

Draft Bills.

**No. S. 56.**—The following bills, which it is proposed to introduce into the Legislative Council shortly, are published for general information.

[No. 1:— 24.2.26.—1.]

C.S.O 3917/25.

A B I L L

INTITULED

An Ordinance to give the Governor in Council power to order refunds of rates.

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 Rating (Refunds) Ordinance, 1926 Short title.

2. Notwithstanding anything in the Rating Ordinance, 1901, it shall be lawful for the Governor in Council to order a refund of rates to be made in any case in which he may think fit to do so. Additional power to grant refund of rates.

Ordinance No. 6 of 1901.

3. Every person who knowingly makes to any person any false statement for the purpose of obtaining a refund of rates under the provisions of this Ordinance shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars. Making false statement an offence.

*Objects and Reasons.*

1. Various causes, some of which began to operate over a year ago, make it desirable that there should, temporarily, be a somewhat wider power to grant refunds of rates than exists at present. The chief obstacle in the way of such relief at present is the statutory rule that no refund can be made unless the whole of a tenement has been vacant during the month in respect of which the refund is claimed. There are also other difficulties. The bill proposes to avoid them all by giving a perfectly wide discretion to the Governor in Council. A wide discretion is also necessary in order that the varying difficulties of fact may be dealt with fairly and expeditiously. The intention is to exercise this discretion only in order to enable refunds to be made in respect of vacancies of portions of tenements for periods of one or more months. It must be pointed out that in ordering such refunds account will be taken of the fact that the assessment itself always makes a certain allowance for possible vacancies. Accordingly, if two floors of a house were vacant the refund would probably be of the amount of the rates attributable to one of the two floors only.

2. No definite term has been set to the operation of the Ordinance but it is not anticipated that the necessity for the relief will be of long duration.

J. H. KEMP,  
Attorney General.

24th February, 1926.

A BILL

INTITULED

An Ordinance to repeal certain enactments imposing disabilities on former enemy aliens.

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 Former Enemy Aliens (Disabilities Removal) Ordinance, 1926.

Repeal of certain enactments imposing disabilities on former enemy aliens. 2. The enactments mentioned in the Schedule, which impose disabilities on subjects, citizens and companies of former enemy countries in respect of the carrying on of banking business within the Colony, and in respect of service on board British ships registered in the Colony, are hereby repealed to the extent specified in the third column of the Schedule.

SCHEDULE.

Year and number.	Short title.	Extent of repeal.
2 of 1919.	Banking Business (Prohibited Control) Ordinance, 1919.	The whole Ordinance.
8 of 1922.	Merchant Shipping (Aliens Employment) Ordinance, 1922.	Sections 2 and 4, the words "or a former enemy alien" in section 5, and the words "and of former enemy aliens" in the long title.

Objects and Reasons.

1. In the treaty of commerce and navigation between United Kingdom and Germany which was ratified on the 8th September, 1925, His Majesty's Government undertook to recommend to Parliament the necessary legislation for the removal of certain disabilities affecting German companies which did not extend to the subjects or citizens or companies of the most favoured foreign country. This resulted in the passing of the Former Enemy Aliens (Disabilities Removal) Act, 1925, 15 & 16 Geo. 5, c. 43. This Colony proposes to give notice of desire to adhere to the above treaty, and it therefore becomes necessary to legislate here in the same way as in the United Kingdom. This bill, therefore, proposes to repeal two enactments which were directed against former enemy aliens, i.e., restrictions on banking business, and the prohibition against the employment of former enemy aliens on British ships registered in the Colony.

2. The English Act dealt also with a third matter, i.e., the restriction on dealings in non-ferrous metals. We had similar legislation in this Colony, i.e., Ordinances Nos. 1 of 1919 and 4 of 1920, but those Ordinances were repealed by Ordinance No. 11 of 1921.

J. H. KEMP,  
Attorney General.

8th February, 1926.