

No. S. 343.—The following bill, which it is proposed to introduce into the Legislative Council shortly, is published for general information :—

[No. 13 :—26.10.24.—2.]

C.S.O. 2940/24

A B I L L

INTITULED

An Ordinance to amend the Telegraphic Messages Ordinance, 1894.

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 Telegraphic Messages Amendment Ordinance, 1924. Short title.
2. Section 2 of the Telegraphic Messages Ordinance, 1894, is amended as follows :— Amendment of Ordinance No. 3 of 1894, s. 2.
 - (1) The words “, telephone, wireless telegraphy or wireless telephony,” are inserted between the word “telegraph” and the word “from” in the first line thereof.
 - (2) The words “or retransmit by telegraph, telephone, wireless telegraphy, or wireless telephony,” are inserted immediately after the word “communication”, in the eleventh line thereof.
 - (3) The word “telegraphic” in the twelfth line thereof is deleted.
3. Section 3 of the Telegraphic Messages Ordinance, 1894, is repealed, and the following section is substituted therefor :— Amendment of Ordinance No. 3 of 1894, s. 3.

Penalty for printing, etc., matter contrary to the Ordinance.

 3. Every person who prints or publishes, or causes to be printed or published, or retransmits, any matter, contrary to the provisions of this Ordinance shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars.
4. Section 4 of the Telegraphic Messages Ordinance, 1894, is amended as follows :— Amendment of Ordinance No. 3 of 1894, s. 4.
 - (1) The word “telegraphic” in the first line thereof is deleted.
 - (2) The words “By Telegraph” in the third line thereof are deleted and the words “Telegraphic Messages Ordinance, 1894,” are substituted therefor.
5. Section 5 of the Telegraphic Messages Ordinance, 1894, is amended as follows :— Amendment of Ordinance No. 3 of 1894, s. 5.
 - (1) The word “company” is substituted for the word “office” in the third line thereof.
 - (2) The words “or by wireless telegraphy” are inserted between the word “telegraph,” and the word “from” in the sixth line thereof.
6. Section 6 (1) (c) of the Telegraphic Messages Ordinance, 1894, is amended by the insertion of the words “or by wireless telegraphy” between the word “telegraph” and the word “as” in the first line thereof. Amendment of Ordinance No. 3 of 1894, s. 6 (1) (c).
7. Section 6 (3) (a) of the Telegraphic Messages Ordinance, 1894, is amended as follows :— Amendment of Ordinance No. 3 of 1894, s. 6 (3) (a).
 - (1) The words “or by wireless telegraphy” are inserted immediately after the word “telegraph” in the third line thereof.

- (2) The words "or by wireless telegraphy", are inserted between the word "telegraph" and the word "and" in the fifth line thereof.

Objects and Reasons.

1. The Telegraphic Messages Ordinance, 1894, Ordinance No. 3 of 1894, provides that when a telegraphic message has been received by any person in the Colony for publication in a newspaper or for circulation to subscribers, no other person shall publish in a newspaper, or in any printed or written communication, the substance thereof or an extract therefrom, until after thirty six hours from the time of the first publication of the message by the person receiving the same. This provision is defective in three points. In the first place, it does not prohibit the retransmission of such by telegraph. In the second place, it is not clear whether the section applies to messages received or sent by wireless telegraphy. In the third place, it does not apply to messages received or sent by telephone or by wireless telephony.

2. Clause 2 of the bill amend these defects in the main operative section of the Ordinance, *i.e.*, section 2.

3. This necessitates an amendment of section 3 of the principal Ordinance. The opportunity is taken to get rid of the distinction between first offences and subsequent offences, and to substitute what is now the standard fine for summary offences, *i.e.*, \$250. The provision that any imprisonment in default shall be without hard labour has been omitted. The whole section has been repealed and re-enacted with amendment.

4. Consequential amendments are also made in section 4 of the principal Ordinance.

5. Clause 5 inserts in section 5 of the principal Ordinance a reference to wireless telegraphy. The opportunity is taken to substitute the words "telegraph company" for "telegraph office". The term "telegraph company" is defined in section 6 (3) (b).

6. Clauses 6 and 7 amend section 6 of the principal Ordinance so as to make it apply to wireless telegraphy.

J. H. KEMP,
Attorney General.

23rd July, 1924.