

The Attorney General moved that the Bill be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

HIGHWAYS BILL.—The Attorney General moved that the Bill entitled An Ordinance to provide for the narrowing, stopping up, diversion, turning or alteration in levels of Highways, be recommitted.

The Colonial Secretary seconded.

Question—put and agreed to.

Council in Committee on the Bill.

Council resumed, and Bill reported with amendment.

The Attorney General moved that the Bill be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

ADJOURNMENT.—The Council then adjourned until Thursday, the 1st September, 1910.

F. H. MAY,

Officer Administering the Government.

Read and confirmed this 1st day of September, 1910.

C. CLEMENTI,
Clerk of Councils.

No. 276.—His Excellency the Officer Administering the Government has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 22 of 1910.—An Ordinance to secure the better training of Midwives and to regulate their practice.

Ordinance No. 23 of 1910.—An Ordinance to amend the Kellet Island Ordinance 1898.

Ordinance No. 24 of 1910.—An Ordinance to provide for the segregation and treatment of lepers.

HONGKONG.

No. 22 OF 1910.

An Ordinance to secure the better training of
Midwives and to regulate their practice.

LS

F. H. MAY,

Officer Administering the Government.

[2nd September, 1910.]

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 Midwives Ordinance, 1910. Short title.

2.—(1.) From and after the 1st day of October, 1911, any woman who not being certified under this Ordinance shall take or use any name, title, addition or description implying that she is certified under this Ordinance or is a person specifically qualified to practise midwifery or is recognized by law as a midwife shall be liable on summary conviction to a fine not exceeding \$50. Certification.
2 Edw. 7 c. 17
section 1.

(2.) From and after the 1st day of January, 1912, no woman shall habitually and for gain attend women in child birth otherwise than under the direction of a qualified medical practitioner unless she be certified under this Ordinance. Any woman so acting without being certified under this Ordinance shall be liable on summary conviction to a fine not exceeding \$100: provided that this section shall not apply to legally qualified medical practitioners or any one rendering assistance in a case of emergency.

(3.) No woman shall be certified under this Ordinance until she has complied with the rules and regulations to be laid down in pursuance of this Ordinance.

(4.) No woman certified under this Ordinance shall employ an uncertified person as a substitute.

(5.) The certificate under this Ordinance shall not confer on any woman any right or title to be registered under the Medical Registration Ordinance, 1884, or to assume any name, title or designation implying that she is by law recognized as a medical practitioner or that she is authorized to grant any medical certificate or any certificate of death or still-birth or to undertake the charge of cases of abnormality or disease in connection with parturition.

3. Any person who claims to be certified under this Ordinance shall be so certified provided she shows a certificate in midwifery from the Royal College of Physicians of Ireland or from the Obstetrical Society of London or the Coombe Lying-in Hospital and Guinness's Dispensary or the Rotunda Hospital for the Relief of the Poor Lying-in Women of Dublin or such other certificate as may be approved by the Midwives Board or produces evidence satisfactory to the Board that at the passing of this Ordinance she has been at least one year in *bonâ fide* practice as a midwife and that she bears a good character. Provision for
existing
midwives.
2 Edw. 7 c. 17
section 2.

4. On the passing of this Ordinance the Governor shall take steps to secure the formation of a Midwives Board which shall consist of:— Constitution
and duties
of Midwives
Board.
2 Edw. 7 c. 17
section 3.

(1.) The Principal Civil Medical Officer, the Superintendent of the Alice Memorial Maternity Hospital and the Lady Doctor attached to the same; and

(2.) Three persons to be appointed for a term of three years by the Governor.

Any vacancy occurring by resignation or death shall be filled up in the case of a member appointed under sub-section 2 by the Governor: members appointed under sub-section 2 shall on the termination of the period for which they have been appointed, be eligible for re-appointment for a like period.

The duties and powers of the Board shall be as follows:—

I.—To frame rules—

- (a) regulating their own proceedings;
- (b) regulating the issue of certificates and the conditions of admission to the roll of midwives;
- (c) regulating the course of training and the conduct of examinations;
- (d) regulating the admission to the roll of women already in practice as midwives at the passing of this Ordinance;
- (e) regulating, supervising and restricting within due limits the practice of midwives;
- (f) deciding the conditions under which midwives may be suspended from practice;
- (g) defining the particulars required to be given in any notice under section 8 of this Ordinance.

II.—To appoint examiners.

III.—To decide upon the places where and the times when examinations shall be held.

IV.—To publish annually a roll of midwives who have been duly certified under this Ordinance.

V.—To decide upon the removal from the roll of the name of any midwife for disobeying the rules and regulations from time to time laid down under this Ordinance by the Midwives Board or for other misconduct and also to decide upon the restoration to the roll of the name of any midwife so removed.

VI.—To issue and cancel certificates.

And generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Ordinance.

Rules framed under this section shall be valid only if approved by the Governor-in-Council.

Appeal from the decision of the Midwives Board. 2 Edw. 7 c. 17 section 4.

5. Any woman thinking herself aggrieved by any decision of the Midwives Board removing her name from the roll of midwives may appeal therefrom to the Governor-in-Council within three months after the notification of such decision to her.

Midwives roll. 2 Edw. 7 c. 17 section 6.

6. There shall be a roll of midwives containing:—

- (1.) The names of those midwives who have been certified under Section 3 of this Ordinance.
- (2.) The names of all other midwives who have been certified under this Ordinance.

The entry on the roll shall in every case indicate the conditions in virtue of which the certificate was granted.

Appointment of Secretary and supplemental provision as to certificate. 2 Edw. 7 c. 17 section 7.

7. The Midwives Board shall appoint a Secretary and such other officers as may be required who shall be removable at the pleasure of the Board. The Secretary shall be charged with the custody of the roll.

A copy of the roll of midwives purporting to be printed by the authority of the Board or to be signed by the Secretary of the Board shall be evidence in all Courts that the women therein specified are certified under this Ordinance; and the absence of the name of any woman from such copy shall be evidence until the contrary be made

to appear that such woman is not certified under this Ordinance. Provided always that in the case of any woman whose name does not appear in such copy, a certificate under the hand of the Secretary of the entry of the name of such woman on the roll shall be evidence that such woman is certified under this Ordinance.

8. Every woman certified under this Ordinance shall, before holding herself out as a practising midwife or commencing to practise as a midwife, give notice in writing of her intention so to do to the Secretary of the Midwives Board, and shall give a like notice in the month of January in every year thereafter during which she continues to practise.

Notification
of practice.
2 Edw. 7 c. 17
section 10.

Every such notice shall contain such particulars as may be required by the rules under this Ordinance to secure the identification of the person giving it; and, if any woman omits to give the said notices, or knowingly or wilfully makes or causes or procures any other person to make any false statement in any such notice, she shall, on summary conviction, be liable to a fine not exceeding fifty dollars.

9. Any woman who procures or attempts to procure a certificate under this Ordinance by making or producing or causing to be made or produced any false and fraudulent declaration, certificate or representation either in writing or otherwise, shall be guilty of a misdemeanour and shall on conviction thereof be liable to be imprisoned with or without hard labour for any term not exceeding twelve months.

Penalty for
obtaining a
certificate by
false repre-
sentation.
2 Edw. 7 c. 17
section 11.

10. Any person wilfully making or causing to be made any falsification in any matter relating to the roll of midwives shall be guilty of a misdemeanour and shall be liable to be imprisoned with or without hard labour for any term not exceeding twelve months.

Penalty for
wilful falsi-
fication of
the roll.
2 Edw. 7 c. 17
section 12.

11. Any offences under this Ordinance punishable on summary conviction may be prosecuted by the Midwives Board.

Prosecution
of offences.
2 Edw. 7 c. 17
section 13.

12. Nothing in this Ordinance respecting midwives shall apply to legally qualified medical practitioners.

Ordinance
not to apply
to medical
practitioners.
2 Edw. 7 c. 17
section 16.

13. This Ordinance shall not apply to Chinese unless they take or use the name or title of midwife in English or any name, title, addition or description in whatever language implying that they are certified under this Ordinance or are persons specifically qualified to practise midwifery or are recognised by law as midwives or have studied modern or European midwifery.

Ordinance
not to apply
to Chinese
subject to
certain
exceptions.

14. In this Ordinance—

The term "midwife" means a woman who is certified under this Ordinance unless the context otherwise requires.

"Midwives Board" means the Board constituted under this Ordinance for the purpose of carrying out the provisions of this Ordinance.

Definitions.
2 Edw. 7 c. 17
section 18.

Passed the Legislative Council of Hongkong, this 1st day of September, 1910.

C. CLEMENTI,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 2nd day of September, 1910.

A. M. THOMSON,
Colonial Secretary.

HONGKONG.

No. 23 OF 1910.

An Ordinance to amend the Kellet Island Ordinance, 1898.

LS

F. H. MAY,

Officer Administering the Government.

[2nd September, 1910.]

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 Kellet Island Amendment Ordinance, 1910".

Amends sections 2 and 3 of Ordinance 3 of 1898. 2. The Kellet Island Ordinance, 1898, is hereby amended as follows:—

by the substitution in sections 2 and 3 respectively of the words "Commodore in charge of Naval Establishments in this Colony" for the words "Officer Commanding Her Majesty's Regular Forces in this Colony".

Passed the Legislative Council of Hongkong, this 1st day of September, 1910.

C. CLEMENTI,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 2nd day of September, 1910.

A. M. THOMSON,
Colonial Secretary.

HONGKONG.

No. 24 OF 1910.

An Ordinance to provide for the segregation and treatment of lepers.

LS

F. H. MAY,

Officer Administering the Government.

[2nd September, 1910.]

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 Lepers Ordinance, 1910.

Governor-in-Council may establish leper asylums. 2. It shall be lawful for the Governor-in-Council from time to time to appoint any such place as he shall think fit to be a leper asylum for the segregation and treatment of lepers; and every such leper asylum shall comprise such area as the Governor shall from time to time define by Proclamation published in the *Gazette*.

Provision as to existing leper hospital or asylum. 3. The place now and heretofore known as the leper settlement situate at Au Tau, shall be deemed to be a leper asylum established under the provisions of this Ordinance, and all acts heretofore done and suffered with regard to lepers and the segregation, support, and treatment of lepers in the said leper settlement shall be deemed to have been done and suffered in accordance with law.

4. Any person detained as a leper in a leper asylum may by the special permission of the Governor erect or cause to be erected for himself a dwelling house at his own proper expense within the limits of the leper asylum in which he is detained subject to such conditions as to plan, site, drainage, and otherwise as to the Governor shall seem fit.

Lepers may build separate dwellings for their own use.

5. It shall be the duty of every person having knowledge of a leper or a person reasonably suspected of being a leper in any place outside the limits of any leper asylum to give information thereof to the officer in charge of a Police Station, and such officer shall forthwith report the same to the Principal Civil Medical Officer.

Duty of persons to give information of existence of lepers.

6. Every person wilfully neglecting to give such information as aforesaid, and every police officer wilfully neglecting to report the same as aforesaid, shall be guilty of an offence, and shall be liable on conviction for each such offence to a fine not exceeding fifty dollars.

Penalty.

7. On the receipt of such report as aforesaid the Principal Civil Medical Officer shall forthwith forward such report to the Colonial Secretary for the information of the Governor, and such inspection and examination of the alleged leper shall be held and such report made thereon as the Governor shall order, or as shall be from time to time prescribed by such general regulations in that behalf as shall from time to time be made under section 13 of this Ordinance.

Inquiry into cases of leprosy.

8. After such inspection, examination, and report as aforesaid, it shall be lawful for the Governor, if he shall think fit, to order the leper or alleged leper to be removed to and detained in a leper asylum. Provided always that no person shall be removed to or detained in a leper asylum unless he has first been certified to be suffering from the disease of leprosy by two qualified medical practitioners, one of whom shall be either the Principal Civil Medical Officer of the Colony or a medical practitioner appointed by the Governor, by writing under the hand of the Colonial Secretary, to inquire into cases of suspected leprosy for the purposes of this Ordinance.

Power of Governor to order lepers to be removed to and detained in asylum.

9.—(1.) No such order for removal or detention as in the last preceding section mentioned shall be made if the leper or alleged leper shall in the opinion of the Governor be able to provide for himself at his own place of abode effective isolation and medical treatment, and shall within the time prescribed by the Governor carry out such directions as the Governor may give for securing such isolation, but in every such case it shall be lawful for the Governor from time to time to prescribe rules for observance by such leper or alleged leper in order to secure such isolation.

Lepers able to provide effective isolation and medical treatment, not removable to asylum. Governor may prescribe rules.

(2.) In the event of the disregard or breach of any such rules the Governor may under section 8 order such leper or alleged leper to be removed to and detained in a leper asylum.

Governor may order removal on breach of rules.

10. No person detained as a leper in a leper asylum shall leave the asylum without the permission in writing of the officer in charge, and every person acting in contravention of this section shall be guilty of an offence, and shall be liable on conviction for each such offence, to imprisonment without hard labour for a term not exceeding three months.

Lepers not to leave asylum without permission. Penalty.

11. Every person found within the limits of a leper asylum without the written permission of the Principal Civil Medical Officer or without lawful authority shall be guilty of an offence, and shall be liable on conviction for each such offence to a fine not exceeding fifty dollars.

No person to enter leper asylum without permission. Penalty.

Principal Civil Medical Officer and medical officer in charge of any leper asylum to exercise powers of Police Magistrate in asylum.

12. The Principal Civil Medical Officer shall have and exercise all the powers of a Police Magistrate with respect to all offences committed by persons detained as lepers in a leper asylum, and shall also have power to hear and determine all complaints of offences punishable under section 10 of this Ordinance. And it shall be lawful for the Governor from time to time to appoint any medical officer having charge of any leper asylum to have and exercise all the powers of a Police Magistrate therein. Every decision given under the provisions of this section shall be subject to the same rights of appeal as the decisions of a Police Magistrate.

Regulations to be made by the Governor-in-Council.

13. It shall be lawful for the Governor-in-Council from time to time to make such regulations as he may deem necessary:—

- (a.) For inspection, examination, and removal of lepers to a leper asylum;
- (b.) For the proper management and sanitation of the leper asylum or asylums;
- (c.) For the discipline and good order of the inmates of such asylum or asylums;
- (d.) For the custody and imprisonment within such asylum or asylums of lepers accused of and found guilty of offences;
- (e.) For regulating the sittings and procedure of courts to be held under the provisions of this Ordinance;
- (f.) Generally for the better carrying out of the provisions of this Ordinance and for the well being of such asylum or asylums and the inmates thereof;

and from time to time to revoke, amend, and vary such regulations.

Penalty for breach of regulations.

All regulations made under the provisions of this section shall be published in the *Gazette*, and from the date of such publication shall have the same force and effect as if they were enacted in and formed part of this Ordinance and every person acting in contravention of any regulation made under the provisions of this section shall be guilty of an offence, and shall be liable on conviction for each such offence to a fine not exceeding fifty dollars or to imprisonment with or without hard labour to any term not exceeding one month.

Power to banish leper.

14. The Governor-in-Council may, by order, prohibit any leper, not being a natural born or naturalized subject of His Majesty, from residing or being within this Colony for such period as the Governor-in-Council may think fit, and may, by the same or any subsequent order, fix the time for the departure of such leper from the Colony. The leper named in any such order shall be arrested and detained in custody by the Police until he leaves the Colony or until the final departure from the Colony of any vessel in which he leaves.

Penalty for harbouring or concealing lepers.

15. Any person who knowingly harbours or conceals in this Colony any person suffering from leprosy shall, on summary conviction before a Magistrate, be liable to a penalty not exceeding one hundred dollars.

Appointment and duties of Visiting Justices.

16 —(1.) The Governor shall from time to time appoint, with their consent, Justices of the Peace to be visitors of Leper Asylums established under this Ordinance for periods to be specified in such appointments.

(2.) Such visitors shall be at liberty to enter any such Asylum at all times and make such enquiry or examination therein as may be deemed necessary and shall make such reports to the Colonial Secretary as may be required by any order of the Governor.

Passed the Legislative Council of Hongkong, this 1st day of September, 1910.

C. CLEMENTI,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 2nd day of September, 1910.

A. M. THOMSON,
Colonial Secretary.