

No. 335.

*Amendment of By-laws made under Section 16 of the Public Health and Buildings Ordinance, 1903.**Prevention and Mitigation of Epidemic, Endemic, Contagious or Infectious Disease.*

The By-laws relating to the Prevention and Mitigation of Epidemic, Endemic, Contagious or Infectious Disease made under Section 16 of the Public Health and Buildings Ordinance, 1903, (Ordinance No. 1 of 1903), and published in the *Gazette* of the 4th December, 1908, and at page 477 of the Regulations of Hongkong, 1910, as amended by the Law Revision Ordinance, 1912, (Ordinance No. 1 of 1912), and by the By-law made by the Sanitary Board on the 11th June, 1912, approved by the Legislative Council on the 13th June, 1912, and published in the *Gazette* of the 14th June, 1912, (Notification No. 204), are hereby further amended by the repeal of By-law No. 2 and by the substitution therefor of the following:—

- “2. The Board may declare any epidemic, endemic, contagious or infectious disease to exist in any district or districts, and may direct that in such district or districts or any portion thereof a special general cleansing and disinfection of the premises shall be carried out under the direction of any officer of the Sanitary Department and to the satisfaction of the Medical Officer of Health. Such cleansing and disinfection may include the removal or destruction or both of any lath and plaster or other hollow partition wall, or any partition, screen, panelling, wainscoting, skirting, stair-lining, ceiling or other similar structure or any fittings or any portion of such wall, structure or fitting, if in the opinion of the Medical Officer of Health such removal and destruction are necessary. Compensation for such removal or destruction shall be given by the Board unless it is proved on behalf of the Board that the wall, structure or fitting removed or destroyed had been unlawfully erected or maintained. Such compensation shall be calculated so as to cover the cost of making good the portions of the building damaged by such removal, including the limewashing of any exposed surface and the rebuilding of any necessary wall in materials approved by the Board, but no compensation shall be payable for any loss of rent or deterioration in the value of the property occasioned or alleged to be occasioned by the operation of these By-laws. In any case in which the amount claimed for compensation exceeds \$250 an appeal shall lie from the decision of the Board as to the amount of the compensation to the Governor-in-Council whose decision thereon shall be final and conclusive provided however that no such appeal shall lie unless notice thereof shall have been given to the Clerk of Councils within fourteen days from the date upon which the appellant shall have been notified by the Board of any such decision as aforesaid.

The Board shall decide in each case whether the compensation, if any, is to be paid to the owner or to the occupier, and payment in accordance with the decision of the Board shall bar any further claim to compensation by owner or occupier, provided that nothing in these By-laws shall affect the rights of the owners or occupiers *inter se* as to the ultimate apportionment of any compensation awarded.

The provision of this By-law shall apply to the premises in any district in respect of which a special general cleansing and disinfection has been directed by the Board since the 31st day of March, 1912, or shall hereafter be directed.

Made by the Sanitary Board this 14th day of July, 1914.

E. W. HAMILTON,
Secretary.

Approved by the Legislative Council this 27th day of August, 1914.

M. J. BREEN,
Clerk of Councils.