

No. 294.—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinances passed by the Legislative Council :—

Ordinance No. 17 of 1915.—An Ordinance to amend the Post Office Ordinance, 1900.

Ordinance No. 18 of 1915.—An Ordinance to amend the Certificates of Origin Ordinance, 1915.

HONGKONG.

No. 17 OF 1915.

An Ordinance to amend the Post Office Ordinance, 1900.

I assent to this Ordinance.



F. H. MAY,
Governor.

[2nd July, 1915.]

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title and construction.

1. This Ordinance may be cited as the Post Office Amendment Ordinance, 1915, and shall be read and construed as one with the Post Office Ordinance, 1900, hereinafter called the Principal Ordinance.

Definitions.

2. In this Ordinance :—

“Letter” means every postal article other than a newspaper or parcel.

“Postal article” means every article or thing which is capable of being transmitted by post.

No letters to be sent out of the Colony except through the post.

3.—(1.) No person shall send any letter out of the Colony except through the post.

No letters to be conveyed out of the Colony except under the authority of the Postmaster General.

(2.) No person shall convey any letter out of the Colony except under the authority of the Postmaster General.

Consignees' letters excepted.

(3.) This section shall not apply to any *bonâ fide* consignees' letter which relates solely to goods or merchandise on board the vessel by which such consignees' letter is forwarded : Provided that, notwithstanding the provisions of subsection (2) of section 7 of the Principal Ordinance, it shall be lawful for the Governor-in-Council to order that this section shall apply to such letters and thereupon it shall so apply accordingly.

Nothing in this section to abridge any exclusive privilege of the Postmaster General.

(4.) Nothing in this section shall be construed as abridging in any way any exclusive privilege of the Postmaster General as established by law immediately before the commencement of this Ordinance.

4.—(1.) It shall be lawful for any public officer who may, either generally or in a particular case, be authorised in writing by the Postmaster General in that behalf, to search for, seize, remove, and detain any postal articles in respect of which such public officer may have reason to believe that any offence whatsoever has been or is about to be committed.

Power of search and seizure.

(2.) Such officer may, with or without assistance, if necessary :—

- (a.) break open any outer or inner door of any house, building or place, and enter therein ;
- (b.) forcibly board and enter any vessel and every part thereof ;
- (c.) search any person found in such house, building or place, or on board such ship, provided that no female person shall be searched except by a female, and provided that no person shall be searched in any public place if he objects to be so searched ;
- (d.) remove by force any personal or material obstruction to any such entry, search, seizure, removal, and detention, as he is empowered to effect ; and
- (e.) break open and examine any postal article found in such house, building or place, or on board such ship.

(3.) It shall be lawful for any public officer who in the execution of his duty shall discover any postal article in respect of which he may have reason to believe that any offence whatsoever has been or is about to be committed to seize and detain any such postal article.

5. Notwithstanding the provisions of sub-section (1) of section 7 of the Principal Ordinance, no newspaper from out of the Colony, coming directly or indirectly from any country or place to which the Governor-in-Council may direct that this section shall apply, shall be conveyed in the Colony otherwise than by the post or shall be delivered in or transmitted from the Colony otherwise than by or through the General Post Office.

Exclusive privilege of Postmaster General to extend to newspapers in certain cases.

6. Every person who shall contravene any of the provisions of this Ordinance or of section 6 of the Principal Ordinance, and every person who shall obstruct any search, seizure, removal or detention authorised by this Ordinance, 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 twelve months and to a fine not exceeding five hundred dollars.

Offences.

Passed the Legislative Council of Hongkong, this 2nd day of July, 1915.

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

Assented to by His Excellency the Governor, the 2nd day of July, 1915.

CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 18 OF 1915.

An Ordinance to amend the Certificates of Origin Ordinance, 1915.

I assent to this Ordinance.

F. H. MAY,
Governor.

[2nd July, 1915.]

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

Short title
and con-
struction.

1. This Ordinance may be cited as the Certificates of Origin Amendment Ordinance, 1915, and shall be read and construed as one with the Certificates of Origin Ordinance, 1915, hereinafter called the Principal Ordinance.

Seizure and
forfeiture of
goods of
enemy ori-
gin : 5 Geo.
5, c. 31, s. 6.

2.—(1.) Where the Superintendent of Imports and Exports has reason to suspect that the place of origin of any goods imported into the Colony, whether before or after the commencement of this Ordinance, is a place in any territory which, under any Proclamation issued by His Majesty dealing with trading with the enemy for the time being in force, is or is treated as enemy country, the goods may be seized, by force if necessary, and may on application to a magistrate be ordered by such magistrate to be forfeited to the Crown.

(2.) Upon the making of any such order of forfeiture the said goods shall be deemed to be the property of the Crown free from all rights of any person: Provided that it shall be lawful for the Governor-in-Council, in his absolute discretion, to entertain and give effect to any moral claim to or in respect of the said goods.

(3.) In any proceeding for the forfeiture of any goods so seized as aforesaid the place of origin of such goods shall be deemed to be in territory which is or is treated as enemy country unless the contrary is proved.

Certificate
of British
customs or
consular
officer to be
prima facie
evidence.3. In any proceeding in respect of or involving any matter, civil or criminal, arising under this Ordinance or under the Principal Ordinance, any certificate produced from official custody and purporting to be signed by any British customs or consular officer shall be *prima facie* evidence of the truth of the matters stated therein.

Passed the Legislative Council of Hongkong, this 2nd day of July, 1915.

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

Assented to by His Excellency the Governor, the 2nd day of July, 1915.

CLAUD SEVERN,
Colonial Secretary.