

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment 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.

ADJOURNMENT.—The Council then adjourned until Thursday, the 8th day of July, 1915.

F. H. MAY,
Governor.

Read and confirmed this 8th day of July, 1915.

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

No. 303.—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. 19 of 1915.—An Ordinance to regulate the entrance of persons into the Colony and the departure of persons from the Colony and to confer various powers in connection therewith.

HONGKONG.

No. 19 OF 1915.

An Ordinance to regulate the entrance of persons into the Colony and the departure of persons from the Colony and to confer various powers in connection therewith.

I assent to this Ordinance.

LS

F. H. MAY,
Governor.

[9th July, 1915.]

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 Travellers Restriction Ordinance, 1915.
- Interpretation. **2.** In this Ordinance,—
 “Colony” means the Colony of Hongkong and its Dependencies and includes the waters of the Colony.
 “Examination Officer” means any officer in the examination service which was notified by Notification No. 286 published in the *Gazette* of the third day of August, 1914.
 “Master” means any person (except a pilot) having command or charge of any ship.

“Passenger” means any person on a ship other than the master and persons employed in the working or service of the ship.

“Police Officer” includes all Special Constables and all members of the Special Police Reserve.

“Ship” includes every description of vessel used in navigation other than Chinese junks propelled solely by sails and oars.

“Vessel” includes any ship or boat and any other description of vessel used in navigation.

3.—(1.) Except with the permission of a police officer or examination officer no person shall leave any ship which arrives in the Colony until such ship has been examined by a police officer.

No person to leave without permission any ship arriving in the Colony.

(2.) Any such permission may be general or may be limited to particular persons or classes of persons.

4. Every person to whom section 10 of this Ordinance may for the time being apply who arrives in the Colony and who is not examined by a police officer or examination officer at the time of his arrival shall report himself at a police station within twelve hours of his arrival in the Colony.

Persons not examined to report themselves.

5. Except with the permission of a police officer or examination officer, no ship which arrives in the Colony shall be taken alongside any pier or wharf or other vessel, nor shall any other vessel be taken alongside such ship, until such ship has been examined by a police officer.

No ship arriving in the Colony to go alongside any pier or other vessel without permission.

6.—(1.) The master of every ship which arrives in the Colony shall hoist the Police call flag (“S” in the International Code of Signals) whenever ordered to do so by any examination officer or police officer, and whenever hailed by any police officer, and shall keep the said flag flying until authorised by a police officer to take it down.

Master to hoist police flag if directed.

(2.) Except with the permission of a police officer no person shall leave any ship which is flying the Police call flag.

(3.) Except with the permission of a police officer no ship which is flying the Police call flag shall be taken alongside any pier or wharf or other vessel, nor shall any other vessel be taken alongside such ship.

(4.) The provisions of this section shall apply notwithstanding any permission given before such ship is ordered to hoist the Police call flag or is hailed by a police officer as the case may be.

7.—(1.) Every person who arrives in the Colony, or who is about to leave the Colony, shall truthfully and fully answer all questions and enquiries put to him by any police officer or examination officer, notwithstanding that the answer to any such question may tend to render such person liable to any restriction whatsoever or may tend to incriminate him, and shall disclose and produce to any police officer or examination officer on demand all documents in the possession of such person tending directly or indirectly to establish his identity, nationality or occupation, or any absolute or conditional liability on his part to any military or naval service under any State whatsoever.

Persons arriving or leaving to answer all enquiries.

(2.) This section shall extend to any enquiry made of any person who is suspected of having arrived in the Colony since the fourth day of August, 1914, or who shall hereafter so arrive, or who shall hereafter be suspected of being about to leave the Colony.

(3.) Any answer to any such question or enquiry shall be admissible in evidence in any proceedings under this Ordinance against the person making such answer: provided that nothing in this section shall be construed as rendering any such answer inadmissible in any other proceedings in which it would otherwise be admissible.

Persons arriving or leaving to proceed for further enquiry to place directed.

8. Every person who arrives in the Colony, or who is about to leave the Colony shall, if so directed by any police officer, proceed, at or before such time as may be directed by such police officer, to such place or places as such police officer may direct, for further enquiry into his case.

Certain duties of masters of ships.

9. The master of every ship which arrives in the Colony, or which is about to leave the Colony, shall whenever required to do so by any police officer or examination officer :—

- (a.) Exhibit to such officer a complete list of the crew :
- (b.) Furnish the said officer with a complete list of the passengers :
- (c.) Produce to such officer for inspection and interrogation all the passengers and all the members of the crew.

Certain persons not to leave the Colony without permission.

10.—(1.) No person shall without the permission of the Governor leave or attempt to leave the Colony without a pass issued by or under the authority of the Captain Superintendent of Police.

(2.) This section shall apply only to the persons referred to in the first schedule hereto : provided that the Governor-in-Council shall have power to amend the said schedule in any way whatsoever.

(3.) The granting of any such permission and the issuing of any such pass shall be in the absolute discretion of the Governor and Captain Superintendent of Police respectively.

Examination of ships about to leave the Colony.

11.—(1.) No ship shall leave the Colony until it has been examined by a police officer.

(2.) Except with the permission of a police officer or an examination officer no person shall, after the police examination has been begun, board any ship which is about to leave the Colony.

(3.) Except with the permission of a police officer or an examination officer no thing shall, after the police examination has been begun, be put on board any ship which is about to leave the Colony.

Masters of ships to report contraventions.

12. The master of every ship which arrives in the Colony or which is about to leave the Colony shall report forthwith to a police officer or examination officer every case in which he has any reason to believe that an offence against this Ordinance has been or is about to be committed.

Powers with regard to persons ordered to quit the Colony.

13.—(1.) Whenever the Governor shall, under the powers conferred on him by sub-clause 3 of clause III of the Order of Her late Majesty Queen Victoria in Council made on the twenty-sixth day of October, 1896, order any person to quit the Colony, it shall be lawful for the Governor by warrant under his hand to order that such person be arrested and kept in custody until his departure from the Colony.

(2.) Every person ordered to quit the Colony shall leave the Colony on such date and by such route or by such ship, train, or other conveyance, as may be directed by the Governor, and no person so ordered to quit the Colony shall leave the Colony except by such route or by such ship, train, or other conveyance.

(3.) Any warrant under this section may be in the form in the schedule hereto.

Registration of visitors at hotels.

14.—(1.) It shall be the duty of the keeper of every hotel, inn, boarding-house, and lodging-house, and of the secretary of every club, to ascertain and enter in a register kept for the purpose the names and nationality of all persons over the age of fourteen years staying at the hotel, inn, boarding-house, lodging-house, or club, to whom section 10 of this Ordinance may for the time being apply, together with the dates of their arrival and departure, their destinations on departure, and such other particulars as may be prescribed by the Captain Superintendent of Police, and if the keeper of an hotel, inn, boarding house, or lodging-house, or the

secretary of a club, fails to do so, or if he makes any entry in any such register which he knows or could by the exercise of reasonable diligence have ascertained to be false, he shall be deemed to be guilty of a contravention of this Ordinance.

(2.) The keeper of every hotel, inn, boarding-house, or lodging-house, and the secretary of every club, shall also make to the Captain Superintendent of Police such returns as to the particulars aforesaid, at such times or intervals, and in such form as the Captain Superintendent of Police may direct, and if such keeper or secretary fails to do so, or makes any false return, he shall be deemed to be guilty of a contravention of this Ordinance.

(3.) It shall be the duty of every person who stays at an hotel, inn, boarding-house, lodging-house, or club, to furnish to the keeper or secretary and sign a statement containing such information as such keeper or secretary may require for the purpose of compiling such register as aforesaid, and if any person fails to do so, or gives any false information, he shall be deemed to be guilty of a contravention of this Ordinance.

(4.) Every register kept under this section shall, at all reasonable hours, be open to inspection by any officer of police, or by any other person authorised by the Captain Superintendent of Police.

(5.) For the purposes of this section the expression "keeper of a lodging-house" shall include any person who for reward receives and other person to lodge with him or in his house, and where any hotel, inn, boarding-house, or lodging-house, is under the management of a manager the expression "keeper" shall in relation thereto include such manager.

15.—(1.) It shall be lawful for any police officer authorised by the Captain Superintendent of Police in writing in that behalf, either generally or for a particular occasion :—

Powers of
detention,
arrest,
search,
seizure and
removal.

(a.) To detain for further enquiries during a period not exceeding four days any person in whose case such police officer may have reason to believe that further enquiry is necessary :

(b.) To arrest and bring before a Magistrate any person whom such police officer may have reason to suspect of having contravened or attempted to contravene any of the provisions of this Ordinance :

(c.) To search the person and property and effects of any person whom it may be lawful for such police officer to detain or arrest, or who may arrive in or be about to leave the Colony, provided that no female person shall be searched except by a female, and provided that no person shall be searched in a public place if he objects to be so searched :

(d.) To search any place or vessel (not being a ship of war) in which such police officer may have reason to suspect that there may be anything (1) which may be evidence of any contravention or intended contravention of any of the provisions of this Ordinance, or (2) which may belong to or be in the possession or under the sole or partial control of any person whom it may be lawful for such police officer to detain or arrest :

(e.) To seize, remove and detain anything which may appear to be evidence of any contravention of the law, or which it may be desirable to detain for further examination, or which may appear to belong to or to be in the possession of or to be under the sole or partial control of any person whom it may be lawful for such police officer to detain or arrest.

(2.) Such police officer may :—

(a.) Break open any outer or inner door of or in any such place ;

(b.) Forcibly enter any such vessel and every part thereof ;

(c.) Remove by force any personal or material obstruction to any arrest, detention, search, seizure, or removal which he is empowered to make ;

(d.) Detain every person found in such place or on board such vessel until such place or vessel has been searched.

(3.) No person shall obstruct any detention, arrest, search, seizure, or removal, which is authorised by this Ordinance.

Penalties.

16. Every person who acts in contravention of or fails to comply with any of the provisions of this Ordinance, and every person who permits or knowingly is a party to any such contravention or failure, 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 thousand dollars.

Saving of rights and powers of the Crown.

17. Nothing in this Ordinance shall be construed as derogating in any way from any rights or powers of the Crown in existence immediately before the coming into operation of this Ordinance.

Commencement.

18. This Ordinance shall come into operation on the 12th day of July, 1915.

Passed the Legislative Council of Hongkong, this 8th day of July, 1915.

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

Assented to by His Excellency the Governor, the 9th day of July, 1915.

CLAUD SEVERN,
Colonial Secretary

First Schedule. [s. 10.]

Persons to whom section 10 of the Ordinance is to apply.

All persons of non-Asiatic race or nationality and all Indians.

Second Schedule. [s. 13.]

WARRANT.

(Travellers Restriction Ordinance, 1915.)

To each and all of the Police Officers of the Colony of Hongkong and to the Superintendent of Victoria Gaol in the said Colony.

Whereas under the powers conferred upon me by the Order of Her late Majesty Queen Victoria in Council made on the 26th day of October, 1896, I have ordered
..... to quit the Colony
Now these are to command you forthwith to

arrest the said.....
and to keep him in custody until his departure
from the Colony.

Dated at Victoria in the Colony }
of Hongkong this day }
of..... 191... }

.....
Governor.

Served on the said
this day of 191...

By me,

(Signature)
(Description)

* I hereby direct that the said.....
..... shall leave the Colony on
(date or alternative dates).....
by (route or ship or other conveyance)

Dated at Victoria in the Colony }
of Hongkong thisday }
of..... 191... }

.....
Governor.

Served on the said.....
this day of 191...

By me,

(Signature)
(Description)

* This part may be filled up later if necessary.

No. 304.

*Amendment of By-laws made by the Sanitary Board under section 16 (11) of the Public Health and Buildings Ordinance, 1903, Ordinance No. 1 of 1903.**

The By-laws made under section 16 of the Public Health and Buildings Ordinance, 1903, published on pages 22 and 23 of the "Regulations of Hongkong, 1914", under the heading "Domestic Cleanliness and Ventilation" are hereby amended by the addition of the following By-law :—

"4. In any case of non-compliance with the provisions and requirements of By-law 3 the Board shall have full power after 14 days notice to the owners given in writing to enter on the premises and thoroughly to cleanse and limewash the said premises and the cost of such cleansing and limewashing shall be paid by the owner of such premises at a rate not to exceed \$3.00 for each floor."

Made by the Sanitary Board this 29th day of June, 1915.

W. BOWEN-ROWLANDS,
Secretary.

Approved by the Legislative Council of Hongkong this 8th day of July, 1915.

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