

Church of England, and to provide for the performance of divine worship according to the rites and ceremonies of the Church of England, and, for certain objects ancillary to the aforesaid objects.”

The Hon. Mr. J. OWEN HUGHES seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

The figures 1930 were substituted for 1929 in clause 1 in, the First Schedule, in the first regulation of the Second Schedule.

The words “from time to time” were substituted for the words “in the first instance”.

The figures 1930 were substituted for 1929 in the second line of regulation 8 and the last but one line of regulation 8, in regulation 15 of the Second Schedule, In subsection (4) of regulation 17 and on page 19, Table of Correspondence.

On Council resuming, the Hon. Sir HENRY E. POLLOCK, Kt., K.C. reported that the Bill had passed through Committee with minor amendments and moved that it be read a third time.

The Hon. Mr. J. OWEN HUGHES seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.

10. The Council then adjourned until Thursday, the 23rd day of January, 1930.

C. CLEMENTI,  
*Governor.*

Confirmed this 23rd day of January, 1930.

N. L. SMITH,  
*Deputy Clerk of Councils.*

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No. 46.—His Excellency the Governor 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. 3 of 1930.—An Ordinance to amend further the Opium Ordinance, 1923.

HONG KONG.

No. 3 OF 1930.

I assent.



C. CLEMENTI,  
Governor.

24th January, 1930.

An Ordinance to amend further the Opium Ordinance, 1923.

[24th January, 1930.]

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

Short title. Ordinance No. 30 of 1923. Ordinance No. 7 of 1924. **1.** This Ordinance may be cited as the Opium Amendment Ordinance, 1930; and the Opium Ordinance, 1923, the Opium Amendment Ordinance, 1924, and this Ordinance, may be cited together as the Opium Ordinances, 1923-1930.

Amendment of Ordinance No. 30 of 1923, s. 2 (1) (b). **2.** Paragraph (b) of section 2 (1) of the Opium Ordinance, 1923, is repealed and the following paragraph is substituted therefor :—

(b) "To export" means to carry or otherwise despatch out of the Colony or to cause to be carried or despatched out of the Colony and includes the conveyance of opium out of the Colony by transit mail or any other mail and the carriage out of the Colony of opium which was carried into the Colony by water or by air and which is carried out of the Colony on the same ship or aircraft on which it was carried into the Colony with or without any landing or transhipment.

Amendment of Ordinance No. 30 of 1923, s. 2 (1) (d). **3.** Paragraph (d) of section 2 (1) of the Opium Ordinance, 1923, is repealed and the following paragraph is substituted therefor :—

(d) "To import" means to carry or otherwise despatch into the Colony or to cause to be carried or otherwise despatched into the Colony and includes the conveyance of opium into the Colony by transit mail or any other mail and the carriage by water or by air into the Colony of opium which is intended to be carried out of the Colony on the same ship or aircraft on which it was carried into the Colony with or without any landing or transhipment.

Amendment of Ordinance No. 30 of 1923, s. 4 (1) as enacted by Ordinance No. 7 of 1924, s. 2. **4.** Section 4 (1) of the Opium Ordinance, 1923, as enacted by section 2 of the Opium Amendment Ordinance, 1924, is amended by the insertion of the words "and whether it is intended that it should be imported into the Colony or not," immediately after the words "in existence or not".

5. Section 17 of the Opium Ordinance, 1923, is repealed and the following section is substituted therefor :—

Repeal of Ordinance No. 30 of 1923, s. 17, and substitution of new section.

Unlawful possession of Government opium labels and wrappers.

17.—(1) No person shall without lawful authority or excuse have in his possession, except attached to a receptacle issued by the Superintendent and so issued containing Government prepared opium, any label or wrapper of a kind used by the Superintendent for affixing to receptacles containing Government prepared opium, or any portion of any such label or wrapper.

(2) No person shall without lawful authority or excuse have in his possession, except attached to a receptacle issued by the Superintendent and containing the full quantity of Government prepared opium contained therein at the time of issue, any label or wrapper of a kind used by the Superintendent for affixing to receptacles containing Government prepared opium, unless such label or wrapper has been broken in such a way as to make it impracticable to use the label or wrapper again.

6. Section 36 of the Opium Ordinance, 1923, is repealed and the following section is substituted therefor :—

Repeal of Ordinance No. 30 of 1923, s. 36, and substitution of new section.

Presumptions.

36.—(1) Every person who is proved to have had in his possession or under his control and thing whatsoever containing opium, or the keys of any box, drawer or other receptacle whatsoever containing any opium, shall until the contrary is proved be deemed to have been knowingly in possession of, and to have known the kind of, the opium therein contained.

(2) Every person who is proved to have had in his possession or under his control or subject to his order any document of title, including any baggage receipt or any document or thing intended to serve the purpose of a baggage receipt, relating to any thing whatsoever containing any opium, shall, until the contrary is proved, be deemed to have been knowingly in possession of, and to have known the kind of, the opium therein contained.

(3) The presumptions provided for in this section shall not be deemed to have been rebutted by proof that the accused never had physical possession of the opium in question.

7. Section 37 of the Opium Ordinance, 1923, is repealed and the following section is substituted therefor :—

Repeal of Ordinance No. 30 of 1923, s. 37, and substitution of new section.

Superintendent's certificate. Schedule.

37.—(1) A certificate in the form of the Superintendent's Certificate set out in the Schedule, signed by the Superintendent, if it purports to relate to any opium, shall in any proceeding be conclusive evidence as to the facts stated therein.

(2) Any such certificate purporting to be signed by the Superintendent, or by an Assistant Superintendent, shall, until the contrary is proved, be deemed to have been signed by the Superintendent, or by an Assistant Superintendent as the case may be.

Addition of form of Superintendent's Certificate to the Schedule to Ordinance No. 30 of 1923.

8. The following form of Superintendent's Certificate is added to the Schedule to the Opium Ordinance, 1923 :—

FORM No. 5. [s. 37.]

SUPERINTENDENT'S CERTIFICATE.

Opium Ordinance, 1923.

I, .....(Assistant) Superintendent of Imports and Exports, hereby certify that on (date)..... I received personally from (name or description of officer)..... a sealed packet..... (or as the case may be) marked (if any special mark)..... which I found to contain (nature and quantity of opium, market value, etc.) .....and that on (date)..... I personally handed the said (quantity and nature of opium) .....to (name and description of officer) .....in a sealed packet (or as the case may be).....marked (if any special mark).....

Date .....

..... (Assistant) Superintendent of Imports and Exports.

Passed the Legislative Council of Hong Kong, this 23rd day of January, 1930.

N. L. SMITH, Deputy Clerk of Councils.