

Mr. SHEWAN replied.

ADJOURNMENT.—The Council then adjourned *sine die*.

R. E. STUBBS,  
*Governor.*

Confirmed this 29th day of January, 1920.

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

### APPOINTMENTS, &c.

No. 59.—His Excellency the Governor has been pleased, provisionally and pending the receipt of instructions from His Majesty's Government, to recognise Mr. PEDRO VICENTE BOTELHO as Consul for Nicaragua in Hongkong.

28th January, 1920.

### NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. 60.—The following Order of His Majesty the King in Council, which appeared in the *London Gazette* of the 10th October, 1919, is published for general information.

#### China (Companies) Amendment Order in Council, 1919.

AT THE COURT AT BUCKINGHAM PALACE,  
THE 9TH DAY OF OCTOBER, 1919.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD STEWARD.

SIR FRANCIS VILLIERS.

MR. SECRETARY SHORTT.

SIR GEORGE BUCHANAN.

WHEREAS by treaty, grant, usage, sufferance, and other lawful means, His Majesty the King has jurisdiction in China:

And whereas it is desirable to make further provision with reference to the exercise of jurisdiction over British companies carrying on business within the limits of this Order:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by "The Foreign Jurisdiction Act, 1890," or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as "The China (Companies) Amendment Order in Council, 1919," and shall be read as one with "The China (Companies) Order in Council, 1915."

2. In this Order:—

"The Fire and Marine Insurance Companies Ordinance" means "The Fire and Marine Insurance Companies Ordinance, 1917, of the Colony of Hongkong," and includes any Ordinance amending or substituted for the same.

“The Ordinance” means “The Companies Ordinance, 1911, of the Colony of Hongkong,” and includes any Ordinance amending or substituted for the same.

3. Where the general or substantial control of the business of a Company incorporated under the Ordinance is exercised by a person or persons ordinarily resident within the limits of this Order, such Company shall, irrespective of the place at which the Board of Directors may meet, or of any other circumstances, be deemed to be a Company of which the operations are directed and controlled from a place within the limits of this Order and shall be a China Company within the meaning of “The China (Companies) Order in Council, 1915.”

4.—(1.) No person, other than a British subject resident within the limits of this Order, shall act as managing director or in any position similar to that of managing director, or shall otherwise exercise general or substantial control of the business of a China Company.

(2.) If default is made in compliance with this article the Company shall be liable to a fine not exceeding 50 dollars for every day during which the default continues, and every director and every manager of the Company who knowingly authorizes or permits the default shall be liable to the like penalty.

(3.) Failure to comply with the provisions of this article shall be a ground upon which an order for winding up the Company may be made by the Court.

(4.) This article shall come into force 60 days after the publication of this Order.

5. All documents and other written information which a company is required by the Ordinance to file with the Registrar of Companies shall, in the case of a China Company, be filed with the Registrar of Companies at Shanghai, and a copy of all such documents and other written information shall, in the case of a Hongkong China Company, be filed with the Registrar of Companies at Shanghai.

6.—(1.) The provisions of the Fire and Marine Insurance Companies Ordinance shall be applied to China Companies and Hongkong China Companies.

(2.) All acts done within the limits of this Order in pursuance of the Fire and Marine Insurance Companies Ordinance by, to, with, or before the Registrar of Companies at Shanghai shall, subject to the provisions of this Order, be of the same force and validity as if they had been done by, to, with, or before the Registrar of Companies in Hongkong.

(3.) The Registrar of Companies at Shanghai shall be entitled to initiate such proceedings as he may think necessary to enforce compliance with the provisions of this Order.

7.—(1.) Subject to the provisions of this Order the jurisdiction of the Court in respect of China Companies and Hongkong China Companies shall be exercised, so far as circumstances admit, in conformity with the provisions of the Fire and Marine Insurance Companies Ordinance.

(2.) The duties of the Governor or of the Governor in Council under Sections 5 (2), 5 (5), 6 (2), and 7 (1), and of paragraphs 2, 3 and 7 of the First Schedule of the Fire and Marine Insurance Companies Ordinance shall, within the limits of this Order, be exercised by the Minister.

(3.) All offences under the Fire and Marine Insurance Companies Ordinance made punishable by fine may, if committed within the limits of this Order, be prosecuted summarily under Article 48 of “The China Order in Council, 1904,” provided that the maximum fine which can be imposed in the case of offences tried summarily shall be £200 instead of £20.

8. All fees prescribed by or under the Fire and Marine Insurance Companies Ordinance which are paid to the Registrar of Companies at Shanghai shall be paid by him to the Colonial Treasurer at Hongkong.

9. This Order shall come into effect on the first day of January, 1920.

And the Right Honourable Arthur James Balfour, O.M., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

ALMERIC FITZROY.

NOTE.—The above Order in Council appeared in the *North China Daily News* of the 16th January, 1920, under the following heading :—

The following Order in Council is published for general information by direction of His Majesty's Minister.

E. H. FRASER,  
*H. B. M. Consul-General.*

H. B. M. Consulate-General,  
Shanghai, January 15th, 1920.

No. 61.—The following Order of His Majesty the King in Council, which appeared in the *London Gazette* of the 9th December, 1919, is published for general information.

AT THE COURT AT BUCKINGHAM PALACE,  
THE 9TH DAY OF DECEMBER, 1919.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS on the 20th day of January, 1914, an International Convention for the Safety of Life at Sea, and for purposes incidental thereto, was duly entered into by His Majesty and the other Signatory Powers more especially referred to and set out in the said Convention :

And whereas a Statute 4 & 5 Geo. V., c. 50, intituled "an Act to make such amendments of the law relating to Merchant Shipping as are necessary or expedient to give effect to an International Convention for the Safety of Life at Sea" (being the Convention above referred to) was passed on the 10th day of August, 1914, the short title of which is "The Merchant Shipping (Convention) Act, 1914" :

And whereas by Section 29, Sub-section 5, of the said Act it was provided as follows :—

"This Act shall come into operation on the 1st day of July, 1915 :

"Provided that His Majesty may, by Order in Council, from time to time postpone the coming into operation of this Act for such period, not exceeding on any occasion of postponement one year, as may be specified in the Order" :

And whereas by divers Orders in Council the coming into operation of the said Act has been from time to time postponed, and now stands postponed, by virtue of an Order in Council of the 25th day of June, 1919, until the 1st day of January, 1920 :

And whereas His Majesty deems it expedient that the provisions of the said Act should be further postponed :

NOW, THEREFORE, His Majesty, by and with the advice of His Privy Council, in pursuance of the powers vested in Him by the above-recited provision, and of all other powers Him thereunto enabling, doth order, and it is hereby ordered, that the provisions of the Merchant Shipping (Convention) Act, 1914, shall be postponed from coming into operation until the 1st day of July, 1920.

ALMERIC FITZROY.