

**APPOINTMENTS, &c.**

**No. 341.**—His Excellency the Governor has been pleased, subject to the approval of the Secretary of State for the Colonies, to make the following appointments, with effect from the 1st August, 1915:—

Lieutenant-Commander ARTHUR EDWARD DAVEY, R.N.R., to be First Boarding Officer,

Lieutenant AITKEN WELSH DAILEY, R.N.R., to be Second Boarding Officer, and Mr. CHARLES JAMES THOMSON to be Master of the Steam Tender *Stanley*.

26th July, 1915.

**No. 342.**—His Excellency the Governor has been pleased to re-appoint Mr. CHAN KAI MING to be a Member of the Sanitary Board for a further term of three years, with effect from the 16th April, 1915.

30th July, 1915.

**No. 343.**—His Excellency the Governor has been pleased to recognise, provisionally and pending the receipt of instructions from His Majesty's Government, Señor Don SALVADOR M. CAVERO as Consul for Peru in Hongkong.

30th July, 1915.

**NOTICES.**

COLONIAL SECRETARY'S DEPARTMENT.

**No. 344.**—The following is published for general information.

CHINA.

**Notice.**

The following Regulations, made by His Majesty's Minister and hereby declared to be urgent, are published for general information.

J. N. JORDAN,  
*His Britannic Majesty's Minister.*

PEKING, July 12th, 1915.

*King's Regulations made under Article 155 of "The China Order in Council, 1904," and Article 13 of "The China (Amendment) Order in Council, 1907."*

**No. 10 of 1915.**

**Regulations Prohibiting Trading with the Enemy.**

WHEREAS Great Britain is at War with Germany, with Austria-Hungary, and with Turkey.

AND WHEREAS His Majesty the King has, by and with the advice of His Privy Council, issued Proclamations prohibiting any person resident, carrying on business, or being in the British Dominions to trade with the Enemy.

AND WHEREAS His Majesty the King has, by and with the advice of His Privy Council, issued a Proclamation applying, as therein provided, as from the 26th day of July 1915 the Proclamations against Trading with the Enemy to trading by British subjects with any person or body of persons of enemy nationality resident or carrying on business in China, Siam, Persia or Morocco.

AND WHEREAS by the "Trading with the Enemy Act, 1914," and by the "Trading with the Enemy Amendment Act, 1914," provision has been made with respect to penalties for Trading with the Enemy and other purposes connected therewith.

AND WHEREAS in accordance with the Foreign Jurisdiction Act, 1890, and the China Order in Council, 1904, made thereunder, His Majesty's Minister in China has power conferred upon him to make as therein provided Regulations for the peace, order and good Government there of British subjects, as defined by the said Order.

AND WHEREAS by King's Regulations No. 17 of 1914 (The Treasonable Insurance Regulations, 1914) provision was made for the summary trial and punishment of any person subject to the jurisdiction of His Majesty's Supreme Court for China committing offences in regard to prohibited insurances as therein defined.

AND WHEREAS it is expedient that King's Regulations should now be made extending to all persons firms and corporations subject to the aforesaid jurisdiction, and in so far as circumstances admit, the prohibitions and conditions set out in the said Proclamations and to provide penalties for breaches thereof.

IT IS HEREBY ORDERED AS FOLLOWS:

I. In the construction of these Regulations the following words shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant thereto, that is to say:—

“Outbreak of war” means 11 p.m. on August 4th, 1914, in relation to the German Empire, midnight on August 12th, 1914, in relation to Austria-Hungary, and November 5th, 1914, in relation to Turkey, and the colonies and dependencies of these Powers respectively.

“Enemy Country” means the territories of the German Empire, of the Dual Monarchy of Austria-Hungary, together with all the respective colonies and dependencies thereof, and the territories of His Imperial Majesty the Sultan of Turkey,—other than any territory in the occupation of His Britannic Majesty or of his Allies.

“Enemy” means any person or body of persons of whatever nationality resident or carrying on business in the enemy country, and any person or body of persons of enemy nationality resident or carrying on business in China, Siam, Persia or Morocco. In the case of incorporated bodies, enemy character attaches only to those incorporated in an enemy country.

“Person” means British subject, firm or corporation.

II. Any person subject to the jurisdiction of His Majesty's Supreme Court for China who:

1. Pays any sum of money to or for the benefit of an enemy; or
2. Compromises or gives security for the payment of any debt or other sum of money with or for the benefit of an enemy; or
3. Acts on behalf of an enemy in drawing, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with any negotiable instrument; or
4. Accepts, pays, or otherwise deals with any negotiable instrument which is held by or on behalf of an enemy having at the time of such acceptance, payment, or dealing reasonable ground for believing that such instrument is held by or on behalf of an enemy; or
5. Enters into any new transactions, or completes any transaction already entered into with an enemy in any stocks, shares or other securities; or
6. Directly or indirectly supplies to or for the use or benefit of, or obtains from, an enemy country or an enemy any goods, wares or merchandise, or directly or indirectly supplies to or for the use or benefit of, or obtains from, any person any goods, wares or merchandise, for or by way of transmission to or from an enemy country or an enemy, or directly or indirectly trades in or carries any goods, wares or merchandise destined for, or coming from, an enemy country or an enemy; or
7. Permits any British ship to leave for, enter or communicate with, any port or place in an enemy country; or
8. Enters into any commercial, financial or other contract or obligation with or for the benefit of an enemy; or
9. Takes part in any act or transaction prohibited under any Proclamation dealing with the subject of trading with the enemy issued by His Majesty after the 25th day of June, 1915, and published in the manner provided by the Principal Order for the publication of King's Regulations.

Commits an offence and shall be liable, upon conviction, for each such offence to imprisonment for any term not exceeding three months, with or without hard labour, or to a fine not exceeding £50 or to both.

III. Where an enemy has a branch locally situated in British, allied or neutral territory—not being neutral territory in Europe, China, Siam, Persia or Morocco—transactions by or with such branches shall not be treated as transactions by or with an enemy.

Provided, however, that transactions hereafter entered into by any person resident, carrying on business, or being in China :

(a) in respect of banking business with a branch situated outside the United Kingdom of an enemy person, firm or company; or

(b) in respect of any description of business with a branch situated outside the United Kingdom of an enemy bank; shall be considered as transactions with an enemy:

Provided that acceptance, payment or other dealings with any negotiable instrument which was drawn before the date of these Regulations shall not, if otherwise lawful, be deemed to be a transaction hereafter entered into within the meaning of this paragraph.

IV. If any company incorporated under the Ordinances of the Colony of Hongkong and keeping a local register within the limits of the Principal Order, contravenes the provisions of Section 4 of the Ordinance of that Colony entitled "Trading with the Enemy Amendment Ordinance 1915" such company shall be guilty of a breach of these Regulations and shall be liable on conviction to a fine not exceeding £50.

V.—(1) Any sum which, had a state of war not existed, would have been payable and paid to or for the benefit of an enemy, by way of dividends, interest or share of profits, shall be paid by the person by whom it would have been payable into an account to be entitled "The Enemy Dividends Account" at such incorporated bank, or banks, as the Minister shall by public notice appoint. Any sum so paid into "the Enemy Dividends Account" shall not be dealt with save on an order of the Supreme Court.

Any payment required to be made under this regulation shall be made:—

(a) within fourteen days after the commencement of these Regulations if the sum, had a state of war not existed, would have been paid before such commencement.

(b) in any other case within fourteen days after it would have been paid.

(2) If any person fails to make any payment within the time mentioned in this Regulation he shall, upon conviction, be liable to a fine not exceeding £50 or to imprisonment, with or without hard labour, for a term not exceeding three months, or to both.

(3) The expression "dividends, interest or share of profits" for the purposes of this Regulation means any dividends, bonus or interest in respect of any shares, stock, debentures, debenture stock or other obligations of any Company, any interest in respect of any loan to a person carrying on business for the purposes of that business, and any profits or share of profits of such a business, and, where a person is carrying on any business on behalf of an enemy, any sum which, had a state of war not existed, would have been transmissible by a person to the enemy by way of profits from that business shall be deemed to be a sum which would have been payable and paid to the enemy.

VI. Where an act constitutes an offence both under these Regulations and under the Law of England as applied by the Principal Order, the offender shall be liable to be prosecuted and punished under either these Regulations or the Law of England as aforesaid, but shall not be liable to be punished twice for the same offence.

VII. A prosecution for an offence under this Regulation shall not be instituted except by or with the consent of the Crown Advocate:

Provided that the person charged with such an offence may be arrested and a warrant for his arrest may be issued and executed, and such person may be remanded in custody or on bail notwithstanding that the consent of the Crown Advocate to the institution of the prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

VIII.—(1) Any Court established under the Principal Order on being satisfied on information on oath laid on behalf of the Minister, that there is reasonable ground for suspecting that an offence under these Regulations has been or is about to be committed

by any person, may issue a warrant authorising a British subject appointed by the Minister or by any Consular Officer in his own district and named in the warrant to inspect all books or documents belonging to or under the control of that person, and to require any British subject able to give any information with respect to the business or trade of that person to give that information, and if accompanied by an officer of the Court, to enter and search any premises to which the jurisdiction of the Court extends and which are used in connection with the business or trade, and to seize any such books or documents as aforesaid.

(2) If any person having the custody of any book or document inspection of which has been authorised under this Regulation refuses or wilfully neglects to procure it for inspection, or if any such person who is able to give any information which may be required to be given under this Regulation refuses or wilfully neglects when required to give that information, that person shall, upon conviction, be liable to imprisonment for any term not exceeding three months, with or without hard labour, or to a fine of £50 or to both.

**IX.** Where any company has entered into a transaction or has done any act which is an offence under these Regulations, every director, manager, secretary or other officer of the company who is knowingly a party to the transaction or act shall be guilty of an offence under these Regulations and shall, upon conviction, be liable to imprisonment for any term not exceeding three months, with or without hard labour, or to a fine not exceeding £50, or to both.

**X.** Nothing in these Regulations shall be deemed to prohibit payments by or on account of enemies to persons resident, carrying on business, or being in His Majesty's Dominions if such payments arise out of obligations, other than those of or relating to insurance or re-insurance of whatever nature, entered into before the outbreak of war.

**XI.** Nothing in these Regulations shall be deemed to prohibit anything which may at any time hereafter be expressly permitted by licence granted by His Majesty or by a licence given on behalf of His Majesty or by a Secretary of State or given on the like behalf by the Minister, whether such licence be specially granted to individuals or be announced as applying to classes of persons.

**XII.** The Trading with the Enemy Regulations 1915 made on January 29th, 1915, are hereby repealed as from the 26th day of July, 1915.

**XIII.** These Regulations may be cited as the "Trading with the Enemy (Amendment) Regulations, 1915."

J. N. JORDAN,  
*His Britannic Majesty's Minister.*

*Peking, July 12th, 1915.*

**No. 345.**—The following amendments of the Grant Code, 1914, taking effect from the 1st July, 1915, are published for general information:—

In Article 45 (b) the figures \$60 are deleted and the figures \$30 substituted therefor; and in (c) of the same Article the figures \$30 are deleted and the figures \$15 substituted therefor.

**No. 346.**—It is hereby notified that at the next meeting of the Legislative Council a resolution will be moved as follows:—

Resolved by the Legislative Council that the percentage on the valuation of tenements payable as rates on the under-mentioned lots be altered as from the 1st July, 1915, as follows:—

Shaikiwan Marine Lots Nos. 1 to 10 (both inclusive),... From  $12\frac{1}{4}\%$  to  $10\frac{3}{4}\%$ .  
Shaikiwan Inland Lot No. 408, ..... ,,  $12\frac{1}{4}\%$  to  $10\frac{3}{4}\%$ .

CLAUD SEVERN,  
*Colonial Secretary.*

*30th July, 1915.*