



The Hongkong Government Gazette Extraordinary.

Published by Authority.

TUESDAY, OCTOBER 6, 1914.

The following Notifications are published,

By command,

CLAUD SEVERN,
Colonial Secretary.

PROCLAMATIONS.

COLONIAL SECRETARY'S DEPARTMENT.

No. 380.—It is hereby notified that a proclamation was issued by His Majesty the King on the 9th day of September, 1914, revoking the proclamation relating to Trading with the Enemy issued on the 5th day of August, 1914, (published in the *Hongkong Government Gazette Extraordinary* of the 6th day of August, 1914), and also paragraph No. 2 of the proclamation issued on the 12th day of August, 1914, which applied the proclamation of the 5th day of August, 1914, in the case of Austria-Hungary, and substituting the following provisions therefor :—

1. The expression enemy country in this proclamation means the territories of the German Empire and the territories of the Dual Monarchy of Austria-Hungary, together with all the colonies and dependencies thereof.

2. The expression enemy in this proclamation means any person or bodies of persons of whatever nationality resident or carrying on business in the enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in the enemy country. In the cases of incorporated bodies, enemy character attaches only to those incorporated in an enemy country.
 3. The expression outbreak of war in this proclamation means 11 p.m. on the 4th August 1914 in relation to the German Empire, its colonies and dependencies, and midnight on the 12th August 1914 in relation to Austria-Hungary, its colonies and dependencies.
 4. From and after the date of this proclamation the following prohibitions shall have effect, (save so far as licences may be issued as hereinafter provided), and we do hereby accordingly warn all persons resident, carrying on business or being in our dominions—
 - (i.) not to pay any sums of money to or for the benefit of an enemy ;
 - (ii.) not to compromise or give security for the payment of any debt or other sum of money with or for the benefit of an enemy ;
 - (iii.) not to act on behalf of an enemy in drawing, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with any negotiable instrument ;
 - (iv.) not to accept, pay, or otherwise deal with any negotiable instrument which is held by or on behalf of an enemy, provided that this prohibition shall not be deemed to be infringed by any person who has no reasonable grounds for believing that the instrument is held by or on behalf of an enemy ;
 - (v.) not to enter into any new transaction, or complete any transaction already entered into, with an enemy in any stocks, shares, or other securities ;
 - (vi.) not to make or enter into any new marine, life, fire, or other policy or contract of insurance with or for the benefit of an enemy ; nor to accept, or give effect to any insurance of, any risk arising under any policy or contract of insurance (including re-insurance) made or entered into with or for the benefit of an enemy before the outbreak of war ;
 - (vii.) not directly or indirectly to supply to or for the use or benefit of, or obtain from, an enemy country, or an enemy, any goods, wares or merchandise, nor directly or indirectly to supply to or for the use or benefit of, or obtain from any person any goods, wares or merchandise, for or by way of transmission to or from an enemy country or an enemy, nor directly or indirectly to trade in or carry any goods, wares or merchandise destined for or coming from an enemy country or an enemy ;
 - (viii.) not to permit any British ships to leave for any port or place in an enemy country ;
 - (ix.) not to enter into any commercial, financial or other contract or obligation with or for the benefit of an enemy ;
 - (x.) not to enter into any transactions with an enemy if and when they are prohibited by an Order-in-Council made and published on the recommendation of a Secretary of State, even though they would otherwise be permitted by law or by this or any other proclamation.
- AND we do hereby further warn all persons that whoever in contravention of the law shall commit, aid or abet any of the aforesaid acts, is guilty of a crime and will be liable to punishment and penalties accordingly.
5. Provided always that where an enemy has a branch locally situated in British, allied, or neutral territory, not being neutral territory in Europe, transactions by or with such branch shall not be treated as transactions by or with an enemy.
 6. Nothing in this proclamation shall be deemed to prohibit payments by or on account of enemies to persons resident, carrying on business or being in our dominions, if such payments arise out of transactions entered into before the outbreak of war or otherwise permitted.

7. Nothing in this proclamation shall be taken to prohibit anything which shall be expressly permitted by our licence, or by the licence given on our behalf by a Secretary of State, or the Board of Trade, whether such licences be especially granted to individuals or be announced as applying to classes of persons.
8. This proclamation shall be called "The Trading with the Enemy Proclamation No. 2".

CLAUD SEVERN,
Colonial Secretary.

6th October, 1914.

LEGISLATIVE COUNCIL.

No. 381.—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. 25 of 1914.—An Ordinance for the more effectual preventing and further punishment of the offence of trading with the enemy.

HONGKONG.

No. 25 OF 1914.

An Ordinance for the more effectual preventing and further punishment of the offence of trading with the enemy.

I assent to this Ordinance.

LS

F. H. MAY,
Governor.

[6th October, 1914.]

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 Trading with the Enemy Ordinance, 1914. Short title.

2.—(1.) Every person who during the continuance of the present war between His Majesty and Germany or during the continuance of the present war between His Majesty and Austria-Hungary trades with the enemy, and every person who since the fourth day of August, 1914, has traded with the enemy, shall be deemed to be guilty of a misdemeanour, and shall be liable upon summary conviction to imprisonment for any term not exceeding twelve months and to a fine not exceeding five thousand dollars, or upon conviction on indictment to imprisonment for any term not exceeding seven years and to a fine not exceeding five thousand dollars. Penalty of imprisonment and fine for trading with the enemy.