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GOVERNMENT NOTIFICATION.—No. 689.

The following Order by His Majesty the King in Council is published.

By Command,

F. H. MAY,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 12th November, 1902.

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of August, 1902.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS there was this day read at the Board a letter from the Lords Commissioners of His Majesty's Treasury transmitting the Draft of a Supplemental Charter authorizing a temporary extension of the Note-issuing power of the Chartered Bank of India, Australia, and China :

HIS MAJESTY, having taken into consideration the said letter, and the Draft Supplemental Charter accompanying it, was pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the Right Honourable Charles Thomson Ritchie, one of His Majesty's Principal Secretaries of State, do cause a Warrant to be prepared for His Majesty's Royal Signature, for passing under the Great Seal of the United Kingdom a Supplemental Charter in conformity with the said Draft, which is hereunto annexed.

A. W. FITZROY.

DRAFT SUPPLEMENTAL CHARTER referred to in the foregoing
Order in Council.

EDWARD THE SEVENTH by the Grace of God of the United Kingdom of
Great Britain and Ireland and of the British Dominions beyond the Seas, King,
Defender of the Faith. To all to whom these presents shall come GREETING:

WHEREAS by Royal Charter granted by Her late Majesty Queen Victoria under Her Great Seal bearing date at Westminster the 29th day of December in the 17th year of Her Reign (in this Our Charter called "the original Charter") a Company was incorporated by the name of the Chartered Bank of India Australia and China with a Common Seal for the purpose of carrying on in London under the management of a Court of Directors by means of Banks or Branch Banks the business of Banking in any of Her Colonies or Dependencies in Australia and New Zealand in the Islands of Ceylon and Hong Kong or at any other Port Town City or place in China where a Consulate had been or might thereafter be established or which might be under the superintendence of the principal superintendent of trade at Kong Kong, provided that no such Banks or Branch Banks should be established in any of Her Colonies or Dependencies in Australia or New Zealand unless the previous assent thereto of the Commissioners of Her Treasury should have been signified in writing under their hands or the hands of any two of them and for the purpose of establishing agencies in the Chief Ports of India and in any of Her Colonies or Possessions eastward of the Cape of Good Hope in which no Banks or Branch Banks might have been established in virtue of Her Charter and in other Chief Ports or places of trade in the East in order to conduct the business of exchange deposit and remittance in connection with their other establishments but subject to the conditions in the original Charter contained.

And whereas by a Supplemental Charter under Her said late Majesty's Great Seal dated the 20th day of July 1861 Her said late Majesty authorised the said Company to establish a Bank or Branch Bank in the Island of Singapore for the purpose of carrying on the general business of Banking under the provisions of the original Charter in the Island of Singapore and adjoining British Settlements that is to say Penang and Malacca but subject to the conditions in the said Supplementary Charter contained.

And whereas by the original Charter Her said late Majesty declared that on the determination of the term of Twenty one years from the date thereof the privileges thereby conferred on the said Company should cease unless Her said late Majesty Her heirs or successors should by writing under the Great Seal declare to the contrary and should authorise the said Company to continue incorporated under the original Charter for a further term of ten years or for such period and under such conditions as Her said late Majesty Her Heirs or successors should think fit.

And whereas by the original Charter and the Deed of Settlement made in pursuance thereof and the bye-laws made in pursuance of such Deed the Commissioners of Our Treasury (in this Our Charter referred to as the Treasury) the Secretary of State in Council of India and the Secretary of State for the Colonies were authorised or required to exercise control over the management of the said Company in divers matters.

And whereas the period of Years specified in the original Charter expired on the 29th day of December 1874 and by a Supplemental Charter under Her said late Majesty's Great Seal dated the 10th day of November 1874 Her said late Majesty authorised the said Company to continue incorporated under the original Charter as amended by the said Supplemental Charter for a further period of 10 years.

And whereas by the said last mentioned Supplemental Charter it was declared that it should be lawful for the said Company to carry on its business without the control or interference of the Treasury the Secretary of State in Council of India and the Secretary of State for the Colonies save as in the said Supplemental Charter provided and it was by the said Supplemental Charter provided that the control of the Treasury over an increase of capital not exceeding the amount of Two Million Pounds and over the Establishment of Banks or Branch Banks in any of Her said late Majesty's Colonies or Dependencies in Australia or New Zealand and the power of Her said late Majesty to revoke the original Charter on the representation of the Treasury that its conditions had been violated should be retained as contained in the original Charter.

And whereas by a Supplemental Charter under Her said late Majesty's Great Seal dated the 18th day of December 1884 Her said late Majesty authorised the said Company to continue incorporated under the original Charter as amended by the said Supplemental Charters for a further period of ten years.

And whereas by a Supplemental Charter dated the 17th day of December 1894 Her said late Majesty authorised the said Company to continue incorporated under the original Charter as amended by

the said Supplementary Charters for a further period of ten years, and did thereby by Article X. will and ordain that notwithstanding anything contained in the original Charter as amended by the said Supplementary Charters the said Company might issue Promissory Notes up to the total amount of five million dollars and with due notice to the Treasury up to the total amount of eight million dollars beyond which no issue should be made.

And whereas by a Supplemental Charter under Her said late Majesty's Great Seal dated the 29th day of October 1897 Her said late Majesty did will and ordain that at any time during the period for which the said Company should remain incorporated under the Supplemental Charter dated the 17th day of December 1894 the said Company should be and were thereby empowered to establish, on the conditions therein mentioned Branch Banks within the geographical limits also therein mentioned in India in any of Her said late Majesty's Colonies in any British Protectorate, or in any place outside Her Possessions.

And whereas by the said last mentioned Supplemental Charter after reciting that by Clause XI. of the said Supplemental Charter dated the 17th day of December 1894 Her said late Majesty did will and ordain that the said Company should deposit and keep deposited as in such clause mentioned coin or securities or partly coin and partly securities equal to one third of the maximum amount of Notes issued by the said Company which might for the time being have been allocated to the Straits Settlements and Hong Kong respectively and after further reciting that Her said Majesty deemed it expedient to revoke the said Clause and to make other provisions in lieu thereof Her said late Majesty did thereby will and ordain that from and after the date of that Her Supplemental Charter Clause XI. of the said Supplemental Charter dated the 17th day of December 1894 should be and was thereby revoked and the therein following Clause should from and after the date of that Her Supplemental Charter be substituted for the Clause so revoked. And after further reciting that in lieu of the proviso in the original Charter whereby the said Company was bound to keep reserves of Specie equal to one third of the notes in circulation at any time which proviso Her said late Majesty did thereby revoke and determine Her said late Majesty deemed it expedient to make other provision for securing the due redemption of the Promissory Notes issued by the said Company Her said late Majesty did therefore by Her said Supplemental Charter dated the 29th day of October 1897 further will and ordain that the said Company should within three months from the date of that Her Supplemental Charter deposit and thenceforth at all times should keep deposited as therein mentioned coin of denominations to be approved by the Treasury or securities to be so approved or partly such coin and partly such securities equal to one third of the maximum amount of Notes eight million dollars issuable by the said Company such coin or securities or such coin and securities to be held as special funds exclusively available for the redemption of the Promissory Notes issued by the said Company and in the event of the said Company's becoming insolvent to be applied accordingly so far as might be necessary but without prejudice to the rights of the holders of such notes to rank with other creditors of the said Company against the assets of the said Company.

And whereas the said Company have represented unto Us that there has recently come into existence a greatly increased demand for Bank Notes in Hong Kong and have made application to Us for such further Supplemental Charter as may be necessary to enable them for the purpose of meeting this increased demand to issue Notes to an amount in excess of the limit fixed by the existing Charters Now know ye that We by these presents do will and ordain that notwithstanding the restriction imposed by Art. X. of the said Supplemental Charter of the 17th day of December 1894 upon the total amount of Promissory Notes issuable by the said Company, Promissory Notes of the said Company, may during the period for which the said Company shall remain incorporated, be issued and be in actual circulation to an amount in excess of eight million dollars if there shall have been specially deposited and shall be kept in the custody of the Colonial Secretary and the Colonial Treasurer of Hong Kong for the time being an amount of coin—or bullion or coin—and bullion equal to the whole value of such excess issue for the time being actually in circulation to be held by the said Colonial Secretary and Colonial Treasurer of Hong Kong exclusively for the redemption of such Promissory Notes wherever the same may have been issued Provided nevertheless and we do hereby direct that this power of excess issue shall cease and determine on notice to that effect being given at any time by the Treasury to the said Company.

GOVERNMENT NOTIFICATION.—No. 690.

His Excellency the Governor has been pleased to appoint Captain Sir JOHN KEANE, Baronet, Royal Field Artillery, to be his Private Secretary, with effect from the 9th instant inclusive.

By Command,

F. H. MAY,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 11th November, 1902.