

On Council resuming, the Attorney General reported that the Bill had passed through Committee with the following amendments, *viz.*, the insertion of the following clause immediately after clause 5 :—

Amendment of Ordinance No. 3 of 1890, s. 32. 6. Section 32 of the Magistrates Ordinance, 1890, is amended by the substitution of the word "twenty-five" for the word "five" in the first line thereof.

and the renumbering of the succeeding clauses of the bill, and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

11. *Hong Kong Police Reserve Bill.*—The Attorney General moved the Second reading of the Bill intituled An Ordinance to provide for the formation, establishment and regulation of the Hong Kong Police Reserve.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.

12. The Council then adjourned until Thursday, the 22nd day of December, 1927.

C. CLEMENTI,  
*Governor.*

Confirmed this 22nd day of December, 1927.

D. W. TRATMAN,  
*Clerk of Councils.*

**No. 748.**—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. 25 of 1927.—An Ordinance to regulate the printing of newspapers and the keeping and use of printing presses.

Ordinance No. 26 of 1927.—An Ordinance to amend the Prisons Ordinance, 1899.

Ordinance No. 27 of 1927.—An Ordinance to amend further the Volunteer Ordinance, 1920.

Ordinance No. 28 of 1927.—An Ordinance to amend the Railways Ordinance, 1909.

HONG KONG.

No. 25 OF 1927.

I assent.

L.S.

C. CLEMENTI,  
Governor.

23rd December, 1927.

An Ordinance to regulate the printing of newspapers and the keeping and use of printing presses.

[23rd December, 1927.]

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

1. This Ordinance may be cited as the Printers and Publishers Ordinance, 1927. Short title.

2. In this Ordinance,

Interpretation.

(a) "Address" in the case of an individual means his residence or usual place of business, and in the case of a corporation means the head office of such corporation within the Colony.

(b) "Editor" means the chief editor if there are more editors than one, and includes any person acting as chief editor or performing any of the usual functions of a chief editor.

(c) "Newspaper" includes every periodical which is printed or published in the Colony at intervals not exceeding one month, and which contains any public news or any comments on public news.

(d) "Person", except so far as relates to the imposition of the penalty of imprisonment, includes a body corporate and a firm.

(e) "Printed document" includes every piece of paper, cloth, or other similar material, bearing any words, pictures or signs, which were, or appear to have been, wholly or partly produced by any mechanical or copying process, and also includes every collection of printed documents bound together.

(f) "Printing press" includes every machine and apparatus adapted and apparently intended for reproducing words, pictures or signs on paper, cloth or other similar material, and every part of any such machine or apparatus, but shall not include any apparatus intended and used for reproducing plans only, or any apparatus intended and used only for printing patterns on textiles, or any purely photographic apparatus intended and used for reproducing photographs only.

(g) "Proprietor" includes lessee.

(h) "Registrar" means such officer as may be appointed by the Governor to act as Registrar of Newspapers, and includes any person appointed by the Governor to act as Deputy Registrar of Newspapers.

**Regulations.** 3.—(1) It shall be lawful for the Governor in Council to make such regulations as he may think fit with reference to the registration of newspapers and their proprietors, printers, publishers and editors, and with reference to the keeping and use of printing presses, and to prescribe fees.

(2) All regulations made under this Ordinance shall be laid on the table of the Legislative Council at the first meeting thereof held after the publication in the Gazette of the making of such regulations, and if a resolution be passed at the first meeting of the Legislative Council held after such regulations have been laid on the table of the said Council resolving that any such regulation shall be rescinded or amended in any manner whatsoever, the said regulation shall, without prejudice to anything done thereunder, be deemed to be rescinded or amended as to the case may be, as from the date of publication in the Gazette of the passing of such resolution.

**Registration  
of news-  
papers.**

4.—(1) Every newspaper shall be registered.

**Schedule  
Form No. 1.**

(2) In order to effect registration one of the persons specified in sub-section (3) shall furnish to the Registrar the particulars specified in Form No. 1 in the Schedule and shall certify the correctness of such particulars and of his own description.

(3) The particulars specified shall be furnished and certified by the proprietor, printer, publisher or editor of the newspaper.

(4) If any change occurs, or if any inaccuracy is discovered, in any of the specified particulars, the persons specified in sub-section (3) shall, within seven days or such shorter period as may be provided by regulation, furnish substituted particulars to the Registrar, and shall certify the correctness of such substituted particulars and of their own descriptions: Provided that if one of such persons complies with the requirements of this sub-section the obligations imposed by this sub-section on any other persons shall be deemed to have been discharged as regards the substituted particular so furnished.

(5) A change shall be deemed to have occurred in the identity of the editor if the editor is absent from the Colony or if he ceases substantially to exercise the functions of an editor.

(6) If the particulars are furnished by a company the certificate shall be given by a director, manager, secretary or other officer of the company, and if the particulars are furnished by a firm, the certificate shall be given by a partner of the firm.

(7) If any particular or substituted particular which purports to be furnished in accordance with the requirements of this section is incorrect, the person who certified the correctness of such particular shall be deemed to have contravened this Ordinance unless he proves (a) that he believed that the particular furnished was correct and (b) that he could not with the exercise of reasonable diligence have discovered its incorrectness.

(8) No person shall print or publish or act as editor of, or continue to print or publish or act as editor of, any newspaper unless all the requirements of this section with respect to such newspaper have been complied with.

(9) The particulars furnished in accordance with the provisions of this Ordinance shall be kept by the Registrar as a newspaper register or registers.

(10) Any person may search and inspect any newspaper register on payment of one dollar for every such search and inspection, and any person may require an extract from any newspaper register to be certified by the Registrar on payment of two dollars for every such extract.

(11) Upon the registration of any newspaper, and upon the furnishing of any substituted particular, the Registrar shall despatch by registered post a copy of the particulars or particular to each person named in such particulars or particular, addressed to the addresses or address specified in such particulars or particular.

(12) In any proceedings whatsoever against the proprietor or printer or publisher or editor of any newspaper, it shall be lawful for the complainant or plaintiff to put in any entry in or certified extract from any newspaper register, either (1) as evidence of the truth of the matters stated in such entry or extract or (2) as evidence that the particulars appearing in such entry or extract were furnished and certified by the informant by whom they purport to have been furnished and certified.

5.—(1) It shall be lawful for the Captain Superintendent of Police, in his discretion, to grant to any person a licence to keep a printing press at any specified place. Licensing of printing presses.

(2) If a licence is refused it shall be lawful for the applicant, within fourteen days from the date of the refusal, to appeal by petition to the Governor in Council against such refusal, and upon consideration of such petition and of any reply thereto submitted in writing by the Captain Superintendent of Police it shall be lawful for the Governor in Council to allow or to dismiss the appeal, and if he allows the appeal to give such directions as may be necessary in order to give effect to such allowance.

(3) It shall be lawful for the Governor in Council, in his discretion, to order any printing press licence to be cancelled. No such order shall be made until notice of intention to consider the making of such order shall have been served on the licensee in accordance with the provisions of sub-section (4). Every such notice shall contain a statement of the grounds upon which it is alleged that the order should be made and shall allow to the licensee a period of fourteen days from the date of the service of the notice, or such other period as may be prescribed by regulation made under this Ordinance, within which the licensee shall be at liberty to deliver or cause to be delivered to the Clerk of Councils a written statement of any reasons which he may wish to urge against the making of the order. Upon the expiration of the said period it shall be lawful for the Governor in Council to proceed to consider and decide whether the order should not be made. Any such order of cancellation shall be served on the licensee in the manner referred to in this sub-section and shall thereupon be deemed to have been brought to the notice of the licensee and to be effective for all purposes. Upon service of the order of cancellation the licence shall forthwith be returned by the licensee to the Captain Superintendent of Police. No person shall without lawful authority or excuse have in his possession any printing press licence which has been cancelled.

(4) The notice referred to in sub-section (3) may be served by delivering it personally to the licensee if the licensee is an individual, or by delivering it personally to some officer of the corporation if the licensee is a corporation, or by leaving the notice with some adult person at the licensed premises, or by posting up the notice outside the licensed premises if service cannot be effected in any other way.

(5) No person shall use or have in his possession any printing press except under and in accordance with a licence issued under this section.

(6) It shall be lawful for any police officer or revenue officer to seize, remove and detain any unlicensed printing press.

(7) It shall be lawful for a magistrate, upon such notice (if any) as he may think fit, to order to be forfeited any unlicensed printing press and any type and other things apparently intended to be used in connexion with such printing press.

(8) Every printing press and thing so forfeited shall be disposed of in such manner as the Captain Superintendent of Police may direct.

(9) In any proceeding under this section against the occupier of any premises for possession on such premises of an unlicensed printing press it shall until the contrary is proved, and without prejudice to the liability of any other person, be presumed that such occupier was in possession of such printing press.

Schedule  
Form No. 2.

(10) Any licence under this section may be in the form of licence contained in the Schedule with such variations as to the Captain Superintendent of Police may seem fit.

Printed  
document to  
bear printer's  
name and  
address.

6.—(1) Subject to the provisions of sub-sections (5) and (6), every printed document shall have printed thereon in legible type, in English or Chinese, the name and full address of the printer of the document, preceded by the words "Printed by" or "Printer" in English or Chinese.

(2) If the document consists of a number of leaves bound or fastened together or forming one sheet the printer's name and address shall appear either on the front of the first leaf or on the back of the last leaf or at the bottom of the last printed page.

(3) If the document is a book or pamphlet the printer's name and address shall appear at the bottom of the last printed page.

(4) In the case of a newspaper the printer's name and address shall appear either on the front page or on the back page, and it shall be sufficient if the printer's name and address appear in one place in the newspaper although the sheets may not be fastened together.

(5) This section shall not apply to any document solely intended and solely used for a *bona fide* and ordinary commercial or professional or social purpose, provided that such document as printed contains no seditious or political matter whatsoever. For the purposes of this sub-section a document used for the purposes of a society, club or other organization shall not be deemed to be used for a social purpose.

(6) This section shall also not apply to any document printed outside the Colony.

(7) No person shall print or publish or in any way whatsoever assist in the distribution of any document which does not comply with the requirements of this Ordinance.

(8) No person shall without lawful authority or excuse have in his possession any document which does not comply with the requirements of this Ordinance.

(9) In any proceedings under this Ordinance, every person who is proved to have had in his possession or under his control anything whatsoever containing any document which does not comply with the requirements of this Ordinance, or who is proved to have had in his possession or under his control the key of any box or other receptacle containing any such document, shall, until the contrary is proved, be deemed to have been in possession of such document.

(10) In any proceedings under this Ordinance, every person who is proved to have had in his possession or under his control or subject to his order any document of title relating to anything whatsoever containing any document which does not comply with the requirements of this Ordinance, or who is proved to have had in his possession or under his control any document whatsoever which may be evidence of the right of any person to the possession of anything whatsoever containing any document which does not comply with the requirements of this Ordinance shall, until the contrary is proved, be deemed to have been in possession of the document last referred to.

(11) In any proceedings whatsoever it shall, until the contrary is proved, be presumed that the person whose name appears on any document as the printer of such document was in fact the printer.

7.—(1) Every person who prints any book, newspaper or other printed document shall keep one copy of such book, newspaper or other printed document for a period of six months after the printing thereof.

Printer to keep a copy of every document printed by him.

(2) Such copy shall have written or printed thereon the name and full address of the person by whom the printer was employed to print the same.

(3) If the name of such person is Chinese the name shall be written or printed in Chinese characters.

(4) The printer shall produce such copy to any police officer on demand.

(5) The onus of proving the date of printing shall be on the printer.

8.—(1) It shall be lawful for any Justice of the Peace to grant a warrant to any police officer to enter any place or board any vessel in or on board which any contravention of this Ordinance may appear to have been committed, and to search such place or vessel.

Search seizure and forfeiture.

(2) Every such warrant shall have the effect of empowering all police officers to enter such place or board such vessel, and to search the same, and to seize anything with respect to which any contravention of this Ordinance may appear to have been committed or which may appear to be or to contain evidence of any such contravention.

(3) It shall be lawful for a magistrate, upon such notice (if any) as he may think fit, to order to be forfeited any thing with respect to which any contravention of this Ordinance has been committed.

(4) Any thing so forfeited shall be disposed of in such manner as the Captain Superintendent of Police may direct.

Criminal liability of principal.

9. Without prejudice to the liability of any other person, the proprietor, printer, publisher and editor of any newspaper shall be liable criminally for any illegal matter contained in any issue of the newspaper, and the printer of any other printed document shall be liable criminally for any illegal matter contained in such document: Provided that the defendant shall not be liable under this section if he proves beyond reasonable doubt that the matter in question was printed without his authority, consent or knowledge, and that the printing thereof did not arise from want of due care or caution on his part.

Service of process.

10. Without prejudice to any other method of service, any process whatsoever, civil or criminal, addressed to the proprietor, printer, publisher or editor of any newspaper shall for all purposes be deemed to be duly served if left with some adult at, or sent by post to, the registered address of the office of the newspaper.

Copies of newspapers to be delivered to the Registrar.

11. The printer or publisher of every newspaper printed in the Colony shall, upon every day on which such newspaper shall be published, or on the day next following which shall not be a holiday, deliver or cause to be delivered at the office of the Registrar, one copy of every such newspaper, and of every second or other varied edition or impression thereof so printed or published, with the name and address of the printer or publisher thereof signed and written thereon after the same shall be printed, by his proper hand, and in his accustomed manner of signing, or by some person appointed and authorized by him for that purpose, and of whose appointment and authority due notice in writing signed by such printer or publisher shall have been given to the Registrar; and such printer or publisher shall be entitled to demand and receive once in every month from the Registrar the ordinary price of the newspapers so delivered; and in case any person shall require any such newspaper so signed and delivered to be produced in evidence in any proceeding, civil or criminal, the Registrar shall cause such newspaper to be produced in court when required at the expense of the party applying for it, or shall deliver the same to such party, taking reasonable security for his returning it, and all copies so delivered as aforesaid shall be evidence against every proprietor, printer, publisher, and editor of every such newspaper, in all proceedings, civil or criminal, to be commenced or carried on as well touching such newspapers as any matter or thing therein contained, and touching any other newspaper, and any matter or thing therein contained, which shall be of the same title, purport, or effect with such copy so delivered as aforesaid, although such copy may vary in some instances or particulars, either as to title, purport, or effect; and every proprietor, printer, publisher, or editor of any copy so delivered as aforesaid shall to all intents and purposes be deemed to be the proprietor, printer, publisher, or editor respectively of all newspapers which shall be of the same title, purport, or effect with such copies or impressions so delivered as aforesaid, notwithstanding such variance as aforesaid, unless such proprietor, printer, publisher, or editor respectively shall prove that such newspapers were not printed or published or edited by him or by or with his knowledge or privity. The Registrar shall not be required to keep any copy for a longer period than six months.

Penalties.

12. Subject to the provisions of section 9, every person who contravenes any of the provisions of this Ordinance shall upon summary conviction be liable to a fine not exceeding one thousand dollars and to imprisonment for any term not exceeding six months.

13. The Printers and Publishers Ordinance, 1886, is repealed. Repeal of Ordinance No. 4 of 1886.

14. This Ordinance shall come into operation on the 1st day of January, 1928. Commencement.

Passed the Legislative Council of Hong Kong, this 22nd day of December, 1927.

D. W. TRATMAN,  
*Clerk of Councils.*

**SCHEDULE.**

FORM No. 1.

**NEWSPAPER REGISTER. [s. 4.]**

*Printers and Publishers Ordinance, 1927.*

Name of newspaper. ....  
Address of office of newspaper. ....  
Proprietor.....  
Printer.....  
Publisher (if different from printer).....  
Editor. ....  
Date. ....

I certify that the above particulars are correct and that I am.....

*Signature of informant*.....

*Signature of Registrar*.....

*Substituted particulars.*

FORM No. 2.

**PRINTING PRESS LICENCE. [s. 5.]**

*Printers and Publishers Ordinance, 1927.*

Name of licensee .....  
Licensed premises, i.e., the place at which the printing press or printing presses is or are licensed to be kept .....  
Description of printing press or printing presses.. .....  
Date.....

.....  
*Captain Superintendent of Police.*



HONG KONG.

No. 26 OF 1927.

I assent.

L. S.

C. CLEMENTI,  
Governor.

23rd December, 1927.

An Ordinance to amend the Prisons Ordinance,  
1899.

[23rd 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. This Ordinance may be cited as the Prisons Amendment Ordinance, 1927.

Amendment of Ordinance No. 4 of 1899, s. 2. 2. Section 2 of the Prisons Ordinance, 1899, is amended as follows:—

(a) by the repeal of the words "any available sites and buildings" in paragraph (1) thereof and the substitution therefor of the words "any place or building or portion of a building";

(b) by the repeal of paragraph (3) thereof.

Insertion of new section 4 in Ordinance No. 4 of 1899. 3. The Prisons Ordinance, 1899, is amended by the insertion of the following section immediately after section 3:—

Commitment and removal of prisoners. 4.—(1) A prisoner sentenced to imprisonment or committed to prison on remand pending trial or otherwise may be lawfully confined in any prison to which this Ordinance applies.

(2) Prisoners shall be confined in such prisons as the Superintendent of Prisons may direct and may on like direction be removed therefrom during the term of their imprisonment to any other prison.

(3) The Superintendent of Prisons on being satisfied that a prisoner is suffering from a disease and cannot be properly treated in the prison, or that he should undergo and desires to undergo a surgical operation which cannot properly be performed in the prison, may order that the prisoner be taken to the Government Civil Hospital or other suitable place for the purpose of treatment or the operation and while absent from the prison in pursuance of such order the prisoner shall be deemed to be in legal custody.

Ordinance No. 6 of 1906. (4) Prisoners of unsound mind shall be dealt with in the manner prescribed by the Asylums Ordinance, 1906.

4. Section 12 of the Prisons Ordinance, 1899, is repealed and the following section is substituted therefor :—

Repeal of Ordinance No. 4 of 1899, s. 12, and substitution of new section.

Introduction of prohibited articles into prisons.

12.—(1) No intoxicating liquor, opium or other drug, tobacco, money, clothing, provisions, letters, papers, books, or any other article whatsoever shall be brought into any prison, or thrown into it, or conveyed to any prisoner while in custody outside the prison, or carried out of the custody, unless such use be authorized by the prison rules or by the Superintendent of Prisons.

(2) Every person who contravenes or attempt to contravene any of the provisions of this section, and every officer of a prison who knowingly permits the contravention of this section, shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars and to imprisonment for any term not exceeding six months.

(3) Any officer of a prison convicted under this section shall, in addition to any other punishment, forfeit his office.

5. Section 13 of the Prisons Ordinance, 1899, is repealed and the following section is substituted therefor :—

Repeal of Ordinance No. 4 of 1899, s. 13, and substitution of new section.

Supplying prohibited articles to prisoners.

13.—(1) No person shall, in any prison, sell any intoxicating liquor, opium or other drug, or tobacco, and no officer of a prison shall knowingly permit any such article to be sold in any prison.

(2) No officer of a prison shall permit any intoxicating liquor, opium or other drug, or tobacco, to be used by any prisoner, unless such use be authorized by the prison rules or by the Superintendent of Prisons.

(3) No officer of a prison shall, contrary to the prison rules, give or cause to be given anything of whatsoever nature to any prisoner.

(4) Every person who contravenes or attempts to contravene any of the provisions of this section shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars and to imprisonment for any term not exceeding six months.

(5) Any officer of a prison convicted under this section shall, in addition to any other punishment, forfeit his office.

Passed the Legislative Council of Hong Kong, this 22nd day of December, 1927.

D. W. TRATMAN,  
Clerk of Councils.

HONG KONG

No. 27 of 1927.

I assent.

L.S.

C. CLEMENTI,  
Governor.

23rd December, 1927.

An Ordinance to amend further the Volunteer Ordinance, 1920.

[23rd 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. This Ordinance may be cited as the Volunteer Amendment Ordinance, 1927.

Substitution of "Commandant" for "administrative commandant."

2. The term "Commandant" shall be substituted for the term "administrative commandant", wherever that term occurs in the Volunteer Ordinance, 1920, or the regulations made thereunder.

Amendment of Ordinance No. 2 of 1920, s. 3.

3. Section 3 of the Volunteer Ordinance, 1920, is amended by the insertion of the following sub-section at the end thereof:—

(3) Any such corps may include any number of auxiliary units, the members of which shall be volunteers, or officers as the case may be, for all the purposes of this Ordinance.

Amendment of Ordinance No. 2 of 1920, s. 5 (3).

4. Section 5 (3) of the Volunteer Ordinance, 1920, is amended as follows:—

(a) The words "other than a member of an auxiliary unit," are inserted immediately after the word "volunteer" in the second line thereof.

(b) The words "at least" are inserted immediately before the words "three years" in the third line thereof.

(c) The following provision is added at the end thereof:—

"Provided also that nothing in this sub-section shall relieve any volunteer from the obligation to comply with the provisions of sub-section (1) if he wishes to quit the corps".

Amendment of Ordinance No. 2 of 1920, s. 16 (1).

5. Section 16 (1) of the Volunteer Ordinance, 1920, is amended as follows:—

(a) Paragraphs (1), (2), (3) and (4) are re-numbered as paragraphs (i), (ii), (iii) and (iv) respectively.

(b) The word "parade" is substituted for the word "corps" in the twelfth and thirteenth lines of paragraph (iv) as so renumbered.

(c) The following paragraph is added at the end thereof :—

(v) Release from arrest under the provisions of paragraph (iv) shall be without prejudice to any subsequent proceedings for discharge under the provisions of this sub-section.

6. Section 16A of the Volunteer Ordinance, 1920, is repealed and the following section is substituted therefor :—

Failure by members to fulfil obligations as to efficiency, etc.

16A.—(1) Without prejudice to the provisions of section 16, but subject to the provisions of sub-sections (2), (3) and (4) of this section, every member of a volunteer corps who in the opinion of the Commandant fails, without reasonable excuse to complete the requirements of efficiency in any year shall forfeit the sum of twenty-five dollars, which shall be paid into the general revenue of the Colony.

Repeal of Ordinance No. 2 of 1920, s. 16A, and substitution of new section.

(2) No member of a volunteer corps shall be liable to forfeit the said sum of twenty-five dollars in respect of the year during which he attains the age of forty years or in respect of any subsequent year.

(3) No member of a volunteer corps who has completed the requirements of efficiency in the corps in three years, whether consecutive years or not, shall be liable to forfeit the said sum of twenty-five dollars.

(4) If any member of a volunteer corps, other than such persons as are referred to in sub-sections (2) and (3), quits the corps without completing the requirements of efficiency in any year he shall remain liable to forfeit the said sum of twenty-five dollars as if he were still a member of the corps, provided that the Commandant may exempt from the said liability any person who would otherwise have remained liable under this sub-section if he is of opinion (a) that such person quitted the corps for a reasonable and *bona fide* cause and (b) that such person used reasonable diligence in subjecting himself to the prescribed annual training up to the time of his quitting the corps.

(5) If any member of a volunteer corps fails to fulfil any of his obligations under this Ordinance such failure shall be deemed to be a sufficient cause for discharge within the meaning of paragraph (1) of section 16 (1), provided that no member of a volunteer corps shall be discharged for this cause if the Commandant, or the Governor upon an appeal, is of opinion that such member had a reasonable excuse for such failure.

(6) For the purposes of this section the year shall be deemed to commence on the 16th day of April.

7. Section 17 of the Volunteer Ordinance, 1920, is amended by the substitution of the figures "177" for the figures "117" in the second line of sub-section (2), and by the addition of the following sub-section at the end thereof :—

Amendment of Ordinance No. 2 of 1920, s. 17.

(3) Disciplinary measures may be imposed, court martial proceedings may be commenced and carried on, and punishments may be imposed, in respect of acts and omissions of any officer or volunteer while on actual military service, or while undergoing any such drill, exercise, training or inspection, or doing any such voluntary duty, as is referred to in subsection (1), even though such actual military service, drill, exercise, training, inspection, or duty, shall have come to an end, and though such officer or volunteer shall have been released from any arrest to which he may have been subjected.

Insertion of new section 17A in Ordinance No. 2 of 1920.

8. The following section is inserted in the Volunteer Ordinance, 1920, immediately after section 17 thereof:—

Attendance when ordered.

17A.—(1) It shall be lawful for the Commandant of any volunteer corps to order any officer or volunteer of such corps to attend at any time at Volunteer Headquarters or at any other place within the Colony for the purposes of any court martial or court of inquiry, or for any other special purpose which may seem proper to the Commandant.

(2) Every officer or volunteer who without reasonable excuse fails to comply with any such order shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars.

Amendment of Ordinance No. 2 of 1920, s. 20.

9. Section 20 of the Volunteer Ordinance, 1920, is repealed and the following section is substituted therefor:—

Return of arms, etc.

20. If any officer or volunteer fails duly to deliver up in good order (fair wear and tear excepted) any arms, clothing or appointments which he is liable under this Ordinance to deliver up, or any arms, clothing, or appointments, being public property or the property of the corps, which he has been ordered to deliver up either temporarily or permanently, shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars.

Amendment of Ordinance No. 2 of 1920, s. 26 (1).

10. Section 26 (1) of the Volunteer Ordinance, 1920, is amended as follows:—

- (a) The words "Subject to the provisions of any regulation made under this Ordinance relating to members of auxiliary units," are inserted immediately before the word "Every" in the first line thereof.
- (b) The words "or by the Adjutant, or by any officer of His Majesty's regular forces attached to the corps." are inserted at the end thereof.

Passed the Legislative Council of Hong Kong, this 22nd day of December, 1927.

D. W. TRATMAN,  
Clerk of Councils.

**HONG KONG.**

No. 28 OF 1927.

I assent.

(L. S.)

C. CLEMENTI,  
Governor.

23rd December, 1927.

An Ordinance to amend the Railways Ordinance, 1909.

[23rd December, 1927.]

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

1. This Ordinance may be cited as the Railways Short title. Amendment Ordinance, 1927.

2. Section 2 of the Railways Ordinance, 1909, is amended as follows:—

- Amendment  
of Ordinance  
No. 21 of  
1909, s. 2.
- (a) The word "administrator" is substituted for the word "administration" in paragraph (a).
  - (b) The following paragraph is added to the definition of "Railway" in paragraph (d):—
    - (v) any railway or portion of a railway in process of construction;
    - (vi) all works connected with or for the purposes of a railway authorized to be constructed.

3. The Railways Ordinance, 1909, is amended by the substitution of the word "administrator" for the word "administration" in the following sections:—

- Substitution  
of "adminis-  
trator" for  
"administra-  
tion" in  
various  
sections  
of Ordinance  
No. 21 of  
1909.
- (a) section 5, in the first line thereof;
  - (b) section 6, in the third line thereof;
  - (c) section 8, in the second, tenth, nineteenth, twenty sixth, and thirty second lines thereof;
  - (d) section 9, in the first and sixth lines thereof;
  - (e) section 10, in the second, fourth, eighth and fifteenth lines thereof;
  - (f) section 11, in the first, fifteenth, twenty fourth and twenty seventh lines thereof;
  - (g) section 12, in the second and tenth lines thereof;
  - (h) section 14, in the fifth, seventh and tenth lines thereof;
  - (i) section 15, in the first line thereof;
  - (j) section 19, in the fifth line thereof;
  - (k) section 20, in the first and fifth lines thereof;
  - (l) section 21, in the first line thereof;
  - (m) section 22, in the first and eleventh lines thereof;
  - (n) section 23, in the first line thereof;
  - (o) section 24, in the third, fourth and nineteenth lines thereof;
  - (p) section 25, in the first line thereof;
  - (q) section 26, in the sixth line thereof;

- (r) section 27, in the second and seventh lines thereof;
- (s) section 28, in the fourteenth line thereof;
- (t) section 33, in the first line thereof;
- (u) section 34, in the first line thereof;
- (v) section 36, in the fourth line thereof.

Repeal of Ordinance No. 21 of 1909, s. 29.

4. Section 29 of the Railways Ordinance, 1909, is repealed.

Repeal of Ordinance No. 21 of 1909, s. 32, and substitution of new section.

5. Section 32 of the Railways Ordinance, 1909, is repealed and the following section is substituted therefor:—

Powers of administrator.

32.—(1) It shall be lawful for the administrator to do all things which may be necessary for the construction, maintenance and repair of the railway, and for the construction, maintenance, repair and renewal of the rolling stock, and efficient working of the railway, and particularly:—

- (a) to arrange the train service;
- (b) to settle the time tables and alter the same from time to time as may be necessary;
- (c) temporarily to suspend the service either wholly or in part;
- (d) to fix the speed at which the rolling stock shall run;
- (e) to fix, and alter as occasion may require, the fares to be paid by passengers travelling on the railway and to issue tickets for the same;
- (f) to fix the different rates payable for the carriage of various goods over the railway and to classify such goods and to alter such rates by either increasing or decreasing them as he may deem necessary from time to time;
- (g) to issue and make charges for platform tickets;
- (h) to reserve in any manner the whole or any part of the accommodation of any train, ferry, ship, boat, craft, or vehicle used in or for the service of the railway;
- (i) to grant licences—
  - (i) to porters other than railway servants to handle cargo, goods, or passengers baggage or luggage; and
  - (ii) to any persons to use the railway premises, property and rolling stock, or any part thereof for exhibiting notices, bills, posters, advertisements and announcements whether pictorial or otherwise; and
  - (iii) to vendors of fruit, goods or wares on railway premises or in any train: and to make charges therefor and to attach conditions thereto;
- (j) to fix and vary from time to time the rates for the carriage of any animals by the railway.

(2) Subject to the approval of the Governor in Council it shall be lawful for the administrator to make rules:—

- (a) for the general purposes of administration;
- (b) for regulating the carriage of passengers and all matters connected therewith and the restrictions to be placed upon the carriage of persons who are lepers or who are suffering from any contagious or infectious disease;

- (c) for regulating the receipt, transportation and delivery of goods to be carried over the railway and all matters connected therewith, together with the restrictions to be placed upon dangerous and offensive, perishable or fragile goods, or other classes of goods;
- (d) for prescribing the terms upon which any goods or class of goods will be received for carriage by the railway;
- (e) for regulating the receipt, transport and delivery of animals over the railway, and the terms upon which they will be received for carriage by the railway and the restrictions placed upon such carriage;
- (f) for regulating the hours of employment and the work to be done by railway servants;
- (g) for regulating the conduct and control of all persons working for or on the railway whilst on the railway premises, rolling stock or property;
- (h) for prescribing the procedure to be followed in the case of accidents;
- (i) for prescribing forms;
- (j) for such other purposes as may be necessary to carry out effectively the provisions of this Ordinance.

(3) All rules made under this section, unless some other date be fixed by such regulation shall come into operation on the day on which such rules are made, and it shall not be necessary to publish such rules in the gazette.

(4) The administrator shall keep at each station a copy in English and Chinese of the rules made under this section and shall allow any person to inspect any such copy at all reasonable times.

6. Section 34 of the Railways Ordinance, 1909, is repealed.

Repeal of  
Ordinance  
No. 21 of  
1909, s. 34.

7. Sub-sections (2), (3), (4) and (5) of section 35 of the Railways Ordinance, 1909, are repealed and the following sub-sections are substituted therefor:—

Amendment  
of Ordinance  
No. 21 of  
1909, s. 35.

(2) If any person employed on the railway is alleged to have committed any breach of any rule made under section 32, the manager may, in lieu of prosecuting such person, inquire summarily into such allegation, and if he is of opinion that the allegation is established he may impose on such person a penalty not exceeding twenty-five dollars.

(3) Unless the penalty be paid, the amount of such penalty may be deducted from the pay of the person on whom the penalty was imposed: Provided that no sum greater than the amount of seven days pay shall be so deducted in any one month from the pay of any such person, except upon the termination of his employment.

(4) An appeal to the Governor shall lie from any penalty imposed by the manager under this section.

(5) Every appeal to the Governor under this section shall be by means of a written petition setting forth the facts complained of and such petition shall be sent to the Colonial Secretary not later than fourteen days after the commission of the act giving the right to appeal.

(6) This section shall not apply to any person who is in receipt of a yearly salary of one hundred pounds or one thousand dollars or upwards.



- Amendment of Ordinance No. 21 of 1909, s. 38. 8. Section 38 of the Railways Ordinance, 1909, is amended by the substitution of the words "two hundred and fifty dollars" for the words "twenty dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 39. 9. Section 39 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "ten dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 40. 10. Section 40 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "twenty dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 42. 11. Section 42 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "twenty dollars" in the seventh line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 44. 12. Section 44 of the Railways Ordinance, 1909, is amended by the repeal of the words in the last three lines thereof and the substitution therefor of the words "railway premises and further shall forfeit his fare and shall upon summary conviction be liable to a fine not exceeding fifty dollars".
- Amendment of Ordinance No. 21 of 1909, s. 50. 13. Section 50 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "ten dollars" in the fourth line thereof and by the substitution of the words "two hundred and fifty dollars" for the words "twenty dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 51. 14. Section 51 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "twenty dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 54. 15. Section 54 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "twenty dollars" in the eighteenth line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 56. 16. Section 56 of the Railways Ordinance, 1909, is amended by the substitution of the words "two hundred and fifty dollars" for the words "one hundred dollars" in the eleventh line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 58. 17. Section 58 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "twenty dollars" in the ninth line and by the substitution of the words "two hundred and fifty dollars" for the words "one hundred dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 59. 18. Section 59 of the Railways Ordinance, 1909, is amended by the substitution of the words "two hundred and fifty dollars" for the words "fifty dollars" in the last line thereof.
- Amendment of Ordinance No. 21 of 1909, s. 60. 19. Section 60 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "ten dollars" in the last line thereof.
- Repeal of Ordinance No. 21 of 1909, s. 67. 20. Section 67 of the Railways Ordinance, 1909, is repealed.
- Amendment of Ordinance No. 21 of 1909, s. 68. 21. Section 68 of the Railways Ordinance, 1909, is amended by the substitution of the words "fifty dollars" for the words "twenty dollars" in the sixth line thereof.

Passed the Legislative Council of Hong Kong, this 22nd day of December, 1927.

D. W. TRATMAN,  
Clerk of Councils.