

No. 709.—His Excellency the Officer Administering the Government 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. 22 of 1927.—An Ordinance to further and protect the activities of the Boy Scouts Association, and to incorporate the Hong Kong Branch thereof.

HONG KONG.

No. 22 OF 1927.

I assent.



W. T. SOUTHORN,
Officer Administering the Government.

2nd December, 1927.

An Ordinance to further and protect the activities of the Boy Scouts Association, and to incorporate the Hong Kong Branch thereof.

[2nd December, 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. The Ordinance may be cited as the Boy Scouts Association Ordinance, 1927.

Interpretation. 2. In this Ordinance :—

(a) "The Boy Scouts Association" means the Boy Scouts Association incorporated by Royal Charter dated the 4th day of January, 1912.

(b) "Boy Scout" includes Wolf Cub, Boy Scout, Sea Scout, Rover Scout, Lone Scout and Rover Sea Scout, recognized as such under the rules of the Boy Scouts Association, and also all persons recognized as officers under the rules of the Boy Scouts Association.

Distribution of badges. 3. No person other than the Boy Scouts Association, Hong Kong Branch, shall distribute or sell or expose for sale :—

(a) any badge, token or emblem specifically adopted by the Boy Scouts Association for use by boy scouts, or

(b) any badge, token or emblem containing the word "Scout" or the characters "童子軍".

Unauthorized possession of badges. 4. No person shall, except with the authority of the Boy Scouts Association or of the Boy Scouts Association, Hong Kong Branch, or with other lawful authority or lawful excuse, have in his possession :—

(a) any badge, token or emblem specifically adopted by the Boy Scouts Association for use by boy scouts, or

(b) any badge, token or emblem containing the word "Scout" or the characters "童子軍".

5. No person shall without lawful authority or excuse have in his possession :— Possession of unauthorized badges.

(a) any device which so closely resembles any badge, token or emblem specifically adopted by the Boy Scouts Association for use by boy scouts as to lead to the belief that the device in question is such badge, token or emblem, or

(b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any boy scout as to be calculated to deceive or mislead.

6. No boy scout shall, by virtue of his wearing, carrying or bearing any badge, token or emblem of the Boy Scouts Association or otherwise, attempt to enforce or exercise authority otherwise than in accordance with the rules of the Boy Scouts Association. Wrongful exercise of authority.

7.—(1) No person shall form, or work in connexion with, or be a member of, any organization which without authority from the Boy Scouts Association claims or purports to be "Boy Scouts", or any organization, other than the Boy Scouts Association, Hong Kong Branch, which uses the title of "Boy Scouts" or the equivalent Chinese title therefor, that is to say the Chinese characters "童子軍", or any title in any language, with or without additional words or characters, which so closely resembles either of the two said titles as to be calculated to deceive or mislead, or any organization which, by the use of any such title or otherwise, without due authority purports or claims to be connected with the Boy Scouts Association or with the Boy Scouts Association, Hong Kong Branch. Unauthorized bodies.

(2) No person shall, without the consent of the Governor in Council, form, or work in connexion with, or be a member of, any organization other than the Boy Scouts Association, Hong Kong Branch, which carries on or is intended to carry on any work of a similar nature to that carried on by the Boy Scouts Association, Hong Kong Branch.

8. Every person who contravenes any of the provisions of this Ordinance shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars. Penalty.

9.—(1) The President for the time being and the Commissioner for the time being and the Honorary Treasurer for the time being of the Boy Scouts Association, Hong Kong Branch, shall be a body corporate, hereinafter call the corporation, and shall have the name of the "Boy Scouts Association, Hong Kong Branch", 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. Incorporation.

(2) For the purposes of this Ordinance, the Honorable Mr. Robert Hormus Kotewall, Companion of the Most Distinguished Order of Saint Michael and Saint George, Doctor of Laws, shall be the first President, the Reverend George Turner Waldegrave shall be the first Commissioner, and Charles Henry Blason shall be the first Honorary Treasurer, of the Boy Scouts Association, Hong Kong Branch.

(3) When any other person is appointed to the office of President, Commissioner, or Honorary Treasurer, of the Boy Scouts Association, Hong Kong Branch, such person shall, within six weeks after his

appointment or within such further time as may be allowed by the Governor, furnish to the Governor satisfactory evidence of his appointment.

(4) A notification in the Gazette under the hand of the Colonial Secretary that such evidence has been furnished to the Governor by such person shall be conclusive evidence of such appointment.

Powers of corporation.

10.—(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 government, municipality, corporation or company, and also to purchase, acquire and possess vessels, goods and chattels of what nature and kind soever.

(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, vessels, goods or chattels, which are for the time being vested in or belonging to the corporation upon such terms as to the corporation may seem fit.

Vesting of property and rights.

11. All vessels, goods and chattels, and all rights, which immediately before the commencement of this Ordinance belonged to or were vested in the members of the unincorporated Boy Scouts Association, Hong Kong Branch, as such, or in any person in trust for or on behalf of such members, are hereby transferred to and vested in the corporation.

Execution of documents.

12. All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of, and shall be signed by, the President for the time being and the Commissioner for the time being, and all instruments requiring the signature of the corporation shall be signed by such President and Commissioner.

Internal management.

13. All matters of internal management shall be settled and carried out in accordance with the constitution byelaws and rules of the Boy Scouts Association, and with any byelaws or rules made by the Hong Kong Branch thereof.

Saving of rights of the Crown and of certain other rights.

14. 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.

Passed the Legislative Council of Hong Kong, this 1st day of December, 1927.

E. W. HAMILTON,
Deputy Clerk of Councils.