

The Attorney General moved and the Colonial Secretary seconded the addition of the following words at the end of Clause 2:—" ; and nothing herein shall be deemed to require a second auditor for the daily summary in the English language referred to in the proviso in Section 77 (1)". The amendment was approved.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with the above amendment, which was held to be immaterial, 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.

20. The Council then adjourned until Thursday, the 11th day of December, 1930, at 2.30 p.m.

W. PEEL,
Governor.

Confirmed this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

No. 742.—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. 27 of 1930.—An Ordinance to amend the Crown Lands Resumption Ordinance, 1900.

Ordinance No. 28 of 1930.—An Ordinance to impose Duties in respect of admission to Entertainments.

Ordinance No. 29 of 1930.—An Ordinance to amend further the Piers Ordinance, 1899.

Ordinance No. 30 of 1930.—An Ordinance to amend further the Stamp Ordinance, 1921.

Ordinance No. 31 of 1930.—An Ordinance to make certain provisions relating to the corporation named The Tung Wah Hospital.

Ordinance No. 32 of 1930.—An Ordinance to amend the law relating to the powers of arrest possessed by revenue officers.

HONG KONG.

No. 27 of 1930.

I assent.

L. S.

W. PEEL,
Governor.

12th December, 1930.

An Ordinance to amend the Crown Lands Resumption Ordinance, 1900.

[12th December, 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 Crown Lands Resumption Amendment Ordinance, 1930.
- Substitutes new sections for ss. 3, 4, 5 and 6 of Ordinance No. 10 of 1900.** 2. Sections 3, 4, 5 and 6 of the Crown Lands Resumption Ordinance, 1900, are repealed and the following new sections are substituted therefor:—
- Resumption of land for public purpose.** 3. Whenever the Governor in Council decides that the resumption of any land is required for a public purpose, the Governor may arrange for the purchase thereof by negotiation with the owner or may order the resumption thereof under this Ordinance.
- Notices.** 4.—(1) Where resumption is ordered a notice that the land is required for a public purpose and will be resumed and calling on the owner to nominate a member to serve on a Board to determine the amount of compensation to be paid shall be published in the Gazette in English and Chinese.
- (2) A copy of such notice shall be served on the owner, if he can be found, and a further notice shall be affixed upon a conspicuous part of the land to be resumed or, where the land is divided into lots, sections or sub-sections, if practicable, upon each lot, section or sub-section affected.
- (3) The notice affixed to the land shall state the date on which it has been so affixed. It shall also state that the land will be resumed on the expiration of one month from such date; unless the Governor shall have authorised the giving of a longer period of notice, in which case the longer period shall be stated.
- (4) A notice published and served or affixed under this section shall be deemed to be notice to the owner of the land and every person interested in the land or having any right or easement therein.
- Reversion of ownership to Crown.** 5. On the expiration of one month, or the longer period, as aforesaid, the land shall revert to the Crown and all the rights of the owner, his assigns or representatives or of any other person in or over the land or any part thereof shall absolutely cease.

Compensation Board.

6.—(1) After the reversion to the Crown as aforesaid a Board of three members shall be appointed to determine the amount of compensation to be paid in respect of such resumption.

(2) The chairman of the Board shall be a magistrate or justice of the peace nominated by the Governor (unless a request in writing that the chairman shall be a judge be addressed by or on behalf of any party to the Registrar of the Supreme Court and filed with him; in which case he shall be such judge as the judges may mutually arrange) and the two other members shall consist of one member nominated by the Governor and the other by the former owner of the land resumed or other person claiming compensation, or if he has failed before or within one week after the date of expiration of the notice of intended resumption to nominate in writing a member, then it shall be lawful for the chairman to nominate some other person on behalf of such owner or claimant.

(3) The members nominated by the Governor and such owner or claimant or either of them may be, but the person nominated by the chairman on behalf of such owner or claimant shall not be, a member of the Colonial Civil Service.

(4) The constitution of the Board shall be notified in the Gazette and within fourteen days from such notification it shall commence its sittings at such time and place as the chairman may, by notification in the Gazette appoint.

(5) The Governor may appoint some person to act as clerk to the Board, and determine his remuneration.

(6) The remuneration of any member of a Board shall be at a rate according to the amount of work, the time occupied and the magnitude of the interests involved and shall be determined in each case by the chairman at the conclusion of the arbitration: Provided that nothing herein shall authorise the payment of remuneration to a public servant who is not permitted to receive remuneration as a member of the Board.

3. Section 10 of the Crown Lands Resumption Ordinance, 1900, is amended,—

Amends Ordinance No. 10 of 1900, s. 10.

(a) by the deletion of the words "claiming compensation" in the tenth line of paragraph (1) thereof; and

(b) by the insertion of the words

"or any persons whom the Board may find entitled to compensation,"

after the word "compensation," in the fourth line of paragraph (2) thereof.

Passed the Legislative Council of Hong Kong, this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

HONG KONG.

No. 28 of 1930.

I assent.

(L.S.)

W. PEEL,
Governor.

12th December, 1930.

(6 Geo. 5, ch. 11.) An Ordinance to impose Duties in respect of admission to Entertainments.

[12th December, 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 Entertainments Tax Ordinance, 1930.

Interpretation.

6 Geo. 5, ch. 11, s. 1 (6).
12 & 13 Geo. 5, ch. 17, s. 11.
13 & 14 Geo. 5, ch. 14, s. 11.

2. In this Ordinance,

- (a) "Admission" means admission as a spectator or one of an audience.
- (b) "Admission to the entertainment" includes admission to any place in which the entertainment is held;
- (c) "Entertainment" includes any exhibition, performance, amusement, game or sport to which persons are admitted for payment;
- (d) "Industry" includes agriculture, horticulture and the breeding of animals of any description;
- (e) "Payment on admission" includes any payment made by a person who, having been admitted to one part of a place of entertainment, is subsequently admitted to another part thereof for admission to which a payment involving duty or more duty is required;
- (f) "Proprietor" in relation to an entertainment includes any person responsible for the management thereof and any person on whose behalf payments for admission to an entertainment are received;
- (g) "Society" includes a club, company, school, institution or other association of persons by whatever name called.

Duty on payments for admission to entertainments.

6 Geo. 5, ch. 11, s. 1.
12 & 13 Geo. 5, ch. 17, s. 11.

14 & 15 Geo. 5, ch. 21, s. 6.

First Schedule.

3.—(1) There shall as from the first day of January, 1931, be charged, levied and paid on all payments for admission to any entertainment, including payments for admission to an entertainment made to a person other than the proprietor of the entertainment, and including payments of rent made in respect of an interest in any premises which is primarily acquired for the purposes of securing admission to an entertainment, a duty at the rates set forth in the First Schedule.

(2) It shall be lawful for the Legislative Council by resolution to increase, decrease recast, abolish or vary to any extent and in any manner whatsoever, any of the duties imposed at any time, by or under this Ordinance.

Alteration of Duty by Legislative Council.

(3) Every such resolution shall come into operation at the time of the passing thereof unless some other time is specified in such resolution.

4.—(1) The duty shall be charged in respect of each person admitted for payment, and, in the case of admission by stamped ticket, shall be paid by means of the stamp on the ticket, and in the case of admission otherwise than by stamped ticket, shall be calculated and paid on the number of admissions.

Method of payment of Duty.
6 Geo. 5, ch. 11, s. 1 (3) & (4).

(2) The duty in the case of admission otherwise than by stamped ticket, shall be recoverable from the proprietor by the Treasurer as a debt to the Crown in the same manner as is provided for by the Crown Remedies Ordinance, 1875.

14 & 15 Geo. 5, ch. 21, s. 6.

Ordinance No. 6 of 1875.

(3) Where the payment for admission to an entertainment is made by means of a lump sum paid as a subscription or contribution to any society, or for a season ticket or for the right of admission to a series of entertainments or to any entertainment during a certain period of time, the duty shall be paid on the amount of the lump sum, but where the Treasurer is of opinion that the payment of the lump sum or any payment for a ticket represents payment for other privileges, rights or purchases besides the admission to an entertainment, or covers admission to an entertainment during any period for which the duty has not been in operation, the duty shall be charged on such amount as appears to the Treasurer to represent the right of admission to entertainments in respect of which the duty is payable.

(4) Where a person who has made a payment for admission to an entertainment subsequently on being admitted to another part of the place of entertainment makes a further payment of admission in respect of the same entertainment, there shall for the purposes of entertainment duty, be deemed to have been one payment of an amount equal to the aggregate amount of the several payments.

5.—(1) The duty shall not be charged on payments for admission to any entertainment where the Treasurer is satisfied:—

Exemptions.
6 Geo. 5, ch. 11, s. 1 (5).

(a) that the charge for admission is not more than twenty cents for each person; or

13 & 14 Geo. 5, ch. 14, s. 11.

(b) that the whole of the takings thereof are devoted to philanthropic or charitable purposes without any charge on the takings for any expenses of the entertainment; or

14 & 15 Geo. 5, ch. 21, s. 6.

(c) that the entertainment is of a wholly educational character; or

(d) that the entertainment is provided for partly educational or partly scientific purposes by a society not conducted or established for profit; or

(e) that the entertainment is provided by a society not established or conducted for profit and consists of an exhibition or display of work or skill, with or without music of material interest in the promotion of industry, graphic art, sculpture, arts craftsmanship or public health.

(2) Where the Treasurer is satisfied that the whole of the net proceeds of an entertainment are devoted to philanthropic or charitable purposes and that the whole of the expenses of the entertainment do not exceed fifty per cent. of the receipts, he shall repay to the proprietor the amount of the duty paid in respect of the entertainment.

(3) If any person against whom any decision of the Treasurer has been made under this section is dissatisfied with such decision, he may appeal to the Governor in Council whose decision shall be final: Provided that any such appeal shall be notified in writing to the Clerk in Councils within one month from the date of the communication of the decision of the Treasurer.

Control of admission.
6 Geo. 5,
ch. 11,
s. 1 (2).

6.—(1) No person shall be admitted for payment to any entertainment where the payment is subject to entertainment duty except:—

- (a) with a ticket stamped with a stamp (not before used) denoting that the proper entertainments duty has been paid; or
- (b) in special cases with the approval of the Treasurer through a barrier which, or by means of a mechanical contrivance which, automatically registers the number of persons admitted,

unless the proprietor of the entertainment has made arrangements approved by the Treasurer for furnishing returns of the payments for admission to the entertainment and has given security up to an amount and in a manner approved by the Treasurer for the payment of duty.

Regulations.
6 Geo. 5,
ch. 11, s. 2.

7.—(1) The Governor in Council may make regulations for securing the payment of entertainments duty and generally for carrying the provisions of this Ordinance as to entertainments duty into effect and in particular:—

- (a) for the supply and use of stamps or stamped tickets, or for the stamping of tickets sent to be stamped; and for securing the defacement of stamps when used; and
- (b) for the use of tickets covering the admission of more than one person and the calculation of the duty thereon; and for the payment of duty on the transfer from one part of a place of entertainment to another; and
- (c) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount), and for securing proper records of admission by means of barriers or mechanical contrivances.

Second Schedule.

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

(3) 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 regulations shall be rescinded or amended in any manner whatsoever, the said regulations shall, without prejudice to anything done thereunder, be deemed to be rescinded or amended as the case may be, as from the date of publication in the Gazette of the passing of such regulation.

Inspection.
6 Geo. 5,
ch. 11, s. (2).

8. It shall be lawful for the Treasurer or for any person authorised by him in writing for the purpose to enter any place of entertainment while the entertainment is proceeding, and any place ordinarily used as a place of entertainment at any reasonable times, with a view to seeing whether the provision of this Ordinance or any regulations made thereunder are being complied with.

Application of Stamp Duties Management Ordinance No. 35 of 1911.

9. The provisions (including the penal provisions) of the Stamp Duties Management Ordinance, 1911, shall apply to stamps used for denoting entertainments duty.

10.—(1) If any person is admitted for payment to any place of entertainment and the provisions of this Ordinance are not complied with the person admitted and the proprietor of the entertainment to which he is admitted shall be liable on summary conviction to a fine in the case of a person admitted of fifty dollars and in the case of the proprietor of one thousand dollars, and the proprietor shall in addition be liable to pay any duty which should have been paid. Penalties. 6 Geo. 5, ch. 11, s. 1 (3).

(2) If any person acts in contravention of, or fails to comply with, any regulations made under this Ordinance he shall be liable on summary conviction to a fine of five hundred dollars. 6 Geo. 5, ch. 11, s. 2 (1).

(3) If any person prevents or obstructs the entry of the Treasurer, or of any person authorised by him in writing under this Ordinance, he shall be liable on summary conviction to a fine of two hundred dollars. 6 Geo. 5, ch. 11, s. 2 (2).

Passed the Legislative Council of Hong Kong, this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

FIRST SCHEDULE. [s. 3 (1).]

RATE OF ENTERTAINMENT DUTY.

Amount of Payment.	Rate of Duty.
Where the amount of payment for admission, excluding the amount of the duty—	
does not exceed 20 cents.....	Free.
exceeds 20 cents and does not exceed 50 cents	5 cents.
exceeds 50 cents and does not exceed \$1	10 "
exceeds \$1 and does not exceed \$2...	20 "
exceeds \$2 and does not exceed \$3...	30 "
exceeds \$3 and does not exceed \$4...	40 "
exceeds \$4 and does not exceed \$5...	50 "
exceeds \$5	50 cents for the first \$5 and 20 cents for each additional \$5, or part thereof.

SECOND SCHEDULE. [s. 7.]

ENTERTAINMENTS DUTY REGULATIONS.

(S.R. & O.
1921, No.
1388.)
Interpreta-
tion.

1. In these Regulations—

“Entertainment” means an entertainment the payment for admission to which is subject to duty.

“Government ticket” means a ticket supplied by the Treasurer.

“Stamp” means a stamp denoting duty.

Prohibition
of marking
stamps or
stamped
tickets.

2. Subject to the provisions of these Regulations or except as allowed by the Treasurer, no person shall mark or cause to be marked in any manner any Government ticket or stamp.

Prohibition
of purchasing
stamped
tickets or
stamps from
unauthorised
persons.

3. No person shall purchase any Government ticket or any stamp except from a person duly appointed to sell and distribute stamps or duly licensed to deal in stamps:

Provided always that nothing in this Regulation shall apply to a person purchasing a Government ticket or stamp from the proprietor for the purpose of being admitted to the entertainment.

Price of
admission
to be printed
on tickets.

4. The proprietor shall not issue or have in his possession at the place of entertainment any ticket being a ticket authorising or intended to be issued for the purpose of authorising any person to be admitted to the entertainment, unless the price of admission and the statement required by this Regulation are legibly printed, stamped or otherwise marked on the ticket.

For the purpose of this Regulation the price of admission means the price either inclusive or exclusive of the duty, and there shall be printed on every such ticket as aforesaid a statement whether the price printed thereon in accordance with the requirements of this Regulation includes the duty or excludes the duty, as the case may be.

Adhesive
stamps not
to be issued
except on
tickets.

5. The proprietor shall not issue an adhesive stamp to any person otherwise than securely affixed to a ticket issued for the purpose of authorising admission to the entertainment.

No tickets
other than
stamped
tickets to be
issued on
payments
made for
admission.

6.—(1) The proprietor shall not, on any payment for admission to the entertainment being made, issue in respect of that payment any ticket authorising admission to the entertainment other than a Government ticket denoting the proper amount of duty chargeable in respect of that payment or a ticket to which is affixed an adhesive stamp denoting that amount.

(2) The provisions of this Regulation shall not apply in any case where the proprietor of the entertainment has made arrangements approved by the Treasurer for furnishing returns of payments for admission and has given security to his satisfaction for the payment of duty.

Tickets and
stamps to be
issued
undefaced
and defaced
subsequent-
ly.

7.—(1) Subject to the provisions of these Regulations the proprietor shall not deface, cut, tear, or diminish any Government ticket before it is issued to the person paying for admission, or any adhesive stamp before the ticket to which it is affixed is so issued, or admit any person to an entertainment with a Government ticket, or a ticket bearing an adhesive stamp, which has been defaced, cut, torn or diminished.

(2) No person being the holder of a Government ticket, or of a ticket to which an adhesive stamp is affixed, issued for the purpose of authorising admission to an entertainment, shall deface, cut, tear or diminish the ticket or stamp, as the case may be.

(3) The proprietor shall collect the tickets of all persons about to be admitted to the entertainment with a Government ticket or a ticket bearing an adhesive stamp, and every person about to be so admitted with such a ticket shall immediately before admission to the entertainment deliver the ticket to the person who is collecting the tickets.

(4) When a ticket is so collected the proprietor shall forthwith deface the stamp on the ticket by tearing the ticket into two portions across the stamp, and shall return one portion of the ticket to the person to be admitted to the entertainment, and shall retain and keep until removal by a public officer or until mid-day on the day following the conclusion of the entertainment the other portion thereof.

(5) The proprietor shall keep the portions of tickets used each day separate from those used on previous days.

8.—(1) The proprietor shall not issue any Government ticket purporting or intended to authorise the admission of more than one person and shall not admit to the entertainment more than one person by virtue of one Government ticket. No Government ticket to be used admitting more than one person.

(2) No person shall make use of one Government ticket for the purpose of obtaining, or attempting to obtain, admission to an entertainment for himself together with any other person.

9.—(1) Where the proprietor issues any ticket purporting or intended to authorise the admission to an entertainment of more than one person, he shall cause the ticket to be clearly marked with the number of persons so authorised to be admitted and the total price charged for the ticket, and he shall not admit to the entertainment by virtue of that ticket a greater number of persons than that marked on the ticket. Provisions as to a ticket (other than Government ticket) used for admitting more than one person.

(2) For the purposes of calculating the duty chargeable in such a case there shall be deemed to be as many payments for admission as there are persons authorised to be admitted under the ticket, and each of those payments shall be deemed to be equal in amount to the total price charged for the ticket divided by the total number of the persons so authorised.

10.—(1) Where the proprietor issues tickets in the form of a book or sheet, he shall print on each ticket either the price of admission chargeable in respect of a single ticket, or the number of tickets in the book or sheet together with the total sum paid therefor. Provisions as to books or sheets of tickets.

(2) Unless the proprietor has made arrangements approved by the Treasurer for furnishing returns of payments for admission and has given security to his satisfaction for payment of the duty, he shall before issuing any such book or sheet of tickets as aforesaid, either affix to each ticket in such book or sheet an adhesive stamp appropriate to the sum payable in respect of a single ticket, or affix to the cover of the book or the principal part of the sheet an adhesive stamp or stamps equal to the aggregate amount of duty payable in respect of all the tickets in the book or sheet.

(3) Where the adhesive stamp is affixed to the cover of the book or the principal part of the sheet as aforesaid, the proprietor shall forthwith deface the stamp by writing in ink on the face of the stamp the date of issue of the book or sheet, and such stamp shall not be required to be defaced at the time of admission to the entertainment in the manner prescribed in Regulation 7 (4).

Season ticket.

11.—(1) Where the duty is calculated and paid on a lump sum paid for a season ticket or for a ticket authorising admission to any entertainment during a certain period of time, the proprietor shall before issuing the ticket mark it with the name of the person to whom it is to be issued, and shall not admit to the entertainment by virtue of that ticket any person other than the person named on the ticket, and no person other than the person named on the ticket shall obtain, or attempt to obtain, admission to the entertainment by virtue of that ticket.

(2) Unless the proprietor of the entertainment has made arrangements approved by the Treasurer for furnishing returns of payments for admission and has given security to his satisfaction for the payment of duty he shall, before issuing any such ticket as aforesaid, fix thereto an adhesive stamp denoting the proper amount of duty chargeable thereon and shall deface the stamp by writing in ink on the face thereof the date of issue of the ticket, and any such stamp shall not be required to be defaced at the time of admission to the entertainment in the manner prescribed, in Regulation 7 (4).

Provisions as to persons admitted without payment.

12.—(1) The proprietor shall not admit any person to the entertainment without payment, unless that person is the holder of a ticket or other document entitling him to be admitted without payment and clearly marked "Complimentary" or "Free", or of a badge recognised by the proprietor as entitling the holder thereof so to be admitted.

(2) No person shall enter or otherwise obtain admission to an entertainment without payment unless he is the holder of such a ticket, document or badge as aforesaid.

Provisions as to Societies.

13.—(1) Where the duty is calculated and paid on a lump sum paid as subscription or contribution to any society, the committee or other persons responsible for the management of the society shall issue to the person making the payment a card of membership or other voucher, and shall before issuing such card or voucher mark it with the name of the person to whom it is to be issued.

(2) The said committee or other persons shall not admit to the entertainment by virtue of any card or voucher so issued as aforesaid any person other than the person named on the card or voucher, and no person other than the person so named shall obtain or attempt to obtain admission to the entertainment by virtue of that card or voucher.

(3) Unless the said committee or other persons have made arrangements approved by the Treasurer for furnishing returns of payments for admission and have given security to the satisfaction of the Treasurer for the payment of duty, they shall before issuing such card or voucher securely affix thereto an adhesive stamp denoting the proper duty and shall deface the stamp by writing in ink on the face of the stamp the date of issue of the card or voucher, and such stamp shall not be required to be defaced at the time of admission to the entertainment in the manner prescribed in Regulation 7 (4).

14.—(1) If any proprietor desires to make arrangements approved by the Treasurer for furnishing returns of payments for admission to an entertainment, he shall make application in writing to the Treasurer in such form as he shall direct. Provisions as to arrangements for furnishing returns.

(2) If the Treasurer thinks fit to approve the arrangements, he shall signify his approval in writing and shall specify the date on which the arrangements are to take effect.

(3) If the approval of the Treasurer is expressed to be granted subject to the compliance by the proprietor with any conditions, it shall be the proprietor's duty to comply with those conditions.

(4) The Treasurer may at any time either on his own motion or on an application made to him in writing by the proprietor, and without prejudice to his powers subsequently to grant his approval to any arrangements, declare that any arrangements so approved shall, on the date specified in that behalf in the declaration, cease to be in force accordingly.

(5) Where at the time of the holding of an entertainment it is uncertain whether payments for admission thereto will or will not be chargeable with duty the proprietor may make arrangements for furnishing returns in the same manner as if the payments were subject to duty, and this Regulation shall apply to any such arrangements.

15.—(1) If the proprietor of any entertainment claims that duty ought not to be charged on admission to that entertainment by reason of the provisions of the Ordinance, he shall not less than fourteen days before the date on which the entertainment is to be held, make an application to the Treasurer claiming exemption accordingly. Application for exemption.

(2) An application for the purposes of this Regulation shall be made in such form as the Treasurer may prescribe and the applicant shall truly furnish to the Treasurer all particulars which he may require in connection with the said application.

(3) Where the Treasurer is satisfied that having regard to the said provisions duty is not, or if certain conditions are complied with, will not be, chargeable, he shall grant to the applicant a certificate in writing to that effect.

(4) Where any such certificate as aforesaid is granted the Treasurer may, if he thinks it necessary so to do for the protection of the Revenue, require the proprietor to comply with any conditions specified in the certificate, and it shall be the duty of the proprietor to comply with the conditions so specified.

16. Any reference in these Regulations to admission to a place of entertainment or to a person admitted to a place of entertainment shall be deemed to include a reference to the admission to another part of the place of entertainment for admission to which a payment involving duty or more duty is required of a person who has been admitted to one part of that place of entertainment, and to such a person admitted to such another part of the place of entertainment and these Regulations shall have effect accordingly. Transfer to different parts of place of entertainment.

17. The Treasurer may, if he thinks it necessary so to do for the protection of the Revenue, require the proprietor to keep registers of payments for admission and records of adhesive stamps and Government tickets purchased and used, in such form as he may prescribe, and to issue tickets in such form and manner as he may prescribe, and it shall be the duty of the proprietor to comply with such requirements. Treasurer may require records to be kept and tickets to be issued in prescribed forms.

Production of tickets, stamps, vouchers and records.

18.—(1) The proprietor shall at all reasonable times on demand by any Officer authorised by the Treasurer produce to that Officer all books and records kept by the proprietor in connection with any entertainment and all Government or other tickets and all portions of any tickets and all adhesive stamps for the time being in his possession and shall allow the Officer to inspect and take an account of the same or to remove the same for the purpose of examination or inquiry.

(2) A person who has been admitted to an entertainment in respect of which the proprietor has not made arrangements approved by the Treasurer for furnishing returns of payments for admission and given security to the Treasurer's satisfaction for the payment of duty, shall upon demand made during the course of or immediately before or after the entertainment produce to any Public Officer the ticket, badge, card of membership, voucher or document by means of which he was admitted, or a portion of the ticket by means of which he was admitted bearing a stamp defaced in accordance with Regulation 7 (4), or the stamped cover of the book or the stamped principal part of the sheet from which the ticket, by means of which he was admitted, was taken.

Application for repayment of duty.

19. Every application for repayment of duty shall be made in such form as the Treasurer may prescribe and the applicant shall truly furnish to the Treasurer all particulars required by him in relation to such application.

HONG KONG.

No. 29 OF 1930.

I assent.

(L.S.)

W. PEEL,
Governor.

12th December, 1930.

An Ordinance to amend further the Piers Ordinance, 1899.

[12th December, 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 Piers Amendment Ordinance, 1930.

Amendment of Ordinance No. 11 of 1899, s. 3 (4).

2. In sub-section (4) of section 3 of the Piers Ordinance, 1899, the words "In the case, however, of a temporary pier, it shall be lawful" are deleted and the following words are substituted therefor:—

"It shall be lawful, however,"

Passed the Legislative Council of Hong Kong, this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

HONG KONG.

No. 30 OF 1930.

I assent.

L.S.

W. PEEL,
Governor.

12th December, 1930.

An Ordinance to amend further the Stamp Ordinance, 1921.

[12th December, 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 Stamp Amendment Ordinance, 1930. Short title.
2. This Ordinance shall come into operation on the first day of January, 1931. Commencement.
- 3.—(1) Heading No. 10 (2) in the Schedule to the Stamp Ordinance, 1921, is amended in the third column by the deletion of the figure "5" and by the substitution therefor of the figure "10". Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 10 (2).
(2) Notwithstanding the requirement in the fourth column of the said heading, cheques stamped with an impressed and dated stamp of the value of five cents, if signed before the first day of March, 1931, shall be deemed to be duly stamped if an adhesive revenue stamp of the value of five cents shall have been affixed thereto and shall have been effectively cancelled before presentation to a banker.
4. Heading No. 11 in the Schedule to the Stamp Ordinance, 1921, is amended in the third column by the deletion of the figures "10" and "30" and by the substitution therefor of the figures "15" and "40" respectively. Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 11.
5. Heading No. 14A in the Schedule to the Stamp Ordinance, 1921, is amended in the third column by the deletion of the figure "5" and by the substitution therefor of the figure "10". Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 14A.
6. Heading No. 15B in the Schedule to the Stamp Ordinance, 1921, as renumbered by section 6 (2) of the Stamp Amendment Ordinance, 1925, is amended in the second column by the deletion of the word "therein" and by the substitution therefor of the word "herein". Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 15B, Ordinance No. 1 of 1925.

Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 17. 7. Heading No. 17 in the Schedule to the Stamp Ordinance, 1921, is amended in the third line of the second column by the deletion of the words " deed of partition, a ".

Insertion of new Heading No. 31A in the Schedule to Ordinance No. 8 of 1921. 8. The following heading is inserted in the Schedule to the Stamp Ordinance, 1921, immediately after heading No. 31 :—

31A.	Partition deed.	<p>§20, together with <i>ad valorem</i> duty as on a conveyance on sale on any sum paid or agreed to be paid for equality.</p> <p>Where the partition is carried out by several instruments the principal deed will be chargeable as above, the other deeds each being stamped \$20.</p>	Over-embossed.	7 days after execution.	All persons executing.
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Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 36. 9. Heading No. 36 in the Schedule to the Stamp Ordinance, 1921, is amended as follows :—

- (i) in paragraph (a) of the second column by the deletion of the figure "10" and by the substitution therefor of the figure "20".
- (ii) in the third column by the deletion of the figure "5" and by the substitution therefor of the figure "10".

Amendment of Ordinance No. 8 of 1921, Schedule, Heading No. 41. 10. Heading No. 41 in the Schedule to the Stamp Ordinance, 1921, is amended in the third column by the deletion of the figures "10" and "30" and by the substitution therefor of the figures "15" and "40" respectively.

Passed the Legislative Council of Hong Kong, this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

HONG KONG.

No. 31 OF 1930.

I assent.

(L.S.)

W. PEEL,
Governor.

12th December, 1930.

An Ordinance to make certain provisions relating to the corporation named The Tung Wah Hospital.

[12th December, 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 Tung Wah Hospital Ordinance, 1930.

2. In this Ordinance:—

Interpretation.

“Constitution” means the constitution of the corporation created by virtue of the provisions of the Tung Wah Hospital Incorporation Ordinance, 1870, and continued by this Ordinance, as such constitution is approved from time to time by the Directors for the time being of the said corporation, subject to the provisions of this Ordinance relating to any matter expressly dealt with in this Ordinance.

Ordinance No. 1 of 1870.

“Society” includes a company, institution firm, guild or other association of persons by whatever name called.

3.—(1) Notwithstanding the repeal of The Tung Wah Hospital Incorporation Ordinance, 1870, by section 18 of this Ordinance, the corporation created by virtue of the provisions of the first named Ordinance, hereinafter called “the corporation”, shall continue to exist, under the name of “The Tung Wah Hospital”, and in that name shall continue to have perpetual succession, and in that name may sue and be sued in all courts in the Colony, and may continue to have and use a common seal.

Continued existence of the corporation created by Ordinance No. 1 of 1870 and membership thereof.

(2) Whereas difficulties have arisen with regard to the ascertainment of the members of the corporation, it is hereby enacted as follows:—

- (a) Every person who has at any time acted or purported to act as a Director of the corporation shall be deemed to have been a member of the corporation during his term of office.
- (b) Every such person still surviving at the commencement of this Ordinance shall continue during his lifetime to be a member of the corporation.
- (c) Every person who shall hereafter be duly elected a Director of the corporation shall be deemed to be a member of the corporation during his lifetime.

- (d) Every person or society who or which subscribes a sum of at least ten dollars to the funds of the corporation, or who or which satisfies the Directors for the time being that he or it has at any time subscribed a sum of at least ten dollars to the funds of the corporation, and whose name is entered in a register of members hereafter to be kept by the corporation shall be a member of the corporation during the lifetime of such person or during the existence of such society as the case may be.
- (e) Nothing in this sub-section shall be deemed to affect the rights of any person who may be able to prove that he is a member of the corporation by virtue of the provisions of section 2 of the Tung Wa Hospital Incorporation Ordinance, 1870.

Objects of the corporation.

4. The objects of the corporation shall be as follows:—

- (a) the maintenance, chiefly as a free hospital, of the hospital which was contemplated by the Tung Wa Hospital Incorporation Ordinance, 1870, and which is known as the Tung Wah Hospital;
- (b) the maintenance, chiefly as a free hospital, of the hospital which was contemplated by the Tung Wa Hospital Extension Ordinance, 1900, and which is known as the Tung Wah Infectious Diseases Hospital;
- (c) the maintenance, chiefly as a free hospital, of the general hospital which was contemplated by the Tung Wa Hospital Extension Ordinance, 1911, and which is known as the Kwong Wah Hospital;
- (d) the maintenance, chiefly as a free hospital, of the hospital on Inland Lot No. 2686 and known as the Tung Wah Eastern Hospital;
- (e) the management of the Yee Chong mortuary and the Wing Pit Ting farewell pavilion.
- (f) the management of the Man Mo Temple Fund in accordance with the provisions of the Man Mo Temple Ordinance, 1908;
- (g) the payment of passages for Chinese destitutes and patients, the burial and reburial of Chinese, the collection and administration of funds for the relief of any special distress among the Chinese community of the Colony, and the promotion, execution, assistance or maintenance of any other charitable work among the Chinese community of the Colony;
- (h) the promotion, execution, assistance or maintenance of any charitable work among Chinese outside the Colony which shall have been previously approved by the Secretary for Chinese Affairs.

Powers of the corporation.

5.—(1) 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 vessels and other goods and chattels of what nature and kind soever.

(2) The corporation shall have power, with the consent in writing of the Governor, to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, transfer, or otherwise dispose of, or to let or demise for any period exceeding three years, any lands, buildings, messuages, or tenements, which are for the time being vested in or belonging to the corporation.

(3) The corporation shall have power to let or demise for any period not exceeding three years, upon such terms as to the corporation may seem fit, any lands, buildings, messuages, or tenements, which are for the time being vested in or belonging to the corporation.

(4) The corporation shall have power to sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer, or otherwise dispose of, upon such terms as the corporation may seem fit, any debentures, stocks, funds, shares, securities, vessels, or other goods or chattels, which are for the time being vested in or belonging to the corporation.

(5) Subject to the provisions of paragraph (i) of section 4, and of sub-section (2) of this section, with regard to approval and consent the corporation shall have power to do any thing which may lawfully be done in order to carry out any of the objects of the corporation.

(6) In any transaction for which the consent in writing of the Governor is required by the provisions of sub-section (2) the signature of the Governor endorsed on the document or documents by means of which the transaction is affected shall be sufficient evidence that such consent was given.

6. All deeds and other documents requiring the seal Execution of of the corporation shall be sealed with its common seal documents. in the presence of two Directors and shall also be signed by them, and such signing shall be taken as sufficient evidence of the due sealing of such deeds and other documents.

7.—(1) The pieces or parcels of ground specified by Vesting of their respective Land Office register references in the property. First Schedule, together with all buildings erected thereon, First and together with all rights, easements and appurtenances Schedule. belonging or appertaining thereto or therewith usually held, occupied or enjoyed, are hereby transferred to and vested in the corporation, for the unexpired residues of terms granted, and subject to the payment of the rents, or the due proportions of the rents as the case may be, and the performance of the covenants and conditions, reserved by and contained in the respective Crown leases of the said pieces or parcels of ground, so far as the same relate to the said pieces or parcels of ground.

(2) All vessels, goods and chattels, all mortgages, debentures, stocks, funds, shares or securities of any corporation or company, all sums of money and bank balances, and all other rights whatsoever, which were vested in or belonging to The Tung Wah Hospital immediately before the coming into operation of this Ordinance are hereby transferred to and vested in the corporation.

(3) All pieces or parcels of ground which immediately before the coming into operation of this Ordinance were vested in the Tung Wah Hospital subject to any right or equity of redemption, or of which an assignment or intended assignment to the Tung Wah Hospital subject to any right or equity of redemption had been made before the coming into operation of this Ordinance and of which no re-assignment or intended re-assignment had been made by or behalf of the Tung Wah Hospital before the coming into operation of this Ordinance, together with all rights, easements and appurtenances thereto belonging or appertaining, or therewith usually held, occupied or enjoyed, are hereby transferred to and vested in the corporation, for the unexpired residues of the terms granted, and subject to the payment of the rents, or the due proportion of the rents as the case may be, and the performance of the covenants and conditions reserved by and contained in the respective Crown leases of the said pieces or parcels

of ground, so far as the same relate to the said pieces or parcels of ground, and subject also to the said respective rights or equities of redemption, and subject also to any trusts affecting any of the said pieces or parcels of ground.

Second
Schedule.

Ordinance
No. 10 of
1908.

(4) The pieces or parcels of ground specified by their respective Land Office register references in the Second Schedule, and all things and rights referred to in subsection (2) of this section which immediately before the coming into operation of this Ordinance were vested in The Tung Wah Hospital for the purposes of the Man Mo Temple Ordinance, 1908, shall be held and dealt with by the corporation in accordance with the provisions of the said Ordinance and in accordance with the powers, rights and obligations conferred or imposed by the said Ordinance upon The Tung Wah Hospital or upon the Directors of The Tung Wah Hospital.

Ordinance
No. 1 of
1870.

(5) In this section "The Tung Wah Hospital" means the body corporate created by virtue of the provisions of the Tung Wah Hospital Incorporation Ordinance, 1870.

Election
of Directors.

8.—(1) The number of Directors shall be not less than eighteen and not more than thirty.

(2) At least six of the Directors shall be residents of Kowloon or New Kowloon.

(3) The Directors shall be elected annually, and the annual election of the Directors for any one year shall if possible be completed in or before the month of December in the previous year.

(4) The Directors elected for any one year shall simultaneously cease to be Directors at the end of the 31st day of December in that year, except as regards any Director who shall by reason of death or resignation have ceased to be a Director before that time: provided that if the election of the Directors for the following year shall not have been completed on or before the said 31st day of December the Directors elected for that year shall continue to be Directors until the election of their immediate successors shall have been completed.

(5) Any Director elected for any one year shall be eligible for re-election for the following or any subsequent year.

(6) If any vacancy occurs among the Directors by reason of death or resignation it shall be lawful for the remaining Directors or a majority of them to elect any person whatsoever to fill the vacancy for the remainder of the year for which the Director dying or resigning was elected.

(7) The Directors elected for any one year shall during the next succeeding year be known as *Hip Li* (協理), and shall be entitled to attend all meetings of the Directors during such succeeding year and to take part in the discussions, but not to vote, at such meetings.

(8) The election of Directors shall be held in accordance with the Constitution; and in particular the rights and responsibilities of the various Societies in regard to an election in accordance with the Constitution shall remain unaffected.

Election of
Chairman
and other
Principal
Directors.

9.—(1) So soon as possible after the election of the Directors designate for any particular year they shall elect one of their number to be Chairman for that year.

(2) Immediately after the election of the Chairman the Directors designate shall proceed to elect one of their number to be the Second Principal Director.

(3) Immediately after the election of the Second Principal Director the Directors designate shall proceed to elect one of their number to be the Third Principal Director.

(4) The Chairman of the Tung Wah Hospital for the previous year, or the person entitled to preside in his absence, shall preside at the three elections referred to in this section.

(5) In the event of two or more Directors designate being returned at the head of the poll with an equality of votes at any election under this section there shall be a revote, or if necessary a series of revotes, to determine which of such directors shall be elected.

(6) In the event of the death, resignation, incapacity or absence of the Chairman at any time, the Second Principal Director shall act as Chairman and shall have all the powers and duties of the Chairman, and in the event of death, resignation, incapacity or absence of the Second Principal Director so acting, the Third Principal Director shall act as Chairman and shall have all the powers and duties of the Chairman.

(7) In the event of the death, resignation, incapacity or absence of the three Principal Directors, it shall be lawful for the corporation to elect in their stead a Chairman and two other Principal Directors to hold office either temporarily or for the remainder of the current year, and at such elections a member of the Advisory Board shall preside.

10. Subject to any specific instructions given by the members of the corporation at a general meeting of the Directors, the Directors for the time being may exercise any of the powers and rights conferred on or acquired by the corporation, and may perform any of the obligations and duties imposed on or assumed by the corporation, and such exercise of any such power or right and any such performance of any such obligation or duty, shall bind the corporation.

11.—(1) There shall be a committee to be known as the Advisory Board whose duties shall be to advise the Directors upon occasion on any matter affecting the corporation or its administration.

(2) The Board shall consist of not more than fifteen persons, four of whom shall be nominated by the Directors of the previous year annually and shall hold office for one year, and the remainder of whom shall be appointed by the Governor for such period or periods, and upon such terms, as he shall think fit.

(3) One of the four persons to be nominated annually by the Directors of the previous year shall be a resident of Kowloon or New Kowloon.

(4) The advice of the Advisory Board shall be given at a joint meeting of the Directors and the Advisory Board. Such joint meeting shall be called by the Chairman of the Directors—

(a) when the Directors desire the advice of the Advisory Board;

(b) whenever the Advisory Board give the Chairman notice in writing that they desire to discuss with the Directors any specified matter affecting the corporation or its administration.

The Chairman shall give the Directors and the members of the Advisory Board at least four clear days notice in writing of any such joint meeting.

12.—(1) At any meeting of the Directors seven Directors shall form a quorum. Quorum and majority decision.

(2) Every question at any meeting of the Directors shall be decided by a majority of votes of the Directors present, and in case of an equality of votes the chairman shall have a second or casting vote.

Inspection of hospitals and buildings. 13. All hospitals under the control of the corporation and all buildings or premises of the corporation shall be open at all reasonable time to the inspection of the Secretary for Chinese Affairs or the Director of Medical and Sanitary Services or any other person whom the Governor may appoint in that behalf.

Accounts. 14.—(1) The corporation shall cause proper books of account to be kept.

(2) Such books of account shall be open at all reasonable times to the inspection of any Director and of any person whom the Governor may appoint on that behalf.

(3) The Chairman for each year shall within six months after the expiration of his term of office send to the Colonial Secretary a statement, signed by two of the Directors, and containing the following particulars:—

(a) an account of the assets and liabilities of the corporation, made up to the end of the previous year;

(b) an account of the receipts and disbursements of the corporation during the previous year;

(c) a report on the administration of the corporation during the previous year.

A copy of the said statement shall, within the said period of six months, be sent to every Director for the current year, to every Director for the preceding year, to every society which by the Constitution is entitled to nominate a person for appointment as Director and to every member of the Advisory Board.

Validation. 15. No act done or instrument executed by or on behalf of the Tung Wah Hospital, that is to say the body corporate created by the Tung Wa Hospital Incorporation Ordinance, 1870, shall be questioned on the ground that the said body corporate or the Directors thereof were not in all respects duly constituted.

Saving of the rights of the Crown and of certain other rights. 16. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King his heirs and 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.

Amendment of Ordinance No. 7 of 1928, s. 7 (1) (f). 17. Paragraph (f) in section 7 (1) of the Chinese Temples Ordinance, 1928, is repealed and the following paragraph is substituted therefor:—

(f) One of the Directors of the Tung Wah Hospital, nominated annually by the Directors from among those Directors who are residents of Kowloon or New Kowloon.

Repeal of Ordinances Nos. 1 of 1870, 1 of 1900, 9 of 1904, and 38 of 1911. 18. The following Ordinances are repealed:—

(a) The Tung Wa Hospital Incorporation Ordinance, 1870;

(b) The Tung Wa Hospital Extension Ordinance, 1900;

(c) The Tung Wa Hospital (Acquisition of Property) Ordinance, 1904;

(d) The Tung Wa Hospital Extension Ordinance, 1911.

Passed the Legislative Council of Hong Kong, this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

FIRST SCHEDULE. [s. 7 (1).]

1. Inland Lot No. 835.
2. Inland Lot No. 1440.
3. Inland Lot No. 1758.
4. Inland Lot No. 361.
5. Inland Lot No. 1082.
6. Inland Lot No. 1613.
7. Inland Lot No. 952.
8. Inland Lot No. 2686.
9. Inland Lot No. 1637.
10. Inland Lot No. 1572.
11. Section A of Inland Lot No. 1208.
12. Section B of Inland Lot No. 1208.
13. Section C of Inland Lot No. 1208.
14. The Remaining Portion of Inland Lot No. 1208.
15. Inland Lot No. 1209.
16. Section A of Inland Lot No. 865.
17. Inland Lot No. 866.
18. The Remaining Portion of Inland Lot No. 697.
19. Section A of Inland Lot No. 13.
20. Inland Lot No. 1158.
21. Marine Lot No. 351.
22. Inland Lot No. 1866.
23. The Remaining Portion of Inland Lot No. 560.
24. The Remaining Portion of Inland Lot No. 561.
25. Inland Lot No. 562.
26. Inland Lot No. 764.
27. Inland Lot No. 1707.
28. Inland Lot No. 1842.
29. Kowloon Inland Lot No. 1218.
30. Inland Lot No. 2210.
31. Section P of Inland Lot No. 1274.
32. Section A of Inland Lot No. 1274.
33. Section B of Inland Lot No. 1275.
34. The Remaining Portion of Inland Lot No. 1275.
35. Section A of Inland Lot No. 853.
36. Inland Lot No. 854.
37. Section K of Marine Lot No. 140.
38. Sub-section 1 of Section A of Inland Lot No. 381.
39. The Remaining Portion of Inland Lot No. 382.
40. Lots Nos. 582 and 583 in Survey District No. 1.
41. Section A of Subsection 1 of Section B of Inland Lot No. 1135.
42. Kowloon Inland Lot No. 878.

SECOND SCHEDULE. [s. 7 (4).]

1. Inland Lot No. 896.
 2. Inland Lot No. 1795.
 3. Inland Lot No. 338.
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HONG KONG.

No. 32 OF 1930.

I assent.

L.S.

W. PEEL,
Governor.

12th December, 1930.

An Ordinance to amend the law relating to the powers of arrest possessed by revenue officers.

[12th December, 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 Revenue Officers Power of Arrest Amendment Ordinance, 1930.
- Amendment of Ordinance No. 2 of 1917, First Schedule. 2. The First Schedule to the Revenue Officers Power of Arrest Ordinance, 1917, is amended by the addition at the end thereof of the following figures and words:—
“4 of 1930. Motor Spirit Ordinance, 1930.”
- Amendment of Ordinance No. 2 of 1917, Second Schedule. 3. The Second Schedule to the Revenue Officers Power of Arrest Ordinance, 1917, is amended:—
(i) by the deletion of the figures and words “6 of 1900. Post Office Ordinance, 1900.” and by the substitution therefor of the figures and words “7 of 1926. Post Office Ordinance, 1926.”
(ii) by the addition at the end thereof of the figures and words “4 of 1930 Motor Spirit Ordinance, 1930.”
- Amendment of Ordinance No. 4 of 1930, s. 40. 4. Section 40 of the Motor Spirit Ordinance, 1930, is amended by the deletion of the words “into custody” in the penultimate line thereof and by the substitution therefor of the words “to a police station in order that he may be brought before a magistrate to be dealt with according to law”.
- Amendment of Ordinance No. 4 of 1930, s. 43 (2). 5. Sub-section (2) of section 43 of the Motor Spirit Ordinance, 1930, is amended by the deletion of the words “into custody” in the penultimate line thereof and by the substitution therefor of the words “to a police station in order that he may be brought before a magistrate to be dealt with according to law”.

Passed the Legislative Council of Hong Kong, this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.