

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

SALE OF FOOD AND DRUGS AMENDMENT BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Sale of Food and Drugs Ordinance, 1896.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Mr. POLLOCK, the Colonial Secretary, Mr. HEWETT, and His Excellency the Governor addressed the Council, and it was decided to postpone the Committee stage on the Bill until the next meeting of the Council.

ELECTRICITY SUPPLY BILL.—The Attorney General moved the Third reading of the Bill entitled An Ordinance for regulating the supply of Electricity for Lighting and other purposes within the Colony of Hongkong and its Dependencies.

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 25th May, 1911.

F. D. LUGARD,
Governor.

Read and confirmed this 1st day of June, 1911.

R. H. CROFTON,
Clerk of Councils.

No. 161.—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinance passed by the Legislative Council :—

Ordinance No. 19 of 1911.—An Ordinance to authorise the publication of a Newly Revised Edition of the Statute Laws of the Colony.

HONGKONG.

No. 19 of 1911.

An Ordinance to authorise the publication of a
Newly Revised Edition of the Statute Laws of
the Colony.

(LS)

F. D. LUGARD,
Governor.

[2nd June, 1911.]

WHEREAS owing to the great number of Amending and Consolidating Ordinances which have been passed since the publication of the Revised Edition of the Laws of the Colony by Sir John Carrington, Kt., formerly Chief Justice of Hongkong, that Edition is in need of revision, and it is expedient to authorise the publication of a Newly Revised Edition of the Laws of the Colony :

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 Statute Laws short title.
(New Revised Edition) Ordinance, 1911”.

2. In this Ordinance—

“Revised Edition” means the Revised Edition of the Laws of Hongkong prepared by His Honour Sir John Carrington, Knight, C.M.G., formerly Chief Justice of the Colony, and authorised to be used by proclamation of the Governor, dated 20th July, 1904, made in virtue of Ordinance No. 12 of 1900.

Interpreta-
tion.

“New Revised Edition” means the newly Revised Edition of the Laws of Hongkong authorised by this Ordinance.

3.—(1.) His Honour Sir Francis Taylor Piggott, Knight, Chief Justice of Hongkong, hereinafter called the Editor, is hereby authorised to prepare a new and revised edition of the Ordinances of the Colony, including those contained in the Revised Edition, to make such necessary arrangements for publishing the same, and for the supply of copies to the Government, and for the reprinting of the Edition in case of need, as the Governor shall approve.

Authority to
Editor to
issue New
Revised
Edition of
the Laws.

(2.) In case the said Sir Francis Taylor Piggott is unable from any cause to complete the New Revised Edition the Governor may appoint some other fit and proper person or persons to complete the work, subject to such equitable arrangements as may be agreed upon between the Governor and the said Sir Francis Taylor Piggott, or his representatives, or failing such agreement, as the Attorney General shall determine.

4. In the preparation of the New Revised Edition the Editor shall have the following powers in regard to the Ordinances included therein:—

Powers of
Editor.

(i.) to omit—

(a.) all Ordinances or parts of Ordinances which have been repealed;

(b.) all introductory words of enactment;

(c.) prefatory words to short titles,

(d.) headings of sub-divisions of Ordinances which in the opinion of the Editor are not necessary to the proper interpretation of the Ordinances, so long as they are not headings or titles of Parts, where an Ordinance is divided into Parts, in which case such omission shall not be made, nor shall any alteration in the headings or titles of such Parts be made, unless they are included in one of the Ordinances mentioned in section 6;

- (ii.) to insert in their proper place in the Ordinances amended all provisions of amending Ordinances as indicated in such Ordinances, as if the said amended Ordinances had been ordered to be printed as amended in such amending Ordinances; and further, where all the amendments made by such amending Ordinances are so inserted as aforesaid so that the object of such Ordinances has been effected, to treat the remainder of such Ordinances as exhausted, and to omit the same;
- (iii.) to make minor, grammatical and typographical amendments, and to revise the punctuation where in the opinion of the Editor such revision is necessary;
- (iv.) to substitute:—
 - (a.) figures for words,
 - (b.) the serial number in references to Ordinances instead of the short titles,
 where in the opinion of the Editor such substitutions are convenient;
- (v.) to adopt a convenient standard form for the definition sections in all Ordinances; and
- (vi.) to do all such things relating to form and method which may be necessary for the perfecting of the New Revised Edition.

Numbering of Ordinances in New Edition.

5. The numbering of the Ordinances contained in the Revised Edition, and of the sections of such Ordinances, shall be preserved, unless by special authority of the Governor a new numbering of the sections of any Ordinance is considered advisable, in which case such new numbering shall be included in the special Ordinance referred to in section 6 (4).

The numbering of the Ordinances passed since 1901 shall in nowise be altered.

Ordinances to be prepared by Editor for the purposes of revision.

6.—(1.) All omissions and amendments in the Ordinances comprised in the New Revised Edition, other than those referred to in the preceding sections, shall be collected by the Editor and submitted to the Legislative Council in the form of one or more "Law Revision" and "Law Amendment" Ordinances respectively.

(2.) Where any omission or amendment is in the opinion of the Editor sufficiently important a special amending Ordinance shall be submitted to the Legislative Council, and if such Ordinance is passed the authority to make such omissions and amendments shall be the coming into force of such Ordinance.

(3.) The following omissions shall be held to be included in sub-section (1):—

- (a.) parts of Ordinances which have expired or have become spent or have lost their effect;
- (b.) repealing sections, and tables and lists of repealed enactments, in schedules or otherwise;
- (c.) preambles, or parts of preambles, to Ordinances which in the opinion of the Editor no longer serve any useful purpose;
- (d.) introductory words of enactment in any part of an Ordinance, which in the opinion of the Editor are no longer required;
- (e.) sections prescribing the date when, or the method by which, any Ordinance, or any part of any Ordinance, is to come into force, where the omission in the opinion of the Editor can be conveniently made; provided that in all cases a note shall be inserted at the commencement of all Ordinances of the date of their commencement, and where any special method of bringing an Ordinance into operation has been prescribed, of the method and date by and at which the Ordinance has been brought into operation.

(4.) Where entire Ordinances have expired, or have become spent, or have lost their effect, and ought to be repealed, or where it is considered advisable to repeal entire Ordinances, or a considerable part of any Ordinance, such repeals shall be embodied by the Editor in a special Ordinance "for promoting the General Revision of the Law", to be submitted to the Legislative Council, in which the reason for each such repeal shall be succinctly stated.

(5.) The Editor shall be at liberty to recast the marginal notes of the sections of all Ordinances included in the New Revised Edition where in his opinion it is necessary for greater clearness.

7.—(1.) The New Revised Edition shall be comprised in two Volumes, which shall include all the Ordinances in force down to the end of the year 1910, together with such of the Ordinances passed in the year 1911 as, having regard to the exigencies of printing, can conveniently be included. Such of the Ordinances passed in the year 1911, as cannot be so conveniently included shall be collected and printed with the necessary references as an Appendix, to be included in the third Volume hereafter referred to; but such Appendix shall for all purposes be considered to form part of the New Revised Edition. Extent of Revision.

(2.) The Editor shall prepare and issue as part of his undertaking:—

- (a.) a chronological table of all the Ordinances of the Colony, including those which have been repealed, or which were not included in the Revised Edition: provided that he may for such purpose adopt the Chronological Table prepared for the Revised Edition by Sir John Carrington;
- (b.) a full and complete index to the subject matter of all Ordinances contained in the New Revised Edition;
- (c.) references to Orders issued by the Sovereign in His Privy Council relating to or affecting the Colony, in so far as it may be practicable;
- (d.) such Tables of References to the aforesaid or other matters as he may consider necessary for perfecting the New Revised Edition of the Laws of Hongkong;

all which things, together with the Appendix of the Ordinances passed in 1911 above referred to, shall be included in a third Volume, and the three Volumes together shall form one series entitled "The Laws of Hongkong".

8.—(1.) Each Volume of the series before it is issued shall, by general order of the Governor in that behalf, be impressed on the title page thereof with the seal of the Colony. Approval of new Edition by proclamation.

(2.) On some convenient day after the issue and publication of the Second Volume, and after the passing of the Ordinances referred to in section 6, the New Revised Edition shall be laid before the Legislative Council for approval, and such approval, if given, shall be notified, by proclamation of the Governor.

AND WHEREAS doubts have arisen by reason of the co-existence of Ordinances No. 16 of 1886 and No. 12 of 1900, as to the true version of the Ordinances passed up to the end of 1901, AND WHEREAS it is expedient to remove such doubts:

Be it further enacted as follows:—

9.—(1.) Ordinance No. 16 of 1886 (the Statute Law Revision Ordinance, 1886) is repealed.

(2.) A copy of all Ordinances passed after the coming into force of this Ordinance, certified under the hand of the Governor and the seal of the Colony shall, as soon as conveniently may be after they have been passed by the Legislative Council, be transmitted by the Clerk of Councils to the Registrar of the Supreme Court, for record; and such copies shall be deemed to be the originals Sealed copies of future Ordinances to be deposited in Registry of Supreme Court.

thereof and to be the law, and may be proved in any Court or judicial proceeding by certified copies thereof, or, by order of a Judge, by the production thereof by the Registrar. Subject however to objection being taken any Ordinance passed after the commencement of this Ordinance may be proved by the production of a copy of the *Gazette* containing the print of such Ordinance as passed by the Legislative Council, or a copy thereof purporting to be printed by the Government Printer.

(3.) Any person shall be entitled to inspect such sealed copies during the office hours of the Registry on payment of twenty-five cents for each inspection not exceeding three hours, and to take copies or extracts therefrom for certification by the Registrar, on payment of twenty-five cents per folio of seventy-five words for each copy or extract.

Validation of variances between Revised Edition and former sealed copies.

10.—(1.) Ordinance No. 12 of 1900 (The Statute Law (Revised Edition) Ordinance, 1900) is repealed.

(2.) The Revised Edition, so far as Ordinances passed up to the end of 1901 are concerned, is hereby declared to have been the true and only version of those Ordinances, all variances between such Ordinances as printed therein and the sealed copies thereof deposited in the Registry under Ordinance No. 16 of 1886, and anything in Ordinance No. 16 of 1886 to the contrary notwithstanding; and in so far as there are such variances the Ordinances as contained in such sealed copies are to be taken to be and to have been repealed by Ordinance No. 12 of 1900.

(3.) This section shall come into force at the same time as the proclamation referred to in section 8.

New Edition authorised to be used in Courts, and for all purposes.

11. From and after the date of such proclamation the Revised Edition shall cease to be the statute book of the Colony up to the date of the latest of the Ordinances contained therein, and, subject only to the provisions of section 9, it shall be lawful to use the New Revised Edition in all Courts of Justice and for all purposes whatsoever as being the authorised statute book of the Colony in regard to all Ordinances passed by the Legislative Council up to the end of the year 1911; Provided that nothing in this section shall affect the operation of any Ordinance which may be passed, before the issue of such proclamation, for the repeal, alteration or amendment of any earlier Ordinance after such Ordinance has been printed in the New Revised Edition.

Construction of references to former editions of Ordinances.

12. Where in any existing enactment or in any existing document of whatever kind, reference is made to an Ordinance which is affected by or under the operation of this Ordinance, such reference shall, where necessary and practicable, be deemed to extend and apply to the corresponding enactment as contained in the New Revised Edition.

Passed the Legislative Council of Hongkong, this 1st day of June, 1911.

R. H. CROFTON,
Clerk of Councils.

Assented to by His Excellency the Governor, the 2nd day of June, 1911.

C. CLEMENTI,
Colonial Secretary.