

the word “, unless” in the third line to the end of the section were deleted, and the word “landing” in the marginal note was deleted and the word “discharging” substituted therefor.

In section 9 the commas and words “, except for the purpose of taking it from the ship to a general warehouse,” were deleted, the words and figure “or in Form No. 2” were inserted after the words and figure “Form No. 1” in the third line thereof, and the words “landing raw opium” in the marginal note were deleted and the words “discharging raw opium from ship” substituted therefor. •

In sub-section (1) of section 12 the word “No” in the first line was deleted and the words “Save as provided in sections 9 and 10 no” substituted therefor.

In section 15 the words “or is to be exported” were inserted after the word “imported” at the end thereof.

In section 32 the word “be” was inserted after the word “shall” in the ninth line thereof.

In section 45 the words “generally or specially authorized in writing by the Superintendent for the purpose of carrying out the provisions of this section” were inserted after the word “officer” in the second line thereof.

Sir Kai Ho Kai moved that the following proviso be added at the end of section 57:—

“ Provided always that no person shall be convicted under sub-sections (b) or (c), if he proves to the satisfaction of the Magistrate that the removal of the raw opium was not incurred with his knowledge and connivance, or was not due to his carelessness or neglect.”

Mr. Wei Yuk seconded.

On the amendment being put to the vote it was declared lost, eight members voting against and four members—Sir Kai Ho Kai, Mr. Wei Yuk, Mr. Hewett and Mr. Shellim—in favour of the amendment.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with amendments and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

DENTISTRY BILL.—The Committee stage on the Bill entitled An Ordinance to provide for the registration of qualified Dental Surgeons and otherwise to regulate the practice of Dentistry, was not proceeded with.

ADJOURNMENT.—The Council then adjourned until Thursday, the 26th February, 1914.

F. H. MAY,
Governor.

Read and confirmed this 26th day of February, 1914.

A. G. M. FLETCHER,
Clerk of Councils.

No. 59.—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. 5 of 1914.—An Ordinance to provide for the regulation of the burning of Human Remains and to enable Crematoria to be established.

HONGKONG.

No. 5 OF 1914.

An Ordinance to provide for the regulation of the burning of Human Remains and to enable Crematoria to be established.

I assent to this Ordinance.



F. H. MAY,
Governor.

[27th February, 1914.]

WHEREAS it is expedient to provide for the establishment of Crematoria in this Colony and the regulation thereof:

BE it therefore 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 Cremation Ordinance, 1914. Short title.

2. In this Ordinance:— Definitions.

The expression "Burial authority" shall mean any burial board, council, committee, sanitary board, or other local authority having the powers and duties of a burial board, and any local authority maintaining a cemetery under the Public Health and Buildings Ordinance, 1903, or under any other Ordinance. Burial Authority. No. 1 of 1903.

The expression "Crematorium" shall mean any building or place fitted with appliances for the purpose of burning human remains, and shall include everything incidental or ancillary thereto. Crematorium.

3. The powers of a burial authority to provide and maintain burial grounds or cemeteries, or anything essential, ancillary or incidental thereto, shall be deemed to extend to and include the provision and maintenance of crematoria: Provided that no human remains shall be burned in any such crematorium until the plans and site thereof have been approved by the Director of Public Works and until the crematorium has been certified by the burial authority to the Governor to be complete, constructed in accordance with such plans and properly equipped for the purpose of the disposal of human remains by burning. Burial Authority may provide for cremation.

4. No crematorium shall be constructed nearer to any dwelling house than 200 yards, except with the consent in writing of the owner, lessee and occupier of such house, nor within 50 yards of any public highway, nor in the consecrated part of the burial ground of any burial authority: Provided that the Governor-in-Council may authorise the maintenance within these limits of any existing crematorium for such period of time as he may think fit. Site of Crematorium.

5. The Governor-in-Council may make regulations as to the maintenance and inspection of crematoria, and prescribing in what cases and under what conditions the burning of any human remains may take place, and directing the disposition or interment of the ashes, and prescribing the forms of the notices, certificates and declarations to be given or made before any such burning is permitted to take place, such declarations to be made under and by virtue of the Statutory Declarations Ordinance, 1893, and also regulations as to the registration of such burnings as have taken place. All statutory provisions relating to the destruction and falsification of registers of burials, and the admissibility of extracts therefrom as evidence in Courts and otherwise, shall apply to the registers of burnings directed by such regulations to be kept. Regulations as to crematoria and cremation. No. 8 of 1893.

Penalties for
breach of
regulations,
&c.

6.—(1.) Every person who shall contravene any such regulation as aforesaid, or shall knowingly carry out or procure or take part in the burning of any human remains, except in accordance with such regulations and the provisions of this Ordinance, shall (in addition to any liability or penalty which he may otherwise incur) be liable, on summary conviction, to a penalty not exceeding \$500: Provided that any person aggrieved by any conviction may appeal therefrom to the Supreme Court.

(2.) Every person who shall wilfully make any false declaration or representation, or sign or utter any false certificate, with a view to procuring the burning of any human remains, shall (in addition to any penalty or liability which he may otherwise incur) be liable to imprisonment, with or without hard labour, for a term not exceeding 2 years.

(3.) Every person who, with intent to conceal the commission or impede the prosecution of any offence, procures or attempts to procure the cremation of any body, or, with such intent, makes any declaration or gives any certificate under this Ordinance, shall be liable to conviction on indictment to imprisonment for a term not exceeding 5 years with hard labour.

Fees for
cremation.

7. The burial authority may demand payment of any such charges or fees for the burning of human remains in any crematorium provided by them as may be authorised by the Governor, and such charges or fees, and any other expenses properly incurred in or in connection with the cremation of a deceased person, shall be deemed to be part of the funeral expenses of the deceased.

Saving for
Coroners.

8. Nothing in this Ordinance shall interfere with the jurisdiction of any Coroner in this Colony and nothing in this Ordinance shall authorise the burial authority or any person to create or permit a nuisance.

Fee for burial
service.

9. In any table of fees respecting burials to be made or approved by the Governor, a fee may be fixed in respect of a burial service before, at or after cremation and, if no fee is fixed, the fee, if any, in respect of a burial service shall apply.

Passed the Legislative Council of Hongkong, this 26th day of February, 1914.

A. G. M. FLETCHER,
Clerk of Councils.

Assented to by His Excellency the Governor, the 27th day of February, 1914.

CLAUD SEVERN,
Colonial Secretary.

APPOINTMENTS, &c.

No. 60.—His Excellency the Governor has been pleased to appoint the Honourable Mr. CHARLES McILVAINE MESSER to be a Director of the Widows' and Orphans' Pensions, *vice* Mr. RICHARD HAYES CROFTON resigned.

27th February, 1914.

No. 61.—His Excellency the Governor has been pleased to appoint Mr. ERIC WILLIAM HAMILTON to act as Secretary to the Sanitary Board during the absence on leave of Mr. CYRIL FRANCIS WOGAN BOWEN-ROWLANDS, with effect from the 27th February, 1914.

27th February, 1914.