

LEGISLATIVE COUNCIL.

Draft Bill.

**No. S. 41.**—The following amended draft of the Rents bill, which it is proposed to introduce into the Legislative Council on Thursday, the 28th February, is published for general information. The present draft differs only in clause 4 from the draft which was published in the Gazette of the 15th February. The reason for the alteration in the draft is as follows.

2. Clause 4 of the bill applies only to what are called “current” notices to quit, *i.e.*, notices to quit, on the ground of intended reconstruction, given before the commencement of the proposed Ordinance and still unexpired at its commencement. The draft of clause 4 which was published in the Gazette of the 15th February provided that such current notices to quit should be invalid unless, before the expiration of the period of the notice, the lessor obtained a certificate to the effect that the intended reconstruction was desirable. This would be sufficient if one could be sure that lessors would apply promptly for certificates, but some lessors, possibly through negligence, may delay making their application until towards the end of the three months period, thus keeping the lessee in doubt as to whether the notice is to be valid or invalid at the end of the three months. The new draft of clause 4, therefore, provides for the invalidating of current notices in a second way, and under it current reconstruction notices to quit will become invalid, not only upon the failure of the lessor to obtain a certificate of desirability, but also upon the lessee obtaining a certificate of undesirability, *i.e.*, a certificate that the intended reconstruction is undesirable. This gives the lessee an opportunity of taking steps himself in order to obtain an early decision on the question.

3. An apprehension has been expressed on the part of the tenants that certificates of desirability may be applied for and obtained without their knowledge, so that they may not know up to the last moment whether any certificate has been obtained, and it is pointed out that there is no provision in clause 4 for the service of the certificate on the lessee. The question of providing in the clause for such service has been considered, but there are difficulties in the way, and it is thought that the point will be met sufficiently by the adoption of the following procedure. If a certificate of desirability is granted to the lessor, the Building Authority, or the Governor in Council as the case may be, will endeavour to communicate the decision to the lessee as soon as possible, and will, in any proper case, endeavour to communicate with the lessee before granting a certificate of desirability.

C.S.O. 1 in 2576/19. Part III.

[No. 3 :—22.2.24.—2.]

A BILL

INTITLED

An Ordinance to amend further the Rents Ordinance, 1922.

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 Rents Amendment Ordinance, 1924.

2. Section 4 (1) (f) of the Rents Ordinance, 1922, as amended by section 6 of the Rents Amendment Ordinance, 1923, is further amended by the insertion of the following words immediately before the proviso thereto :—

Amendment of Ordinance No. 14 of 1922, s. 4 (1) (f), as amended by Ordinance No. 8 of 1923, s. 6.

“and that such intended reconstruction is desirable”.

3. Section 4 of the Rents Ordinance, 1922, as amended by sections 5 and 6 of the Rents Amendment Ordinance, 1923, is further amended by the addition of the following sub-section immediately after sub-section (1) thereof, and by the renumbering of sub-sections (2), (3), (4), (5) and (6) as (3), (4), (5), (6) and (7), respectively.

Insertion of new sub-section in Ordinance No. 14 of 1922, s. 4, as amended by Ordinance No. 8 of 1923, ss. 5 and 6.

(2) The certificate referred to in sub-section (1) (f) shall not be given unless the Building Authority is of opinion that the condition of the domestic tenement in question is such as to make the intended reconstruction desirable: Provided that the Governor in Council may, on appeal from the Building Authority, in any case and on any ground, direct that the certificate shall be given.

4. Every notice to quit which was given before the commencement of this Ordinance under section 4 (1) (f) of the Rents Ordinance, 1922, and which was still unexpired at the commencement of this Ordinance, shall be deemed to be invalid :—

Application to current notices to quit.

- (a) if the lessor fails to obtain, before the expiration of the period of the notice, a certificate, from the Building Authority or from the Governor in Council on appeal from the Building Authority, to the effect that the intended reconstruction is desirable; or
- (b) if the lessee obtains, before the expiration of the period of the notice, a certificate, from the Building Authority or from the Governor in Council on appeal from the Building Authority, to the effect that the intended reconstruction is undesirable.

## NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

### No. S. 42.—Statement of Sanitary Measures adopted by Hongkong.

Disease.	Port or Place.	Restrictions in Force.	Authority.
Small-pox.	Saigon.	Medical examination; quarantine at the discretion of the Health Officer.	Notification No. 70 of 7th February, 1924.