

No. 494.—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. 7 of 1930.—An Ordinance to amend the Holidays Ordinance, 1912.

Ordinance No. 8 of 1930.—An Ordinance to provide for the incorporation of the Sailors Home and Missions to Seamen.

HONG KONG.

No. 7 of 1930.

I assent.



W. PEEL,
Governor.

8th August, 1930.

An Ordinance to amend the Holidays Ordinance, 1912.

[8th August, 1930.]

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 Holidays Amendment Ordinance, 1930.

Amendment of Ordinance No. 5 of 1912, s. 3. 2. Section 3 of the Holidays Ordinance, 1912, is amended as follows :—

(a) Paragraph (12) is deleted and the following paragraph is substituted therefor :—

(12) The first Monday in September.

(b) The following paragraph is inserted immediately after paragraph (12) as so amended :—

(13) The tenth day of October, or if that day should be a Sunday then the following day.

(c) Paragraphs (13), (14) and (15) are renumbered (14), (15) and (16) respectively.

Passed the Legislative Council of Hong Kong, this 7th day of August, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

HONG KONG.

No. 8 of 1930.

I assent.



W. PEEL,
Governor.

8th August, 1930.

An Ordinance to provide for the incorporation
of the Sailors Home and Missions to Seamen.

[8th August, 1930.]

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 Sailors Home and Missions to Seamen Incorporation Ordinance, 1930. Short title.

2.—(1) The Committee for the time being as hereinafter composed of the Sailors Home and Missions to Seamen shall be a body corporate (hereinafter called “the Corporation”) and shall have the corporate name, “The Sailors Home and Missions to Seamen”, 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) The committee shall be composed of the following:—

- (a) The Bishop of the Church of England known as the Bishop of Victoria, for the time being officiating in the Colony.
- (b) The person for the time being performing the duties of Harbour Master of Hong Kong.
- (c) The person for the time being in charge of the business of Messieurs Jardine Matheson & Company, Limited, in Hong Kong.
- (d) Two persons who shall be nominated by the Hong Kong General Chamber of Commerce with power to such Chamber to fill up any vacancy occurring in any of such nominees from time to time.
- (e) Two persons nominated by the Missions to Seamen in London with power to such Missions to Seamen to fill up any vacancy occurring in any of such nominees from time to time.
- (f) A Representative of His Majesty's Navy appointed by the aforesaid Members of the Committee.
- (g) Such other persons, one of whom must be the Honorary Treasurer of the Corporation, not exceeding at any one time four in number as shall from time to time be co-opted by the other Members of the Committee with power to the Committee to fill up any vacancy occurring from time to time in the co-opted Members.

The Committee shall have such powers and duties and shall hold such meetings as are specified in this Ordinance and in the Regulations in the Schedule hereto.

Appointment
of Members
of Committee.

3.—(1) For the purposes of the nomination mentioned in section 2 (d) and (e) a copy of a minute purporting to be a copy of a minute of the Committee of the Hong Kong General Chamber of Commerce and a copy of a minute purporting to be a copy of a minute of the Committee of the Missions to Seamen in London respectively that a person has been nominated a Member of the Committee shall be sufficient for the purposes of this Ordinance.

(2) The certificate of the Colonial Secretary that any person was at the date of the certificate or had been at some previous specified date a Member of the Committee shall for all purposes be conclusive evidence of that fact.

Powers of
Corporation.

4.—(1) The Corporation shall carry on the work and objects heretofore carried on both by the Trustees of the Sailors Home and by the Missions to Seamen in Hong Kong, which, as regards the Trustees of the Sailors Home, is the care of officers and men of the Mercantile Marine irrespective of their religion and also the provision of a suitable institute or home for the seafaring classes and officers and men aforesaid, and as regards the Missions to Seamen in Hong Kong is the provision of an institute for and the spiritual welfare of the seafaring classes and in pursuance of such work and objects the use of every means consistent with the principles and received practice of the Church of England, and the Corporation shall continue to carry on such work and objects.

(2) The Corporation shall have power to acquire, accept, and grant leases of, take, hold and enjoy any lands, buildings, messuages or tenements of whatever kind or nature soever and wheresoever situate, 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 and other goods and chattels of whatsoever kind or nature.

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

Execution of
documents.

5. All deeds and other instruments requiring the corporate seal of the Corporation shall be sealed in the presence of three Members of the Committee and shall be signed by three Members.

Vesting of
property.

6.—(1) All those pieces or parcels of ground registered in the Land Office as Marine Lot No. 295 and Inland Lot No. 2899, together with all rights, easements and appurtenances thereto belonging or usually held occupied or enjoyed therewith, are hereby transferred to and vested in the Corporation for the unexpired residues of the terms of years created by the Crown Leases thereof, subject to the payment of the rents and the performance and observance of the covenants and conditions therein contained and subject to all mortgages and charges in respect thereof.

(2) All property and effects at the time of the coming into operation of this Ordinance belonging to and vested in the Trustees of the Sailors Home and the Missions to Seamen in Hong Kong respectively as respectively incorporated by the Sailors Home Ordinance, 1925, and by the Missions to Seamen in Hong Kong Incorporation Ordinance, 1919, shall at the time of the coming into operation of this Ordinance, be transferred to and be and become vested in the Corporation.

Ordinances
Nos. 5 of
1925 and 10
of 1919.

(3) On the coming into operation of this Ordinance the Corporation shall in addition to the mortgages and charges referred to in section 6 (1) become liable for all debts and liabilities of the Trustees of the Sailors Home and Missions to Seamen in Hong Kong.

7.—(1) The Corporation may, subject to the approval of the Governor-in-Council, by a resolution passed by the majority of the Committee, make from time to time such regulations as may in their discretion seem desirable for the administration of the Corporation and the management of the premises and property of whatever description thereof, with the exception that Regulation Eleven and that part of Regulation Thirteen in the Schedule hereto which relates to the Chaplain shall not in any way be altered except with the consent of the Missions to Seamen in London.

(2) Subject to the exercise of the above powers the regulations contained in the Schedule hereto shall be in force from the commencement of this Ordinance and shall be deemed to have been made under this Ordinance.

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 persons except such as are mentioned in this Ordinance and those claiming by from or under them.

9 Nothing in this Ordinance shall affect or be deemed to affect the Charter Missions to Seamen Endowment Fund save that the Corporation shall be substituted for the Missions to Seamen in Hong Kong mentioned in Clause four of the Deed of Trust dated the Fourth day of May, One thousand nine hundred and twenty-three.

10. The Missions to Seamen in Hong Kong Incorporation Ordinance, 1919, and the Sailors Home Ordinance, 1925, are hereby repealed.

Passed the Legislative Council of Hong Kong, this 7th day of August, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

SCHEDULE. [s. 7.]

REGULATIONS.

1.—(1) In these Regulations the expression "The Committee" means the Committee incorporated under this Ordinance as "The Sailors Home and Missions to Seamen".

(2) The expression "The Institute" means the premises used by the Corporation in connection with its work.

THE COMMITTEE.

2. The supreme control and management of the Institute and of the premises and property of whatever description of the Corporation shall be vested in the committee.

3. General Meetings of the Committee shall be held in the months of February, April, July and October in each year on such day at such hour as the Committee shall direct.

4. The General Meeting to be held in the month of February in each year shall be called the Annual General Meeting and at such meeting a Report of all the affairs of the Corporation and an Account of the receipts expenditure and property of the Corporation together with a balance sheet for the last year shall be presented by the Honorary Treasurer and the Chartered Accountants (hereinafter referred to) and there shall be elected a Chairman, an Honorary Treasurer, Chartered Accountants and Auditors for the ensuing year. The Committee shall elect their first Chairman who shall function until the first Annual General Meeting. At such Annual General Meeting such other business shall be transacted as may be necessary.

5. Special Meetings of the Committee may be convened at any time on the requisition of not less than four Members thereof by a notice specifying the object of the meeting and at any Special Meeting convened on such requisition no business shall be transacted other than that specified in the requisition.

6. General or Special Meetings of the Committee shall be convened (subject to Regulation 5) by direction of the Chairman of the Committee and seven days' notice in writing thereof shall be given to the Members of the Committee then within the Colony.

7. At every General or Special Meeting of the Committee the Chair shall be taken by a Chairman to be nominated by the Members of the Committee present of whom four shall be a quorum.

8. The Business Manager (as hereinafter defined) shall keep a Minute Book of such Meetings and proper entries shall be made therein of all business transacted at every Meeting.

9. The voting at and resolution of General or Special Meetings of the Committee shall be decided by show of hands.

MANAGEMENT.

10. The first Chaplain shall be The Rev. G. T. Waldegrave, M.A.

11. The Chaplain shall be in sole charge of the religious activities of the Institute and shall care for and attend to all social arrangements and functions and to the visitation of ships and hospitals and he shall also be in charge of the Launch "Dayspring" and of her crew and of any other launch from time to time owned or chartered by the Corporation for its purposes.

12. There shall be a Business Manager who shall subject to the control of the Committee be entrusted with the upkeep and repair of the buildings furniture and fittings of the Institute, the management of all catering and messing arrangements and the secretarial and office work. He shall also be entitled to go on board all mercantile shipping and shall make any necessary hospital arrangements in connection with such seafarers.

13. Any Chaplain subsequent to the first Chaplain shall be appointed by the Missions to Seamen in London but such appointment, the period of such appointment and the terms of such appointment shall be subject to the approval of the Committee. While in Hong Kong the Chaplain shall be subject to the control of the Committee and his Stipend shall be paid out of the funds of the Corporation. The Business Manager shall be appointed by the Committee for such period on such salary and on such terms as the Committee may in their discretion think desirable and shall be paid out of the funds of the Corporation. Captain F. Bayliss the late Superintendent of the Sailors Home shall be paid out of the funds of the Corporation a pension for life of Three hundred and fifty Pounds per annum being the pension heretofore agreed to be paid to him.

14. Neither the Chaplain nor the Business Manager shall be entitled to serve as a Member of the Committee or to vote at any Meetings thereof but they shall both of them attend every such Meeting unless the Committee otherwise desires.

15. No alcoholic liquors shall be sold or consumed on the premises of the Institute.

16. The Institute shall be open to all men of His Majesty's Navy and to Officers and Men of the Mercantile Marine irrespective of their religion. Either the Chaplain or the Business Manager shall have power to refuse to admit and also power to expel from the premises of the Institute any person or persons whatever for any reason which such Chaplain or Business Manager may decide to be sufficient. Any person or persons aggrieved by any such decision of the Chaplain or of the Business Manager may refer the matter to the Committee for their decision which shall be final.

RELIGIOUS SERVICES.

17. The Chapel on the premises of the Institute shall be used for divine service and worship according to the rites and ceremonies of the Church of England.

18. Such services shall be voluntary and the attendance thereat of any person or persons using the Institute shall not be compulsory.

OFFICERS.

19. A firm of Chartered Accountants shall be appointed by the Committee at the Annual General Meeting to manage the financial affairs of the Institute. Such firm shall be responsible for the collection of all moneys due to the Corporation and for the payment thereof of all necessary payments. Pending and subject to any such appointment as aforesaid the firm of Messieurs Lowe, Bingham and Matthews shall be the Chartered Accountants of the Institute. There shall also be an Honorary Treasurer of the Corporation appointed by the Committee from time to time who shall carry out such duties as shall be delegated to him by the Committee and shall hold office until a successor to him is appointed.

AUDITORS.

20. There shall be one or more Auditors of the Corporation who shall be elected annually at the Annual General Meeting. Pending and subject to any such appointment Messieurs Lowe, Bingham and Matthews shall be the Auditors of the Corporation.

21. The Auditor or Auditors shall not later than three weeks before the Annual General Meeting in each year audit and report upon all accounts and books of the Corporation and shall at any other time if and when required by the Committee audit and report upon any of such books and accounts.

22. All the accounts and books of the Corporation shall be open to inspection by the Auditor or Auditors at all reasonable times.

BANKERS.

23. The Bankers of the Corporation shall be the Hong Kong and Shanghai Banking Corporation or such other bankers as the Committee shall from time to time determine.

24. All subscriptions and pecuniary donations and the income of investments and all other monies from time to time forming part of the general funds of the Corporation shall on the same being received be paid to the general accounts of the Corporation at their bankers.

25. All capital moneys shall be paid into a separate account and shall be expended first on the cost of building the Institute and as to the balance towards forming an Endowment Fund which shall be invested and controlled by the Committee and used by them in any way they think fit for the benefit of the Institute.

26. Cheques shall be drawn on the Order of the Committee and shall be signed by the Chartered Accountants and countersigned by two Members of the Committees.

INVESTMENTS.

27. All moneys standing to the credit of the Endowment Fund shall be invested by the Committee in the corporate name of the Corporation or in the names of its nominees upon the investments authorised in this Ordinance and any such investments from time to time may be sold and the proceeds thereof invested in other such investments as aforesaid as and when the Committee shall direct.

APPOINTMENTS, &c.

No. 495.—His Excellency the Governor has been pleased to appoint Sergeant-Major HENRY WESTLAKE, D.C.M., Hong Kong Volunteer Defence Corps, to be Honorary Lieutenant and Quartermaster, with effect from the 27th May, 1930.

8th August, 1930.

NOTICES.

No. 496.

Order under section 92 (8) of the Public Health and Buildings Ordinance, 1903, Ordinance No. 1 of 1903, made by the Governor on the 8th day of August, 1930.

WHEREAS I, Sir WILLIAM PEEL, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies and Vice-Admiral of the same, deem it expedient for the execution of a public purpose to remove all graves in those portions of Sections A, B and C in Mount Caroline Cemetery shewn on a plan referred to in Government Notification No. 87 of 7th February, 1930, NOW, I, by this Order under my hand, by virtue of the power in that behalf vested in me by section 92 (8) of the Public Health and Buildings Ordinance, 1903, and all other powers thereto me enabling, DO HEREBY ORDER AND DIRECT that the said graves be removed to the satisfaction of the Director of Public Works either by the Public Works Department or by the Tung Wah Hospital should the Board of Direction desire to undertake the work and that the remains removed from such graves shall be re-interred or disposed of in such manner as the Secretary for Chinese Affairs in consultation with the Head of the Sanitary Department and the Board of Direction of the Tung Wah Hospital shall think fit and that all reasonable expenses in connection with such removal, re-internment and disposal shall be defrayed out of the public revenue of the Colony.

Given under my hand this 8th day of August, 1930.

W. PEEL,
Governor.

GOVERNMENT HOUSE,
HONG KONG.