

RESOLUTION.—The Director of Public Works, pursuant to notice, addressed the Council and moved the following resolution:—

Be it resolved by the Legislative Council that the percentages on the valuation of tenements, payable as rates, in the village of Hung Hom be altered from  $10\frac{3}{4}$  to  $12\frac{1}{4}$  per cent. and in the village of Mongkoktsui from 9 to  $10\frac{1}{2}$  per cent.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

BILL ENTITLED AN ORDINANCE FOR THE NATURALIZATION OF ONE ÜN CHUNG Wo alias ÜN Oi Ü alias ÜN HI alias ÜN KWOK HI.—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE TO APPLY A SUM NOT EXCEEDING TWO MILLIONS-FIVE HUNDRED AND EIGHTY-SEVEN THOUSAND EIGHT HUNDRED AND NINETY-EIGHT DOLLARS AND EIGHTY CENTS TO THE PUBLIC SERVICE OF THE YEAR 1899.—The Acting Colonial Secretary addressed the Council and moved the second reading of the Bill.

The Acting Colonial Treasurer seconded.

Question—put and agreed to.

Bill read a second time.

The Acting Colonial Secretary moved that the Bill be referred to the Finance Committee.

The Acting Colonial Treasurer seconded.

Question—put and agreed to.

His Excellency the Officer Administering the Government at this stage retired and a meeting of the Finance Committee was then held to consider the Bill.

Council in Committee on the Bill.

Council resumed and Bill reported without amendment.

The Acting Colonial Secretary moved the third reading of the Bill.

The Acting Colonial Treasurer seconded.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

ADJOURNMENT.—The Council then adjourned *sine die*.

WILSONE BLACK,  
*Officer Administering the Government.*

Read and confirmed this 22nd day of November, 1898.

J. G. T. BUCKLE,  
*Clerk of Councils.*

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GOVERNMENT NOTIFICATION.—No. 529.

The following Bill, which was read a first time at a Meeting of the Legislative Council held this day, is published.

J. G. T. BUCKLE,  
*Clerk of Councils.*

Council Chamber, Hongkong, 22nd November, 1898.

A BILL

ENTITLED

An Ordinance to make further provision for the sanitation of the Colony and to repeal certain enactments of the closed houses and insanitary dwellings 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 Insanitary Properties Ordinance, 1898. Short title.

2. In this Ordinance unless the contrary intention appears,— Interpretation.

The expression "Street" shall include any square, court or alley, highway, lane, road, or passage whether a thoroughfare or not:

The expression "Domestic Building" means any human habitation or building where persons, other than two caretakers, pass the night:

The expression "Owner" shall mean the holder of any tenement direct from the Crown whether under lease, licence or otherwise, or the agent of any such holder if such holder is absent from the Colony or under disability.

3. No room fitted with bunks or beds shall be so fitted as thereby to provide sleeping accommodation for a greater number of persons than are by law permitted to occupy the room. Limit of fittings for sleeping accommodation in a room.

4. The following regulations shall be observed with regard to cubicles and partitions:— Regulations as to cubicles.

(a.) In houses fronting streets of a width of less than 15 feet, no cubicles or partitions shall be erected, or if already existing shall be allowed to remain, except on the top floor.

(b.) In houses fronting streets of a width of 15 feet or over, no cubicles or partitions other than [屏風] "p'ing fung" (i.e., shop divisions) shall be erected, or if already existing shall be allowed to remain, on the ground floor, and in the case of every such "p'ing fung" there must be a space between the top of the cubicles or partitions and the ceiling or under side of the joists of the room of not less than four feet, which may be closed in only by wire netting, lattice work or carved woodwork, arranged in such a way as to leave at least two-thirds open and as far as practicable evenly distributed.

(c.) No cubicles or partitions shall be erected, or if already existing shall be allowed to remain, in any kitchen.

(d.) Where one cubicle only is hereafter erected or already exists in any room of a domestic building, no portion of the structure of such cubicle shall exceed eight feet in height; where two cubicles only are so erected or exist, no portion of the structure of either of such cubicles shall exceed seven feet in height; where more than two cubicles are so erected or exist, no portion of the structure of any such cubicles shall exceed six feet in height. In all cases, however, there must be a space between the top of every portion of the structure of such cubicles and the ceiling or under side of the joists of the room of not less than four feet, which may be closed only by wire netting, lattice work or carved woodwork, arranged in such a way as to leave at least two-thirds open, and as far as practicable evenly distributed.

(e.) No cubicles whatever shall be erected in any room of a domestic building, or if already existing shall be allowed to remain, where such room has a window area of less than one-tenth of the floor area, and such floor area shall not in any case be less than that laid down in the substituted section 67 of the Public Health Ordinance, 1887, as set out in section 9 of Ordinance 15 of 1894.

(f.) No portion of the structure of any cubicle except the necessary corner posts shall be nearer than two inches to the floor of such cubicle, and no structure shall be erected, or if already existing shall be allowed to remain, within any cubicle, which is of a greater height than the maximum height allowed by this section for any portion of the structure of such cubicle or which provides a cover or roof to the cubicle.

(g.) No partition shall be erected, or if already existing shall be allowed to remain, nearer than four feet to any window the area of which is included in calculating the window area specified in sub-section (e.).

For the purposes of this section every sub-division of a domestic building, unless such sub-division has a window or windows opening directly into the external air and having a total area clear of the window frames equal to one-tenth of the floor area of such sub-division, shall be deemed to be a cubicle.

Mezzanine floors and cocklofts.

5.—(a.) It shall not be lawful to erect, or if already existing to allow to remain, in any room of any domestic building, any mezzanine floor or cockloft whatsoever, except under such regulations as may be made by the Governor-in-Council and published in the Government Gazette, and the Governor-in-Council shall have full power to vary, alter and repeal any such regulations, and to substitute new regulations therefor.

(b.) Every intermediate floor, platform, or landing of a greater length than six feet and of a greater breadth than two feet, which does not comply with the clear-space requirements of section 23 of the Buildings Ordinance, 1889, and which is not separately provided with a window or windows opening directly into the external air and having a total area clear of the window frames of at least one-tenth of the floor area, shall be deemed to be a mezzanine floor or cockloft.

Open spaces and back lanes.

6.—(a.) Every domestic building in this Colony already erected, or now in process of erection, (except in cases provided for by section 66 of the Public Health Ordinance, 1887, or coming within the terms of Articles of Agreement under the Praya Reclamation Ordinance, 1889) shall be provided at the expense of the owner of such building with an open space in the rear in accordance with the following scale:—

	<i>An open space not less than</i>
Houses not exceeding 40 feet in depth, for each foot of width .....	4 square feet.
Houses exceeding 40 feet but not exceeding 50 feet in depth, for each foot of width .....	6 square feet.
Houses exceeding 50 feet but not exceeding 60 feet in depth, for each foot of width .....	8 square feet.
Houses exceeding 60 feet in depth, for each foot of width .....	12 square feet.

Every domestic building hereafter erected in this Colony, (except in cases provided for by section 66 of the Public Health Ordinance, 1887, or coming within the terms of Articles of Agreement under the Praya Reclamation Ordinance, 1889) shall be provided with an open space in the rear in accordance with the following scale:—

	<i>An open space not less than</i>
Houses not exceeding 40 feet in depth, for each foot of width .....	8 square feet.
Houses exceeding 40 feet but not exceeding 50 feet in depth, for each foot of width .....	10 square feet.
Houses exceeding 50 feet but not exceeding 60 feet in depth, for each foot of width .....	12 square feet.
Houses exceeding 60 feet in depth, for each foot of width .....	14 square feet.

The provisions of every Ordinance or bye-law in force in this Colony as to keeping backyards clear of obstruction shall apply to every such open space as aforesaid.

Provided always that when the owners of a block of buildings agree to make a lane opening at either end upon a public street, and free from obstruction throughout, the foregoing requirements shall be modified as follows:—

- Houses not exceeding 40 feet in depth: a lane not less than ..... 6 feet wide.
- Houses exceeding 40 but not exceeding 50 feet in depth: a lane not less than..... 8 feet wide.
- Houses exceeding 50 but not exceeding 60 feet in depth: a lane not less than..... 11 feet wide.
- Houses exceeding 60 feet in depth: a lane not less than ..... 13 feet wide.

(b.) In computing the depth of a house for the purposes of this section the depth of the kitchen shall be included in the computation of such depth in every case except when such kitchen is separated from the habitable portion of such house by an open yard extending the entire width of the back of such house.

(c.) Every back lane made under the provisions of this Ordinance shall be and shall be kept concreted, channelled, drained, and provided with lighting apparatus by the Government at the expense of the owners of the land abutting on such lane, and the several owners of such land shall bear the cost of such concreting, channelling, draining and providing of such apparatus in proportion to the width of their respective land at the place where it abuts on such lane, and the Government may recover such proportionate cost together with interest at the rate of eight per cent. per annum from the date of demand for payment of such proportionate cost made by the Director of Public Works from any such owner by a suit in the name of the Director of Public Works in the Summary Jurisdiction of the Supreme Court. The cost of the illumination of such lane, shall, however, be borne by the Government.

(d.) Every such back lane shall be maintained by the Government in a sanitary condition.

7. Every private street shall be and shall be kept surfaced and channelled and provided with lighting apparatus by the Government at the expense of the owners of the land abutting on such street, and the several owners of such land shall bear the cost of such surfacing and channelling and providing of lighting apparatus in proportion to the width of their respective land at the place where it abuts on such street, and the Government may recover such proportionate cost together with interest at the rate of eight per cent. per annum from the date of demand for payment of such proportionate cost made by the Director of Public Works from any such owner by a suit in the name of the Director of Public Works in the Summary Jurisdiction of the Supreme Court. The cost of the illumination of such street shall, however, be borne by the Government.

Private streets and lanes.

8.—(a.) In the case of any alterations to existing buildings being required for the purpose of complying with the provisions of section 6 (a.) of this Ordinance, a period of twelve months from the date of the coming into force of this Ordinance shall be allowed to the owner or owners of such buildings within which to make such alterations, and, in the event of any of such alterations not being made and completed within the said period of twelve months, such owner, or if there be more than one such owner, every such owner shall be liable upon summary conviction before a Magistrate to a fine of twenty-five dollars for each and every term of twenty-four hours beyond the said period of twelve months, during which any of the provisions of the said section 6 (a.) shall remain uncomplished with either wholly or in part.

Time within which alterations, &c. are to be made.

(b.) In the case of any alterations to or removal of any cubicles or partitions being required for the purpose of complying with any of the provisions of this Ordinance, a period of three months from the date of coming into force of this Ordinance shall be allowed to the owner or owners of the building in which such cubicles or partitions are situated to make such alterations or removal as aforesaid, and, in the event of any of such alterations or of any such removal not being made and completed within the said period of three months, such owner, or, if there be more than one such owner, every such owner shall be liable upon summary conviction before a Magistrate to a fine of five dollars for each and every term of twenty-four hours beyond the said period of three months during which any

of the provisions of this Ordinance with regard to any alteration to or removal of any cubicles or partitions shall remain uncompleted with either wholly or in part.

(c.) If upon the expiration of the respective periods of twelve or three months allowed under sub-sections (a.) and (b.) of this section, the alterations or removal referred to in such sub-sections have or has not been carried out as directed in such sub-sections, then, in addition to the penalties that may be incurred by the owners under such sub-sections, it shall be lawful for a Police Magistrate in his absolute discretion to order the whole or any portion of any building or of any room containing a cubicle or partition to be forthwith closed by or under the direction of the Captain Superintendent of Police and to remain closed until the alterations or removal required by this Ordinance have or has been certified in writing by the Sanitary Board to have been made and completed to the satisfaction of the said Board. Any person found living in any building or room or portion thereof so closed as aforesaid, shall be deemed to have committed an offence against this Ordinance and shall be punishable accordingly.

Power to  
order re-  
moval of  
illegal  
structures.

9. It shall be lawful for a Police Magistrate in any case in which it is proved to his satisfaction that any mezzanine floor, cockloft, cubicle or partition is not in accordance with the provisions of this Ordinance to order either in addition to or in substitution for any penalty specified in this Ordinance the immediate removal by any officer of the Sanitary Board of any such mezzanine floor, cockloft, cubicle or partition or any portion thereof, and no compensation whatever shall be payable to any person in respect of any damage done to such mezzanine floor, cockloft, cubicle or partition by such removal.

Offences.

10. Every act, failure, neglect, or omission whereby any provision of this Ordinance or any regulation made under this Ordinance is contravened, and every refusal to comply with any of the requirements or provisions of this Ordinance or of any such regulation on the part of any person whose duty it is to comply therewith, shall be deemed an offence against this Ordinance.

Penalties.

11. Every person committing an offence against this Ordinance in respect of which no penalty is otherwise provided by this Ordinance shall be liable, upon summary conviction, to a fine not exceeding fifty dollars and in default of payment to imprisonment with or without hard labour for a term not exceeding one month, and in any case where in the opinion of the Magistrate the offence is likely to be continued, the Magistrate may require the offender to comply with this Ordinance within such time as he may direct and may inflict a further penalty not exceeding five dollars for every day after such date, during which the offender shall fail so to comply.

Repeal.

12. The Ordinance specified in the schedule hereto is hereby repealed to the extent specified in the third column of that schedule.

**SCHEDULE.**  
**ENACTMENT REPEALED.**

No. of Ordinance.	Title or Short Title.	Extent of repeal.
15 of 1894.	The closed houses and insanitary dwellings Ordinance, 1894.	Sections 7 and 8 (b).

**GOVERNMENT NOTIFICATION.—No. 530.**

His Excellency the Officer Administering the Government has given his assent, in the name and on behalf of the QUEEN, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 28 of 1898.—An Ordinance to authorize the imposition of fees for the issue by the Government of Hongkong of certain certificates to certain classes of Chinese who are desirous of going to the port of Manila in the Philippine Islands.

Ordinance No. 29 of 1898.—An Ordinance for the Naturalization of one ÜN CHUNG Wo alias ÜN OI Ü alias ÜN HI alias ÜN KWOK HI.

By Command,

T. SERCOMBE SMITH,  
*Acting Colonial Secretary.*

Colonial Secretary's Office, Hongkong, 24th November, 1898.