

NOTE (2).—Where a person or firm mentioned in the list has more than one address in the country or group of countries under which the name of the person or firm appears, all dealings in that country, or in any country in the group, with such person or firm are prohibited, even in cases where one only of the addresses or one only of the countries is specifically mentioned.

NOTE (3).—Under the Trading with the Enemy Proclamations of the 25th June, and 10th November, 1915, all Proclamations relating to Trading with the Enemy apply to all persons or bodies of persons of enemy nationality, resident or carrying on business in China, Siam, Persia, Morocco, Liberia or Portuguese East Africa, and consequently it is an offence to trade with any person or body of persons of enemy nationality resident or carrying on business in China, Siam, Persia, Morocco, Liberia or Portuguese East Africa, even though such person or body of persons is not included by name in the Statutory List, and the omission of the name of any such person or body of persons from such list is not an authority or licence to trade with such person or body of persons.

NOTE (4).—The above additions and removals were made in the United Kingdom on the dates which appear opposite to the respective names.

NOTE (5).—A consolidating statutory list, complete to the 4th January, 1918, may be obtained from the Government Printers, Messrs. Noronha & Co., No. 14A, Des Vœux Road Central, who can also supply copies of the Orders in Council made since that date. The Consolidating Statutory list contains on page 10, a list of all the Orders in Council up to and including the 4th January, 1918. The dates of the subsequent Orders in Council are as follows:—

25th January, 1918.	23rd May, 1918.
22nd February, 1918.	31st May, 1918.
8th March, 1918.	

NOTE (6).—It is not unusual for firms in Holland and the Netherland East Indies to be registered under names commencing with descriptive terms such as “Handel Maatschappy” (Trading Company) or “Naamlooze Venootschap” (Limited Liability Company). In such cases it has been found more convenient to publish the firm under its proper name, followed by the general descriptive term “Handel Maatschappy” or “Naamlooze Venootschap” (N.V.), as in the case of an English company. For instance, Handel Maatschappy Louvre and Naamlooze Venootschap de Komeet v/h Dumonceau Frères will be found under Louvre and Komeet respectively, and not necessarily under “Handel” or “Naamlooze,” though cross references may be given.

No. 204.

Regulations made by the Governor in Council under Section 5 of the Ferries Ordinance, 1917, Ordinance No. 28 of 1917, this 30th day of May, 1918.

APPLICATION OF SECTION 3 OF THE FERRIES ORDINANCE, 1917.

1.—(1.) Section 3 of the Ferries Ordinance, 1917, is hereby declared to apply to the area bounded by the following lines and by the coast lines between the terminal points of those lines:—

East:—A line drawn from the south-western corner of Blake Pier to the north-western corner of Tsim Sha Tsui Wharf.

West:—A line drawn from Belchers Point to the eastern extremity of Stonecutters Island and thence to the north-western corner of Sham Shui Po Pier.

(2.) This declaration shall not have the effect of prohibiting the maintenance of any ferry between any single point within the said area and any point or points outside the said area.

LICENSING OF FERRIES.

2. No licence for the exclusive maintenance of any ferry, or group of ferries, or all ferries, to which the Ferries Ordinance, 1917, applies, shall be granted unless it has been put up to public tender.

3. Subject to these regulations the term for which any such licence shall be granted shall be 3 years or such longer period not exceeding 15 years as shall be stated in the notice inviting tenders.

4. The date at which such term shall be deemed to commence shall be stated in the notice inviting tenders which shall be published in the *Gazette*. The said notice shall also state whether the tenders shall be sealed or open.

5. Every tender shall state the monthly rent offered, which shall be payable in advance on the 1st day of each month from the commencement of the term.

6. No tender shall offer any premium or consideration for the licence other than the monthly rent.

7. A deposit of \$1,000 shall be made to the Treasurer with each tender.

8. Every licence shall be granted by the Colonial Secretary who shall first obtain the approval of the Governor in Council.

9. The Colonial Secretary shall not be bound to accept the highest or any tender.

10. The deposit shall be returned in the case of every unsuccessful tender after notice of the non-acceptance of the tender shall have been posted.

11. In the case of a successful tender the deposit shall not be returned until the tenderer shall have furnished such security as may be required by the Harbour Master in a sum equal to three months rent for the establishment of the ferry on the proper date and for its efficient maintenance during the term of the licence and for the compliance by the licensee with all the conditions of his licence and with the regulations for the time being in force relating to such ferry.

12. Such security shall be furnished within 14 days after the posting to the successful tenderer of a notice of acceptance of his tender.

CONDITIONS OF LICENCES.

13. Every licence shall be subject to the following conditions :—

- (i.) The licensee shall provide by a date stated in the notice inviting tenders ferry vessels of such number dimensions and designs as shall be specified in such notice, or as may be otherwise agreed on.
- (ii.) If during the term of the licence it shall be necessary in the opinion of the Governor in Council to increase the number of ferry vessels or to substitute other ferry vessels for any which may have been lost or withdrawn, or become unsuitable, the licensee shall within such period as the Governor in Council may think fit, provide additional or substituted ferry vessels of such number dimensions speed and design as the Governor in Council may approve.
- (iii.) The licensee shall maintain the said ferry vessels in a state of seaworthiness and efficiency to the satisfaction of the Harbour Master, and shall maintain on the said ferry vessels such life saving apparatus as the Harbour Master may direct.
- (iv.) The licensee shall provide such an additional number of ferry vessels of approved dimensions and design as shall be specified in either of the said notices. Such additional ferry vessels shall be maintained as a reserve for the due maintenance, but not for the increase, of the ferry service.
- (v.) The licensee shall provide for each ferry vessel other than a ferry vessel in reserve not less than two coxswains, two engineers, two stokers, and four seamen.
- (vi.) The licensee shall publish a schedule, subject to the approval of the Harbour Master, stating the intended times of departure from every ferry pier.
- (vii.) The licensee shall forfeit to the Crown a sum of \$25 for each occasion that a ferry vessel is more than 15 minutes later than the schedule time in departing from any pier, and an additional sum of \$25 for each additional period of 15 minutes after the first : provided that the delay or omission to run the ferry vessel is not due to accident or weather ; and provided that, unless in the opinion of the Harbour Master such delay or omission to run is wilful, the total penalty for each default, shall not exceed \$250.
- (viii.) The licensee shall forfeit to the Crown a sum of \$25 for each occasion that a ferry vessel departs before the schedule time : provided that the early departure is not due to accident or weather.
- (ix.) The service provided by the said schedule shall provide for not less than the following departures daily from each of the ferry piers :—
 - (a) to and from Victoria and Yaumati every 30 minutes between 5 a.m. and 11 p.m. ;

- (b) to and from Victoria and Mong Kok Tsui every 30 minutes between 5 a.m. and 11 p.m. ;
- (c) to and from Victoria and Sham Shui Po every 30 minutes between 5 a.m. and 10 p.m.
- (x.) The licensee shall make use of, for the purposes of the ferry, the following piers :—
- In Victoria :—
- Jubilee Street Pier.
Western Market Pier.
Eastern Street Pier.
- On the Kowloon side :—
- Public Square Street Pier.
Mong Kok Tsui Pier.
Sham Shui Po Pier.
- (xi.) Should the Governor in Council decide at any time during the term of the licence, whether at the request of the licensee or of his own motion, to assign other piers for the use of a ferry in addition to or substitution for those hereinbefore specified the licensee shall be bound to include such piers in his service, on terms to be agreed upon or failing agreement to be determined by arbitration under the Ferries Regulations.
- (xii.) The licensee shall not assign or transfer his license without the permission of the Governor in Council.
- (xiii.) The licensee may temporarily suspend his service or any part thereof while the black typhoon signals remain hoisted or when the weather conditions are such as to render its continuance unsafe.
- (xiv.) This licence is subject to all regulations for the time being in force relating to ferries.

Provided that in the case of any licence covering a ferry or group of ferries to which conditions (ix) and (x) are inapplicable appropriate conditions of a similar nature approved by the Governor in Council shall be substituted and shall be notified in the notice inviting tenders.

FARES AND CHARGES.

14. The licensee of the aforesaid ferry or group of ferries may demand and take for every passenger fares not exceeding the following rates :—

Between Victoria and Yaumati :—

1st Class,	10 cents
2nd Class (where third class accommodation is also provided),...	5 cents
2nd Class (where no 3rd class accommodation is provided) and	
3rd Class :—	
before sunset,.....	3 cents
after sunset,	4 cents

Between Victoria and Sham Shui Po or Mong Kok Tsui :—

1st Class,	15 cents
2nd Class (where third class accommodation is also provided),...	10 cents
2nd Class (where no 3rd class accommodation is provided) and	
3rd Class :—	
before sunset,.....	4 cents
after sunset,	5 cents

The licensee of any other ferry or group of ferries may demand and take such fares approved by the Governor in Council as shall be notified in the notice inviting tenders.

Nothing in this regulation shall be deemed to limit the right of a licensee to issue season tickets or punch tickets covering a number of journeys.

15. The licensee shall permit any passenger to take with him on a ferry vessel as free personal luggage such small baskets, bags, or parcels as he may be able to carry by hand. Save and except such free personal luggage the licensee shall not be bound to carry any

animals, birds, goods, merchandise, minerals, or parcels. If he does carry them he shall do so at rates not exceeding those specified in his tender unless the Governor in Council shall have authorised a different scale of charges.

16. The licensee shall exhibit in a conspicuous situation in each class of every ferry vessel a list printed in the English and Chinese languages of all the fares and charges authorised to be taken.

REGULATIONS AS TO PASSENGERS, &c.

17. The purchase of a ticket shall not entitle any passenger to a passage by a particular ferry vessel or to travel in a superior class than that for which the ticket is issued if the class contains its authorised complement.

18. No person shall wilfully obstruct any person acting under the authority of the licensee in the lawful discharge of his duties.

19. No person shall travel on any ferry vessel with intent to avoid payment of his fare or proper charges. All tickets issued in exchange for payment (with the exception of season tickets) must be handed over to be punched by the licensee's collector before embarkation of the passengers. In the cases where no tickets are issued in exchange for payment each passenger shall, before embarking, pass through the turnstile provided on the ferry pier.

20. The licensee shall not carry or attempt to carry passengers in excess of the authorised complement of any ferry vessel.

21. The licensee shall not load any ferry vessel so as to cause danger to the vessel or persons on board.

22. No person shall travel or attempt to travel in any ferry vessel after being requested to leave it by any servant of the licensee.

23. No person shall trespass on any pier or part of a pier exclusively reserved for a ferry.

24. No person shall alight or attempt to alight from, or enter or attempt to enter, any ferry vessel while in motion or otherwise than by the proper entrances or exits.

25. All persons holding tickets shall on demand show them and deliver them up to any servant of the licensee.

26. No person shall embark on or disembark from any ferry vessel from or to any sampan, boat, or other craft.

27. No intoxicated person shall travel or attempt to travel on any ferry vessel.

28. No launch, sampan, boat, or other craft shall make fast to or use or embark or disembark passengers at any pier or part of a pier exclusively reserved for a ferry.

MAINTENANCE AND USER OF FERRY PIERS.

29. Piers employed for the purpose of a ferry shall be built (if necessary) adapted and maintained by the Government free of cost to the licensee who shall not subject as herein-after provided be required to make any payment for the use or repair thereof. Provided that in the event of any damage being caused to any pier or any structure erected thereon by the licensee his servants or vessels other than fair wear and tear of which the Director of Public Works shall be the judge then the licensee shall on demand of the Director of Public Works forthwith pay into the Colonial Treasury the amount of such damage as shall be certified by the Director of Public Works. Such piers shall be provided by the Government with such barriers, gates, turnstiles, ticket offices, and other superstructure as may be necessary for the efficient working of the ferry.

INSUFFICIENT USER OF A FERRY.

30. If it shall be represented in writing to the Governor in Council by the Harbour Master or by 50 inhabitant rate-payers that the public are not afforded the full benefit of a ferry, the Governor in Council may (if satisfied that *prima facie* the case is one for enquiry) appoint a person to enquire into the matter and report thereon, and if the truth of the representation shall be proved the Governor in Council may issue an order to the licensee requiring him to provide such a service as will afford to the public the full benefit of the ferry and such order may prescribe the number of ferry vessels which the licensee shall run and the times at which they shall be run. Every such order shall be posted to the licensee at his last known address and published in the *Gazette*: Provided that the Governor in Council shall before issuing any such order be satisfied that under good and economical management the prescribed service will be fairly remunerative to the licensee; and that, after the licensee shall have complied with such order for not less than 30 days the Governor in Council may on the application of the licensee revoke or modify any such order.

31. If for the period of three months after the posting of such order and its publication in the *Gazette* the licensee shall fail or neglect to comply therewith the ferry shall be deemed to have been discontinued and shall be dealt with accordingly.

DISCONTINUANCE OF A FERRY.

32.—(1.) If in the opinion of the Governor in Council the licensee shall have discontinued the working of the ferry or any part thereof for a period of fourteen days the Governor in Council may by order declare that the powers and privileges of the licensee in respect of the ferry or part thereof so discontinued shall from the date of the order be at an end and thereupon all the powers and privileges of the said licensee in respect of the said ferry or part thereof shall cease and determine.

(2.) If in the opinion of the Governor in Council the licensee shall have discontinued the working of the ferry or any part thereof for any period whatsoever it shall be lawful for the Governor in Council notwithstanding the existence of such licence to make such arrangements as he may think fit in the public interest for the temporary maintenance of such ferry or part thereof.

(3.) Any net loss incurred by or on behalf of the Government in consequence of the making of any such arrangement as is contemplated in paragraph (2) of this regulation shall be recoverable by the Government from the licensee.

(4.) The fact that any such arrangement as is contemplated in paragraph (2) of this regulation has been made shall not prevent the running of the period of fourteen days referred to in paragraph (1) of this regulation.

(5.) This regulation shall not apply to any discontinuance which in the opinion of the Governor in Council is due to circumstances beyond the control of the licensee, but the want of sufficient funds shall not for the purpose of this regulation be deemed to be a circumstance beyond the control of the licensee.

INSOLVENCY OF THE LICENSEE.

33. If it appears to the Governor in Council that the licensee is insolvent so that he is unable to maintain his ferry or any part thereof or to work the same with advantage to the public, the Governor in Council may enquire into the financial affairs of the licensee and if satisfied that the licensee is so insolvent as aforesaid may by order declare that the powers and privileges of the licensee shall at the expiration of three months from the making of the order be at an end and the powers and privileges of the licensee shall cease and determine at the expiration of the said period.

PURCHASE OF FERRIES.

34. The Governor in Council may, at the expiration of the term of the licence, or on the determination of the powers and privileges of the licensee under the foregoing regulations, or at any time during the term of the licence on giving six months notice in the *Gazette*, require the licensee to sell and thereupon the licensee shall sell to the Government his undertaking and all ferry vessels, materials, plant, and equipment suitable to and used by the licensee for the undertaking for and in consideration of the then value of the

same, without any addition in respect of goodwill, compulsory purchase, or of any profits which might have been made from the undertaking: Provided that if such notice during the term of the licence be given the amount payable for the ferry vessels, materials, plant, and equipment shall be not less than the original value of the same when acquired by the licensee less an allowance in respect of reasonable wear and tear. In the case of difference the value shall be determined by arbitration.

ARBITRATION.

35. Every arbitration under these regulations shall be heard and determined by a Board of Arbitrators which shall in each case consist of three members and be constituted in manner following:—

- (i.) The Chairman of the Board shall be such Judge as the Judges may mutually arrange.
- (ii.) The two other members of the Board shall consist of one member to be nominated by the Governor and the other by the licensee: Provided always that the member nominated by the Governor may be any member of the Colonial Civil Service.
- (iii.) Notice in writing of the nomination by the Governor of a member of the Board shall be forthwith given to the licensee and shall be published in the *Gazette* and if he does not nominate a member of the Board within seven days from the date of such publication it shall be lawful for the Chairman to nominate and appoint any person, other than a member of the Colonial Civil Service, on behalf of such owner.

36.—(1.) The constitution of any Board shall be notified in the *Gazette* and within 14 days from such notification it shall commence its sittings at such time and place as the Chairman may appoint.

(2.) The Governor may appoint some person to act as Clerk to a Board and the Governor in Council shall determine his remuneration.

(3.) The remuneration of any member of a Board shall be at a rate according to the amount of work, the time occupied, and the magnitude of the interests involved, and shall be determined in each case by the Chairman at the conclusion of the arbitration: Provided that nothing herein shall authorise the payment of remuneration to a public servant who is not permitted to receive remuneration as a member of a board.

TEMPORARY LICENCES.

37. Notwithstanding anything contained in these regulations it shall be lawful for the Harbour Master to grant a temporary licence, subject to such conditions as he may think fit, for the maintenance of any ferry in any declared area during such period as may be required for the steps necessary for the issuing of a regular licence as contemplated by these regulations.

NON-PAYMENT OF RENT.

38. If a licensee of any ferry in respect of which rent is payable fails to pay any instalment of the rent when due it shall be lawful for the Governor in Council by order to declare that the powers and privileges of the licensee in respect of the said ferry shall from the date of the order be at an end and thereupon all the powers and privileges of the said licensee in respect of the said ferry shall cease and determine.

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

COUNCIL CHAMBER,
30th May, 1918.

Form A.

NOTICE INVITING TENDERS.

No. .—It is hereby notified that open tenders in duplicate, which shall be clearly marked "Tender for Ferries", will be received at the Colonial Secretary's Office until Noon on.....day, the.....of....., 191 , for a licence for the exclusive maintenance of Ferry Services between Yaumati, Mong Kok Tsai and Sham Shui Po on the north, and on the south such part of the coast line of the Island of Hongkong as lies between the south-western corner of Blake Pier on the east and Belchers Point on the west.

The said licence shall be issued subject to the Regulations made by the Governor in Council from time to time under section 5 of the Ferries Ordinance, 1917.

Subject to the said Regulations the term of the licence shall be 3 years to commence from the.....day of....., 191 .

It is desired that the licensee shall provide and place in service fit and ready for use on and after the.....day of....., 191.... not less than twelve ferry vessels, of which two shall be ferry vessels in reserve, (duly surveyed and licensed under section 37 of the Merchant Shipping Ordinance, 1899), of not less than 70 feet overall measurement with suitable beam and depth and a speed of not less than 9½ knots, fitted with a navigation bridge, bulkheads, and grille to the satisfaction of the Harbour Master and painted in such colours as the Harbour Master may direct. The said number, length, and speed of the ferry vessels are here stated as a guide to tenderers, who may however submit with their tenders a list of suitable ferry vessels of different number, dimensions, and speed.

Every tenderer must submit with his tender a list of maximum charges for the carriage of animals, birds, goods, merchandise, minerals, or parcels.

Form of tender may be obtained on application at the Harbour Office.

Harbour Master.

Form B.

TENDER FOR FERRIES LICENCE.

To the Hon. Colonial Secretary,
The Colonial Secretary's Office,
Hongkong.

....., 191 .

SIR,

..... hereby tender and undertake to establish and maintain the ferry services notified in Government Notification No.....of 191 , for the monthly rent of \$..... and to comply with and be bound by the terms of the said Notification and the Regulations made by the Governor in Council under the Ferries Ordinance, 1917.

.....undertake to provide not less than.....ferry vessels, of which..... shall be ferry vessels in reserve, each fitted with a navigation bridge, bulkheads, and grille to the satisfaction of the Harbour Master and painted in such colours as he may direct. The following is a list of the said ferry vessels:—

List of Vessels.

No.	Name.	Overall length.	Guaranteed speed.

.....undertake not to make charges in respect of the carriage of animals, birds, goods, merchandise, minerals, or parcels in excess of the charges stated in the following list unless authorised by the Governor in Council.

List of Charges.

..... Sir,

Your obedient servant,

LEGISLATIVE COUNCIL.

No. 205.

LEGISLATIVE COUNCIL, No. 3.

THURSDAY, 23RD MAY, 1918.

PRESENT:

HIS EXCELLENCY THE GOVERNOR
(Sir FRANCIS HENRY MAY, K.C.M.G.).

His Excellency the General Officer Commanding the Troops, (Major-General FRANCIS VENTRIS).

The Honourable the Colonial Secretary, (CLAUD SEVERN, C.M.G.).

„ the Attorney General, (JOSEPH HORSFORD KEMP, C.B.E.).

„ the Colonial Treasurer, (ALEXANDER MACDONALD THOMSON).

„ the Director of Public Works, (WILLIAM CHATHAM, C.M.G.).

„ the Secretary for Chinese Affairs, (EDWIN RICHARD HALLIFAX).

„ the Captain Superintendent of Police, (CHARLES McILVAINE MESSER).

„ Mr. HENRY EDWARD POLLOCK, K.C.

„ Mr. EDWARD SHELLIM.

„ Mr. DAVID LANDALE.

„ Mr. LAU CHŪ-PAK.

„ Mr. PERCY HOBSON HOLYOAK.

„ Mr. HO FOOK.