

LEGISLATIVE COUNCIL.

No. S. 151.—The following Bill was read a first time at a meeting of the Council held on the 21st May, 1925 :—

[No. 7 :—15.5.25.—5.]

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

A BILL

INTITLED

An Ordinance to amend the Rents Ordinances, 1922 and 1924.

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 Rents Amendment Ordinance, 1925. Short title.

2. Sections 4 (1) (a), 11 and 14 of the Rents Ordinance, 1922, hereinafter called the principal Ordinance, are amended by the substitution for the words "standard rent" of the words "rent recoverable in accordance with the provisions of this Ordinance". Amendment to sections 4, 11 and 14 of Ordinance No. 14 of 1922.

3. The following new section is inserted after section 3 of the principal Ordinance, namely :— New section of in Ordinance No. 14 of 1922.

3A. Notwithstanding anything contained in section 3 of this Ordinance, the rent recoverable in respect of any domestic tenement may, as from the 30th day of June, 1925, or from such later date as the lessor may think fit, and notwithstanding that such date does not coincide with the last day of any period of time in respect of which such rent is payable and notwithstanding the existence of any tenancy at the date of the notice hereinafter referred to, be increased at one time, or from time to time, but so that the total increase shall not at any time, or under any circumstances, exceed 15 per cent. of the amount of the standard rent of such domestic tenement, provided that the lessor has given to the lessee at least two weeks notice in writing of his intention to increase the rent in accordance with the provisions of this section, which notice shall state the standard rent and also the percentage by which the lessor intends to increase the standard rent. Nothing in this section shall, however, entitle any lessor during the currency of any existing or future lease of any domestic tenement for a term certain which term is unexpired to any rent higher than the rent reserved in such lease. Increase of rent permitted in certain cases.

4. Section 29 of the principal Ordinance is repealed and the following section is substituted therefor :— Substitution of new section 29 in Ordinance No. 14 of 1922.

Penalty for improper demand or receipt of rent or incorrect statement of standard rent. 29. Every lessor who demands or receives more than the rent recoverable in accordance with the provisions of this Ordinance for any domestic tenement or incorrectly states the standard rent in any notice to a lessee under section 3A shall, unless he proves to the satisfaction of the magistrate that he acted *bona fide*, be liable upon summary conviction to a fine not exceeding one thousand dollars.

5. The following new section is inserted in the principal Ordinance after section 29 :— Insertion of new section in Ordinance No. 14 of 1922.

30 (1) Every lessor who, under threat of applying for or taking action upon a certificate for reconstruction of any domestic tenement, demands or

ance with the provisions of this Ordinance shall be liable upon summary conviction to a fine not exceeding one thousand dollars.

- (2) Upon the hearing of any summons issued under the provisions of this section, it shall be lawful for a magistrate, in addition to imposing a fine, to order the defendant to pay to the tenant any sum recovered or obtained from the tenant by means of any such demand as aforesaid.

6. Section 10 of the principal Ordinance is amended by the substitution of the figures "1926" for the figures "1924" in the sixth line thereof.

Amendment  
of Ordinance  
No. 14 of  
1922, s. 10.

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*Objects and Reasons.*

1. Clause 2 of this bill makes certain necessary amendments in the principal Ordinance in places where the standard rent is referred to, so as to fit in with clause 3 of this Bill.

2. Clause 3 of this bill, by a new section 3A of the principal Ordinance, permits a total increase, either in one or more stages, of not exceeding 15 per cent. on the standard rent of any domestic tenement falling within the rent restriction provisions of Ordinance No. 14 of 1922. The clause also necessitates a two weeks notice by the lessor of his intention to increase the standard rent being given to the lessee together with a statement by the lessor of the amount of the standard rent and of the percentage of the intended increase. The section also enacts that no increase of rent may be made during the currency of any lease for a term certain.

3. Clause 4 of this bill inserts a new section 29, in Ordinance No. 14 of 1922, which fits in with the amendment made by clause 3 of this bill and which also enacts a penalty for the lessor incorrectly stating the standard rent in his notice to the lessee to increase the rent.

4. Clause 5 of this Bill is aimed against a practice, which unfortunately prevails to a certain extent, of threatening a tenant with reconstruction unless he will pay more rent. Sub-section (2) of clause 5 is based upon the provisions of section 19 of the principal Ordinance.

5. Clause 6 of this Bill carries out the first part of Resolution 1 in the Report of the Rents Committee, namely, "that the duration of the Rents Ordinance be extended for one year from the 30th June, 1925".

H. E. POLLOCK,  
*Attorney General.*

15th May, 1925.