

The provision of this By-law shall apply to all premises which became infected after the 31st day of March, 1912, or shall hereafter become infected."

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.

No. 337.—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. 23 of 1914.—An Ordinance to amend the law relating to the observance of precautions against Piracy.

HONGKONG.

No. 23 OF 1914.

An Ordinance to amend the law relating to the observance of precautions against Piracy.

I assent to this Ordinance.



F. H. MAY,
Governor.

[28th August, 1914.]

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 Piracy Prevention Ordinance, 1914.

Definitions. 2. In this Ordinance:—

“Launch” means any vessel used in navigation not exceeding 60 tons net registered tonnage in the propulsion of which any use is made of any mechanical means other than oars and sails.

“Master” includes any person (except a pilot) having command or charge of any ship.

“Passenger” includes any person on a launch or ship other than the master and crew and the owner his family and servants.

“Ship” means any vessel used in navigation exceeding 60 tons net registered tonnage in the propulsion of which any use is made of any mechanical means other than oars and sails.

No launch or ship to leave on certain voyages unless a bond has been entered into.

3. No launch or ship shall leave or attempt to leave the waters of the Colony on a voyage to Amoy, Swatow, Macao, Kwong Chau Wan, Hoihow, or Haiphong, or to any port or place on the Canton River or the West River or any river or estuary in the province of Kwong Tung or the province of Kwong Sai, or to any port or place in either of the said provinces, unless the owners agents charterers or licensees of the said launch or ship shall have duly entered into a bond as hereinafter required and unless such

bond shall be subsisting and valid in all respects, and if any launch or ship shall leave or attempt to leave the waters of the Colony on any such voyage unless the said bond shall have been duly entered into and shall be subsisting and valid in all respects the master of the said launch or ship and the owners agents charterers and licensees shall be deemed to be guilty of a misdemeanour and shall be liable upon conviction either summarily or on indictment to imprisonment for any term not exceeding one year and to a fine not exceeding five hundred dollars.

4. No launch shall carry any passenger from or to any place in the Colony unless the owners agents charterers or licensees of the said launch shall have duly entered into a bond as hereinafter required and unless such bond shall be subsisting and valid in all respects, and if any launch shall carry any passenger from or to any place in the Colony unless the said bond shall have been duly entered into and shall be subsisting and valid in all respects the master of the said launch and the owners agents charterers and licensees shall be deemed to be guilty of a misdemeanour and shall be liable upon conviction either summarily or on indictment to imprisonment for any term not exceeding one year and to a fine not exceeding five hundred dollars: Provided that this section shall not apply to the carriage of passengers between places within the limits of the Harbour of Victoria.

No launch to carry passengers except within the Harbour unless a bond has been entered into.

5. It shall be lawful for the Harbour Master to refuse to grant any permission or issue any document or do any act necessary to enable any launch or ship to leave the waters of the Colony or a port in the Colony in respect of any launch or ship with regard to which he shall have reasonable cause to anticipate that any offence against the provisions of this Ordinance is about to be committed.

Clearance, etc., may be refused where reasonable ground to anticipate that an offence is about to be committed.

6. The bond hereinbefore referred to shall be entered into by the owners agents charterers or licensees with two sureties approved by the Captain Superintendent of Police and shall in the case of a launch be in the sum of one thousand dollars and in the case of a ship be in the sum of five thousand dollars and shall be conditioned for the observance by the said owners agents charterers or licensees and their servants and employees and any person to whom the said launch or ship may be leased or chartered and the master crew and staff of the said launch or ship of all the regulations for the time being in force under this Ordinance.

Nature of bond required.

7. The said bond may be in the form set forth in the Schedule to this Ordinance with such alterations omissions and additions if any as may be necessary.

Form of bond.

8.—(1.) If at any time either of the sureties to any such bond shall in the opinion of the Captain Superintendent of Police become or be not a proper person to be a surety to such bond it shall be lawful for the Captain Superintendent of Police to give notice in writing to the owners agents charterers or licensees that such is his opinion and on the expiration of seven days from the service of such notice the said bond shall for the purposes of section 3 of this Ordinance be deemed to be no longer subsisting and valid.

Procedure in case of invalid surety.

(2.) Any such notice may be served either personally or by delivery thereof to some adult at the last known address of the said owners agents charterers or licensees or by registered letter addressed to the said owners agents charterers or licensees at the said address.

9. In any case in which it is alleged that a breach has occurred of the conditions of any bond entered into in pursuance of the provisions of this Ordinance it shall be lawful for a magistrate on the application of the Captain Superintendent of Police to issue a summons calling upon the persons by whom the bond was entered into to shew cause why the sum secured by the said bond should not be forfeited: Provided that nothing in this section shall be deemed to affect any other means of enforcing the said bond.

Summons to obligors in case of breach.

- Forfeiture of sum secured by bond. 10. On the hearing of such summons the magistrate shall first receive such evidence as may be offered on behalf of the Captain Superintendent of Police and then such evidence if any as may be offered on behalf of the defendants and if after hearing the whole of such evidence he is of opinion that any breach has occurred of the condition of the bond he shall, subject to the proviso in section 11 of this Ordinance, declare the sum secured by the bond to be forfeited.
- Hearing in the absence of defendant not served. 11. It shall be lawful for a magistrate to proceed to hear and determine any such summons in the absence of one or more of the defendants whether such defendant shall have been served with the said summons or not: Provided that no declaration of forfeiture shall be made as against any person who shall not have been served with the said summons.
- General powers of magistrate. 12. With reference to any such summons a magistrate shall have as full powers as he shall have with reference to any other matter over which he has jurisdiction.
- Powers of magistrate with reference to recovery of penal sum declared to be forfeited. 13. With reference to the recovery of the sum so declared to be forfeited a magistrate shall have as full powers as he shall have with reference to the recovery of any fine or other sum of money which he shall have jurisdiction to impose or order to be paid.
- Launch or ships in certain cases to be deemed to have left, etc., on a voyage to a particular place. 14. Without prejudice to any other method of proof, a launch or ship shall be deemed to have left or to have attempted to leave the waters of the Colony on a voyage to any particular port or place if information that it was about to leave on such a voyage shall have been given by or on behalf of the master owner agents charterers or licensees upon application for any permission necessary for enabling the said launch or ship to leave the waters of the Colony or a port in the Colony, and a launch or ship shall be deemed to have left the waters of the Colony on a voyage to any particular port or place if it shall have called or touched at such port or place at any time within ten days after leaving the waters of the Colony.
- Powers of search. 15.--(1.) Every police officer, and every guard and watchman within the meaning of the regulations for the time being in force under this Ordinance, shall have power to search any launch or ship to which this Ordinance applies and its stores and equipment, the crew and staff and their belongings, the passengers and their goods and baggage, and the cargo, and may do all such acts as may be reasonably necessary in order to carry out any such search effectually.
- Power to detain ship. (2.) The police officer in charge of any searching party, and any police officer superior to him, shall have power to detain any such launch or ship until in his opinion the said searches shall have been completed.
- Protection of police, guards and watchmen. (3.) No action shall lie against any police officer, guard or watchman in respect of any act *bonâ fide* done or omitted to be done in connection with any such search.
- Penalty for obstructing search. (4.) Every person who shall obstruct any such search shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars and to imprisonment for a period not exceeding three months.
- Other powers of search not affected. (5.) Nothing in this Ordinance shall be construed as affecting any other powers of search possessed by any police officer.
- No order, etc., to be given which might have the effect of causing failure to observe regulations. 16. No order of any kind whatsoever shall be given, and no threat or inducement, direct or indirect, shall be made or held out, and no pressure shall be exerted, and no advice shall be offered, which might have the effect of influencing any person to fail to observe any of the provisions of this Ordinance or of any regulations made thereunder, and every person who shall give any such order, or make any such threat, or hold out any such inducement, or exert any such pressure, or offer any such advice, shall be deemed to be guilty of a misdemeanour and shall be liable upon conviction either summarily or on indictment to imprisonment for any term not exceeding one year and to a fine not exceeding five hundred dollars.

17. The Governor-in-Council shall have power to make regulations for the purposes of section 6 of this Ordinance prescribing the precautions to be observed with a view to the prevention of piracy. Power to make regulations.

18. The owners agents charterers and licensees of every launch or ship which by any regulations made under this Ordinance shall be required to carry watchmen or guards shall be jointly and severally liable to pay to the Colonial Treasurer such monthly sum for each watchman or guard as may be fixed by the said regulations, and any such sum in respect of payment of which default is made may, without prejudice however to any proceedings already taken or to be taken on any bond entered into in accordance with the provisions of this Ordinance, be recovered as a fee payable to the Crown within the meaning of the Crown Remedies Ordinance, 1875. Liability to pay for watchmen and guards.

19. This Ordinance shall not apply to any launch on occasions on which it is being used solely for purposes of pleasure. Ordinance not to apply to launch when being used for pleasure.

20. The Governor-in-Council shall have power to exempt any launch or ship or class of launch or ship from the provisions of this Ordinance either generally or for a specified period or for a specified voyage or class of voyages and shall have power in his absolute discretion to withdraw at any time any exemption so granted. General power of exemption.

21. The Launch and River Trade Steamer (Protection against Piracy) Ordinance, 1900, and the Steam Launch and River Trade Steamer (Protection against Piracy) Ordinance, 1913, are hereby repealed. Repeal of Ordinances 7 of 1900 and 18 of 1913.

Passed the Legislative Council of Hongkong, this 27th day of August, 1914.

M. J. BREEN,
Clerk of Councils.

Assented to by His Excellency the Governor, the 28th day of August, 1914.

CLAUD SEVERN,
Colonial Secretary.

SCHEDULE.

BOND.

The Piracy Prevention Ordinance, 1914.

KNOW ALL MEN by these presents that We
.....of.....
and.....of.....
and..... of.....
are held and firmly bound to His Majesty the King His Heirs and Successors in the sum of.....thousand Dollars Hongkong Currency to be paid to His said Majesty His Heirs and Successors for which payment to be well and truly made we bind ourselves and each of us our and each of our heirs executors and administrators jointly and severally by these presents Sealed with our seals and dated the day ofOne thousand Nine hundred and

WHEREAS the saidand are the owners agents charterers and licensees of the ship (launch)

NOW THE CONDITION of the above written bond or obligation is such that if the said owners agents charterers and licensees and their servants and employces and the master officers crew and staff of the said ship (launch) and any person to whom the said ship (launch) may be leased or chartered shall comply with all the provisions of the Piracy Prevention Ordinance

1914 and with all the regulations for the time being in force under the said Ordinance THEN the above written bond or obligation shall be void otherwise the same shall remain in full force and virtue.

Signed sealed and delivered by }
the said..... }
in the presence of

Signed sealed and delivered by }
the said }
in the presence of

Signed sealed and delivered by }
the said..... }
in the presence of

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. 338.—Information has been received from the Consul for Russia that he is empowered by his Government to visé passports for entry into and passage through Russia to British subjects. Holders of passports should present them in person at the Consulate at least 24 hours before their departure.

CLAUD SEVERN,
Colonial Secretary.

28th August, 1914.

TREASURY.

No. 339.—Financial Statement for the month of June, 1914.

REVENUE AND EXPENDITURE.

Balance of Assets and Liabilities on 31st May, 1914,	\$ 3,055,839.52
Revenue from 1st to 30th June, 1914,	1,012,976.30
	<u>4,068,815.82</u>
Expenditure from 1st to 30th June, 1914,	1,063,330.42
	<u>\$3,005,485.40</u>

Assets and Liabilities on the 30th June, 1914.

LIABILITIES.		ASSETS.	
	\$ c.		\$ c.
Deposits not Available,	207,401.39	Subsidiary Coins,	647,987.98
House Service Account,	7,498.05	Advances,	9,912.05
Crown Agents' Advances,	1,645,348.96	Imprest,	24,082.80
Postal Agencies,	81,477.19	Railway Construction,	4,528,116.12
Overdraft, Bank,	608,640.38	Unallocated Stores,	336,407.51
Exchange,	285.44	Crown Agents' Current Account,.....	9,630.35
Total Liabilities,.....	2,550,651.41		
Balance,	3,005,485.40		
TOTAL,.....\$	5,556,136.81	TOTAL,.....\$	5,556,136.81

E. D. C. WOLFE,
Treasurer.

24th August, 1914.