

10. *Japanese Residents Association Bill.*—Mr. D. G. M. BERNARD addressed the Council and moved the First reading of a Bill intituled An Ordinance to provide for incorporation of the Directors of the Japanese Residents Association of Hong Kong (Hong Kong Nipponjin Kwai 香港日本人會).

The Attorney General seconded.

Question—put and agreed to.

Bill read a first time.

11. *Supplementary Appropriation Bill.*—The First reading of a Bill intituled An Ordinance to authorize the Appropriation of a Supplementary Sum of One million and eighty-three thousand eight hundred and ninety-two Dollars and forty-two Cents to defray the Charges of the year 1926, was postponed to the next meeting of Council.

ADJOURNMENT.

12. The Council then adjourned until Thursday, 23rd June, 1927.

C. CLEMENTI,
Governor.

Confirmed this 23rd day of June, 1927.

E. W. HAMILTON,
Deputy Clerk of Councils.

No. 381.—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. 6 of 1927.—An Ordinance to amend the Public Health and Buildings Ordinance, 1903.

Ordinance No. 7 of 1927.—An Ordinance to provide for the incorporation of the Directors of the Japanese Residents Association of Hong Kong (Hong Kong Nipponjin Kwai 香港日本人會).

HONG KONG.

No. 6 OF 1927.

I assent.

L.S.

C. CLEMENTI,
Governor.

24th June, 1927.

An Ordinance to amend the Public Health and Buildings Ordinance, 1903.

[24th June, 1927.]

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

Short title. 1. This Ordinance may be cited as the Public Health and Buildings Amendment Ordinance, 1927.

Interpreta- 2. In this Ordinance "principal Ordinance" means
tion the Public Health and Buildings Ordinance, 1903.
Ordinance
No. 1 of 1903.

Amendment 3. Paragraph (8) of section 6 of the principal Ordinance is repealed and the following paragraph is substituted therefor :—
of Ordinance
No. 1 of 1903,
s. 6 (8).

(8) "Building" includes every domestic building, house, school, shop, factory, workshop, bakery, brewery, distillery, pawnshop, warehouse, godown, place of secure stowage, verandah, balcony, kitchen, latrine, gallery, chimney, arch, bridge, stair, column, floor, out-house, stable, shed, pier, wharf, fence, wall, roof, covered way, canopy, kiosk, and sunshade.

Amendment 4. Paragraph (25) of section 6 of the principal Ordinance is repealed and the following paragraph is substituted therefor :—
of Ordinance
No. 1 of 1903,
s. 6 (25).

(25) "Exceptional building" includes (1) every public building, factory, workshop, bakery, brewery, distillery, pawnshop, every building intended for special uses, every building made wholly or partly of reinforced concrete, every building made wholly or partly of glass, iron or other material not provided for in this Ordinance, and (ii) every part of every building which is an exceptional building within the meaning of the first part of this paragraph.

Amendment 5. Section 8 (2) of the principal Ordinance is repealed and the following sub-sections are substituted therefor :—
of Ordinance
No. 1 of 1903,
s. 8 (2).

(2) Two of the said additional members shall be elected by an electorate composed of the persons whose names shall appear in one or other of the two parts of the register hereinafter referred to.

- (3) The first part of the register shall consist of the two Jurors Lists for the current jury year brought into force under the provisions of the Jury Ordinance, 1887. Ordinance
No. 6 of 1887.
- (4) The second part of the said register, which shall be kept by the Registrar of the Supreme Court, shall consist of the names of all male persons of any of the following classes who shall have duly applied to be registered therein, and whose claims to be registered shall have been duly allowed :—
- (a) unofficial members of the Executive or Legislative Council ;
 - (b) persons of sound mind who have previously been included in the jurors lists but have been omitted therefrom on account of age or infirmity ;
 - (c) barristers and solicitors in actual practice and the clerks of solicitors in actual practice ;
 - (d) persons registered under Section 4 of the Medical Registration Ordinance, 1884, or under the Dentistry Ordinance, 1914, or under the Pharmacy and Poisons Ordinance, 1916 ; Ordinances
Nos. 1 of
1884, 16 of
1914, and
9 of 1916.
 - (e) editors, sub-editors and reporters of daily newspapers published in the Colony ;
 - (f) clergymen of the Church of England, Roman Catholic priests, and ministers of any congregation of Protestant Dissenters or of Jews, acting as such in the Colony ;
 - (g) professors and other academic officers of the University of Hong Kong ;
 - (h) masters of schools which are certified by the Director of Education as not being vernacular schools ;
 - (i) masters of steamers and local pilots ; and
 - (j) officers and non-commissioned officers of the Hong Kong Volunteer Corps, and such other members of the Hong Kong Defence Corps as shall have been exempted from jury service by the Governor in Council ;
- Provided that no person who is in the service of the Crown, and whose whole time is at the disposal of the Crown, shall be entitled to be included in the said register.
- (5) If any question arises as to the right of any person to be included in the second part of the said register such question shall be decided by the Registrar of the Supreme Court, subject to an appeal within seven days to the Governor in Council whose decision thereupon shall be final ; Provided that it shall be lawful for the Governor in Council to vary such decision at any time.
- (6) Subject to any rules which may be made under s. 9 of the Public Health and Buildings Ordinance, 1903, the second part of the said register shall be closed to any fresh applications for registration for fourteen days before the day appointed for any ballot for the election of a member of the Sanitary Board, and shall remain closed until after the balloting in that election shall have been completed. Ordinance
No. 1 of 1903.
- (7) Every person who at any ballot held under this section applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person, or who, having voted once at any such ballot, applies at the same ballot for a ballot paper in

his own name, and every person who, for the purpose of procuring his registration in the second part of the register referred to in sub-sections (2) to (6), knowingly makes any false or misleading representation, whether verbal or in writing or by conduct, shall upon summary conviction be liable to a fine not exceeding five hundred dollars and to imprisonment for any term not exceeding three months.

(8) If any question arises as to the validity of any proceeding in any election or intended election of a member of the Sanitary Board, the decision of the Governor in Council thereon shall be final and conclusive for all purposes whatsoever, and the Governor in Council may thereupon give any direction which he may think fit.

Renumbering of Ordinance No. 1 of 1903, s. 8 (3), (4).

6. Sub-sections (3) and (4) of s. 8 of the principal Ordinance are renumbered (9) and (10).

Repeal of Ordinance No. 1 of 1903, s. 97 and substitution of new section.

7. Section 97 of the principal Ordinance is repealed and the following section is substituted therefor:—

Exceptional buildings. 97. Subject to the provisions of any regulations made under section 98, the design, construction and situation of every exceptional building shall be subject to the special approval of the Building Authority.

Repeal of Ordinance No. 1 of 1903, s. 98 and substitution of new section.

8. Section 98 of the principal Ordinance is repealed and the following section is substituted therefor:—

Power to make regulations relating to exceptional buildings. 98. It shall be lawful for the Governor in Council to make regulations governing the design, construction and situation of exceptional buildings or any class of exceptional building.

Repeal of Ordinance No. 1 of 1903, ss. 162 and 162A and substitution of new section.

9. Sections 162 and 162A of the principal Ordinance are repealed and the following section is substituted therefor:—

Water closets and water-flushed urinals. 162—(1) No person shall maintain, or allow to remain on any premises owned or occupied by him, any water closet or urinal constructed before the 24th day of June, 1927, unless such water closet or urinal was constructed with the permission of the Board and the consent of the Governor in Council or was constructed in and is in a hospital.

(2) No person shall after the 23rd day of June, 1927, construct any water closet or urinal, and no person shall maintain, or allow to remain on any premises owned or occupied by him, any water closet or urinal, constructed after the 23rd day of June, 1927, except with the permission of the Board and of the Colonial Secretary and in accordance with the terms and conditions of such permission.

(3) It shall be lawful for a magistrate to order the removal of any water closet or urinal whatsoever if the water closet or urinal was constructed or has been maintained without due permission or in breach of any of the terms or conditions of any such permission, or if the water closet or urinal has been kept in an insanitary or uncleanly condition.

(4) A magistrate shall order the removal of any water closet or urinal whatsoever which has not been removed within three months after a notice to remove it shall have been served on either the owner or the occupier of the premises on which the water closet or urinal

was being maintained. Such notice shall be effective notwithstanding any intermediate dealing with the said premises.

(5) The notice referred to in sub-section (4) may be given at any time by either the Board or the Colonial Secretary and shall be in the absolute discretion of the Board or the Colonial Secretary as the case may be.

(6) Any order of a magistrate under this section may be made against either the owner or the occupier of the premises on which the water closet or urinal is being maintained.

(7) Any order of a magistrate made under this section shall be a complete authority to the person against whom it is made to remove the water closet or urinal in question.

(8) If the water closet or urinal is not removed within such time as may be limited by the magistrate it shall be lawful for a magistrate, without prejudice to any penalty to which any person may be liable, to make an order empowering the Board and the Colonial Secretary and any person authorised by it or him to enter the premises and to remove the water closet or urinal in question; and all expenses incurred by the Board or the Colonial Secretary in causing such removal shall forthwith be paid by the person against whom the original order of removal was made, or failing him by the owner of the premises in question, without prejudice to any right of such person or owner to recover the amount of such expenses from any other person liable for the same.

(9) In this section "urinal" means a water flushed urinal.

10. Section 180 of the principal Ordinance is amended by the addition of the following sub-section at the end thereof :—

Amendment
of Ordinance
No. 1 of 1903,
s. 180.

(5) For the purpose of this section re-erection includes every alteration of a previously existing building in such a manner as to make the resulting building a new building or in such a manner as to make the resulting building or any part thereof an exceptional building.

Passed the Legislative Council of Hong Kong, this 23rd day of June, 1927.

E. W. HAMILTON,
Deputy Clerk of Councils.

HONG KONG.

No. 7 of 1927.

I assent.

L.S.

C. CLEMENTI,
Governor.

24th June, 1927.

An Ordinance to provide for the incorporation of the Directors of the Japanese Residents Association of Hong Kong (Hong Kong Nipponjin Kwai 香港日本人會).

[24th June, 1927.]

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

- Short title. 1. This Ordinance may be cited as the Japanese Residents Association Ordinance, 1927.
- Interpretation. 2. In this Ordinance "constitution" means the constitution of the Japanese Residents Association of Hong Kong as approved from time to time by the directors for the time being of the said association.
- Incorporation. 3.--(1) The directors of the Japanese Residents Association of Hong Kong, and their successors in office as hereinafter defined, shall be a body corporate, hereinafter called the corporation, and shall have the name of "The Directors of the Japanese Residents Association of Hong Kong", and in that name shall have perpetual succession, and shall and may sue and be sued in all courts in the Colony, and shall and may have and use a common seal.
- (2) The first directors shall be—
 Shohei Kinoshita (木下昇平),
 Tetsuji Takagi (高木鐵二),
 Jubei Abe (阿部重兵衛),
 Isaburo Asayama (淺山伊三郎),
 Tei Hiraoka (平岡貞),
 Tetsujiro Sakurai (櫻井哲次郎), and
 Kojiro Itoh (井籐幸次郎).
- (3) Subsequent directors, whether appointed in immediate succession to any of the first directors or not, shall be appointed in accordance with the constitution, and shall for the time being be deemed to be successors in office of the first directors and to be members of the corporation upon notice of their appointment, and of the retirement of the retiring directors (if any) whom they shall have been appointed to replace, being filed with the Registrar of Companies.

(4) Any such notice shall be signed by two of the continuing or retiring directors and sealed with the common seal of the corporation.

4.—(1) Subject to the provisions of sub-section (2), the corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings messuages or tenements of what nature or kind soever and wheresoever situated, and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities of any corporation or company, and also to purchase, acquire and possess any goods and chattels of what nature and kind soever. Powers of corporation.

(2) Notwithstanding the provisions of sub-section (1), the corporation shall not acquire any immovable property in the Colony unless it shall have previously obtained the special consent of the Governor in Council in each case.

(3) The corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, re-assign, transfer, or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities, or any goods and chattels whatsoever, which are for the time being vested in or belonging to the corporation upon such terms as to the corporation may seem fit.

5. The pieces or parcels of ground respectively registered in the Land Office at Victoria in this Colony as Inland Lots Nos. 1378 and 1879 and Section C of Inland Lot No. 1460 together with all rights privileges and appurtenances respectively belonging or appertaining thereto or therewith usually held occupied and enjoyed are hereby transferred to and vested in the corporation subject to the payment of the rents and the performance of the covenants and conditions reserved by and contained in the respective Crown leases thereof. Vesting of properties.

6. All deeds and other instruments requiring the corporate seal of the corporation shall be sealed in the presence of two of the directors and shall be signed by two of the directors. Execution of documents.

7. All matters of internal management, including any amendment of the constitution, shall be settled and carried out in accordance with the constitution. Internal management.

8. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King, His Heirs or Successors, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by, from or under them. Saving of rights of the Crown and of certain other rights.

Passed the Legislative Council of Hong Kong, this 23rd day of June, 1927.

E. W. HAMILTON,
Deputy Clerk of Councils.