend the Vehicles and Traffic Regulation Ordinance, 1912.

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

Short title and construction. Ordinance No. 40 of 1912. 1. This Ordinance may be cited as the Vehicles and Traffic Regulation Ordinance, 1921, and shall be read and construed as one with the Vehicles and Traffic Regulation Ordinance, 1912, hereinafter referred to as the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the Vehicles and Traffic Regulation Ordinances, 1912 and 1921.

Amendment of Ordinance No. 40 of 1912, s. 2. 2. Section 2 of the principal Ordinance is amended by the addition of the following paragraph at the end thereof:—

(l) "Motor Vehicle" means a vehicle propelled by mechanical power.

Amendment of Ordinance No. 40 of 1912, s. 3. 3. Section 3 of the principal Ordinance is amended as follows:—

(a) by the insertion of the following paragraph immediately after the eighth paragraph thereof:—

(9) for granting exclusive rights of maintaining services of motor vehicles, for enforcing the obligations of any persons to whom such rights may be granted, for requiring security from such persons and for realising such security, for the cancellation of such rights when granted, for prescribing the fees to be paid in respect of such rights and for the effective control and protection of such services;

(b) by the renumbering of paragraph (9) as paragraph (10).

Amendment of Ordinance No. 40 of 1912, s. 4. 4. Section 4 of the principal Ordinance is amended by the deletion of the figures and words "50 dollars or in default of payment thereof to imprisonment for a period not exceeding 2 months" in the third and fourth lines thereof, and by the substitution therefor of the words "two hundred and fifty dollars and to imprisonment for any term not exceeding six months".

*Objects and Reasons.*

1. It is intended that exclusive rights of running a motor omnibus service in Kowloon and New Kowloon shall be granted in the near future, and the object of this Bill is to amend the Vehicles and Traffic Regulation Ordinance, 1912, so as to provide the necessary powers to do so.

2. Exclusive rights will be granted in order to secure a regular service to outlying districts, which would not be possible under a system of free competition, and it is also anticipated that by this method a better service will be provided generally for the public.

3. The opportunity has also been taken to add a definition of "motor vehicle" to section 2 of the principal Ordinance, and to increase the penalty imposed by section 4 of the principal Ordinance, in order to bring it into line with other legislation of a similar character.

J. H. KEMP,  
*Attorney General.*

3rd February, 1921.

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A BILL

INTITULED

An Ordinance to amend the Widows' and Orphans' Pension Ordinance, 1908.

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 Widows' and Orphans' Pension Ordinance, 1921, and shall be read and construed as one with the Widows' and Orphans' Pension Ordinance, 1908, hereinafter called the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the Widows' and Orphans' Pension Ordinances, 1908 and 1921.

Short title and construction.  
Ordinance No. 15 of 1908.

2. Section 2 of the principal Ordinance, as amended by section 2 of the Widows' and Orphans' Pension (Amendment) Ordinance, 1914, is further amended by the deletion of the definition of the term "officer" and by the substitution therefor of the following definition:—

Amendment of Ordinance No. 15 of 1908, s. 2.

New definition of "officer".

"Officer" means:—

Ordinance No. 21 of 1914.

- (a) a person permanently employed in the service of the Government; or
- (b) an European member of the police force of the rank of sergeant or of higher rank; or
- (c) a married European member of the police force below the rank of sergeant whose marriage has received or may hereafter receive either the previous or the subsequent approval of the Captain Superintendent of Police:

Provided that the term "officer" does not include any such person whose salary is less than \$420 per annum.

3.—(1.) Every person contributing to the Fund at the date of the commencement of this Ordinance who falls outside the definition of the term "officer" contained in section 2 of this Ordinance may either continue to contribute to the Fund or may withdraw from the Fund and receive therefrom one-half of the total amount of the contributions made by him, without interest.

Existing contributors who fall outside the new definition of officer.

(2.) If any person to whom this section applies fails to give due notice to the Directors of his desire to continue to contribute to the Fund such person shall be deemed to have elected to withdraw from the Fund.

(3.) For the purpose of sub-section (2) of this section due notice shall mean notice which shall reach the Directors :—

- (a) within one month after return from leave in the case of persons who are on leave at the commencement of this Ordinance; and
- (b) within one month after the commencement of this Ordinance in the case of persons who are not on leave at the commencement of this Ordinance.

Persons who have left the service not affected.

4. Nothing in this Ordinance shall affect the rights of any person who shall have left the public service before the commencement of this Ordinance.

Repeal of Ordinance No. 21 of 1914.

5. The Widows' and Orphans' Pension (Amendment) Ordinance, 1914, is repealed.

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*Objects and Reasons.*

1. The object of this Bill is to except from the operation of the Widows' and Orphans' Pension Ordinance, 1908, (a) the Indian and Chinese members of the Police Force and (b) all Government servants whose pay is less than \$420 per annum. \$420 per annum is the minimum pay in the clerical service under the revised salaries scheme. It is believed that the classes affected will welcome the relief from liability to contribute to a fund which is not so useful to them as to those members of the service to whom the Ordinance will still apply.

2. Existing contributors are given by clause 3 the choice between continuing to contribute and withdrawal. In the latter event, they will receive back half of the total amount of their contributions, without interest. Officers on leave at the commencement of the Ordinance are allowed until one month after return from leave to make their election between continuance and withdrawal. All other officers are allowed until one month after the commencement of the Ordinance to make their election.

3. The rights of officers who shall have left the service before the commencement of the Ordinance will not be affected.

4. The Widows' and Orphans' Pension (Amendment) Ordinance, 1914, is repealed because it merely introduced the definition of the term officer which is now being repealed.

J. H. KEMP,  
*Attorney General.*

29th January, 1921.