

GOVERNMENT NOTIFICATION.—No. 318.

The following Circular Despatch, accompanying copies of the *Submarine Telegraph Act, 1886*, amending the *Submarine Telegraph Act, 1885*, is published for general information.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 30th July, 1887.

CIRCULAR (1).

DOWNING STREET, 6th June, 1887.

SIR,—With reference to my predecessor's Circular Despatch of the 14th of September, 1885, I have the honour to transmit to you the accompanying copies of the *Submarine Telegraph Act, 1886*, amending the *Submarine Telegraph Act, 1885*.

It may be convenient that I should point out that the Convention (Article 1) and the Acts above named will apply to any Cable landed upon the shores of the Colony under your Government.

I have to inform you that the Convention has not yet been brought into operation. An International Conference was assembled at Paris in December last to examine the laws already passed by certain of the Signatory Powers, and to consider the date at which the Convention should come into operation, but decided to adjourn to the 1st July next, when the matter will be further considered.

I have the honour to be,

Sir,

Your most obedient humble Servant,

H. T. HOLLAND.

The Officer Administering the Government of
HONGKONG.

CHAPTER 3.

An Act to amend the Submarine Telegraph Act, 1885.

A.D. 1886.

[25th September, 1886.]

WHEREAS the delegates of the States, parties to the convention of the fourteenth day of March one thousand eight hundred and eighty-four, mentioned in the schedule to the Submarine Telegraph Act, 1885, have recommended for adoption by their respective States a declaration respecting the interpretation of such convention, and it is expedient to provide for giving effect to such declaration when adopted:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act shall be construed as one with the Submarine Telegraph Act, 1885, and that Act and this Act may be cited together as the Submarine Telegraph Acts, 1885 and 1886, and this Act may be cited separately as the Submarine Telegraph Act, 1886. Short title and construction. 48 & 49 Vict. c. 49.

2. It shall be lawful for Her Majesty in Council at any time after the passing of this Act to order that the declaration mentioned in the schedule to this Act, as set forth in that schedule, shall be of the same force, and the same shall accordingly be of the same force, as the articles of the convention set forth in the schedule to the Submarine Telegraph Act, 1885. Confirmation of declaration.

3. Section four of the Submarine Telegraph Act, 1885, is hereby repealed.

Repeal of 48 & 49 Vict. c. 49. s. 4.

SCHEDULE.

SUBMARINE TELEGRAPH DECLARATION.

Certain doubts having been raised as to the meaning of the word "wilfully" used in article two of the convention of the fourteenth of March one thousand eight hundred and eighty-four, it is understood that the provision in respect of penal responsibility contained in the said article does not apply to cases of breakage or injury caused accidentally or of necessity in the repair of a cable when all precautions have been taken to avoid such breakage or injury.

It is equally understood that article four of the convention had no other object, and is to have no other effect, than to empower the competent tribunals of each country to decide in conformity with their laws and according to the circumstances the question of the civil responsibility of the owner of a cable who in laying or repairing his own cable breaks or injures another cable, as well as the consequences of such responsibility if it is recognised as existing.