18. Bankruptcy and Magistrates Amendment Bill.—The Attorney General moved the Second reading of the Bill intituled "An Ordinance to amend the law relating to the jurisdiction of Magistrates in Bankruptcy offences."

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.

19. Mercantile Marine Assistance Fund Bill.—The Attorney General moved the Second reading of the Bill intituled "An Ordinance for the establishment and administration of a Mercantile Marine Assistance Fund in Hong Kong."

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.

20. The Council then adjourned sine die.

W. PEEL,

Confirmed this 26th day of October, 1933.

H. R. BUTTERS, Deputy Clerk of Councils.

No. 702.—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. 25 of 1933.—An Ordinance to consolidate and amend the law relating to miscellaneous licences.

#### HONG KONG.

No. 25 of 1933.

I assent.



W. PEEL. Governor.

27th October, 1933.

An Ordinance to consolidate and amend the law relating to miscellaneous licences.

[27th October, 1933.]

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 Miscellaneous Short title. Licences Ordinance, 1933.

### 2. In this Ordinance,

Interpreta-

- (a) "Auctioneer" means and includes every person who of. 8 & 9 exercises or carries on the trade or business of an auctioneer, s. 4. or who acts in such capacity at any sale or roup, and every person who sells or offers for sale any goods or chattels, lands, tenements, or hereditaments, or any interest therein, at any sale or roup where any person or persons become the purchaser of the same by competition, and being the highest bidder, either by being the single bidder or increasing upon the biddings made by others, or decreasing on sums named by the auctioneer or person acting as auctioneer, or other person at such sale or roup, or by any other mode of sale by competition.
- (b) "Public dance-hall" means any place opened, kept or used for the purpose of dancing to which the general public are admitted with or without payment for admission unless such place be a place of public entertainment licensed as such under the Places of Public Entertainment Regulation Ordinance No. 22 of Ordinance, 1919.

(c) "Hawker" means any person who trades in any cf. 51 & 52 Vict. c. 33, street or public thoroughfare or goes from place to place, s. 2: selling or exposing for sale any goods, wares or merchandise 34 & 35 Vict. immediately to be delivered, or exposing samples or patterns any goods, wares or merchandise to be afterwards

delivered, or selling or offering for sale his skill in handicraft, except a person selling or seeking orders for goods, wares or merchandise to or from persons who are dealers therein, and who buy to sell again.

cf. 10 & 11 Geo. 5, c. lxxxix ss. 3, 17 &

- (d) "Massage establishment" means any premises used or represented as being or intended to be used for the reception or treatment of persons requiring massage or other similar treatment, except a hospital for the time being recognised by the Director of Medical and Sanitary Services, or except an establishment carried on by a duly registered medical practitioner, or except the premises of a hairdresser, where face or scalp massage is administered to female customers only or is administered in his shop or saloon in full view of all customers resorting thereto.
- (e) "Place" means and includes any house, shop, room, office, boat, vehicle or vessel, or any erection movable or otherwise, or any spot on land or water.
  - (f) "Sale" includes exchange or barter.

Regulations.

3. It shall be lawful for the Governor in Council to make regulations for—

First Schedule.

- (1) the licensing, regulation and control of any place, trade, business or occupation specified in the First Schedule to this Ordinance;
- (2) classifying for the purposes of sub-section (1) any place, trade, business or occupation for which a licence may be issued under this Ordinance;
- granted under this Ordinance, the officers who may issue such licence and the fees therefor, the hours during which such licence may be used and the period for which such licence shall be issued;
- (4) prescribing the precautions to be taken against fire in any place licensed under this Ordinance;
- (5) the maintenance of peace and good order in any place licensed under this Ordinance;
- (6) the means of securing hygienic conditions and requiring the maintenance of such conditions in any place licensed under this Ordinance;
- (7) the entry and inspection of any place licensed under this Ordinance, by the Inspector General of Police, the Secretary for Chinese Affairs or any other officer authorised by the Governor in that behalf;
- (8) exempting any place, trade, business or occupation situated or carried on within specified areas from the operation of this Ordinance or of any part thereof or of any regulations made thereunder, and specifying and varying the boundaries of such areas; and
- (9) generally, for the purpose of carrying into effect the provisions of this Ordinance.

4. No person shall open or keep any place, or conduct Prohibition any trade, business or occupation specified in the First etc., with-Schedule except under and in accordance with a licence issued under this Ordinana. under this Ordinance.

5.—(1) Subject to the provisions of subsection (3) Grant of the grant of any licence issued, or to be issued under this revocation Ordinance shall be in the absolute discretion of the officer and appeals. authorised to issue such licence.

- (2) Such officer may revoke a licence granted to any person on proof to his satisfaction of an offence against this Ordinance or other misconduct by such person.
- (3) An appeal shall lie to the Governor in Council from the decision of any officer under this section.
- 6. If it is made to appear to a magistrate by information Search upon oath that there is reason to believe that an offence warrants. against this Ordinance is being committed in any place, the magistrate may issue a warrant authorising any police officer to enter and search such place and to arrest such persons as may be found therein.

7. Every person who contravenes any of the provisions offences. of this Ordinance or of any regulation made thereunder or who fails to observe any condition or restriction imposed by or under this Ordinance shall be deemed to commit an offence against this Ordinance.

- 8. Every person who commits or attempts to commit Penalty. any offence against this Ordinance shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars.
- 9. Whenever any person to whom any licence or permit Liability or authority has been issued or granted under this Ordinance of agent. would be liable under the provisions of this Ordinance or of any regulations made thereunder to any punishment, penalty or forfeiture for any act, omission, neglect or default, he shall be liable to the same punishment, penalty or forfeiture for every similar act, omission, neglect or default of any agent or servant employed by him in the course of his business, and every such agent or servant shall also be liable to every punishment, penalty or forfeiture prescribed for such acts, omissions, neglects or defaults contrary to the provisions of this Ordinance as fully and effectually as if he had been the person to whom the licence or permit or authority had been issued or granted.

10. The regulations contained in the Second Schedule Regulations shall be deemed to have been made under this Ordinance and Schedule. shall continue in force except in so far as they may be rescinded or amended or added to by regulations made under this Ordinance, or by any other Ordinance.

11. All licences issued under the Licensing Ordinance, Validation 1887, shall be deemed to have been issued under this of existing licences. Ordinance and shall continue in force until revoked or until they expire.

Repeal of Ordinance No. 8 of 1387 and ss. 4 & 73 of No. 34 of 1910. 12. The Licensing Ordinance, 1887, and sections 4 and 73 of the New Territories Regulation Ordinance, 1910, are repealed.

Passed the Legislative Council of Hong Kong, this 26th day of October, 1933.

H. R. BUTTERS, Deputy Clerk of Councils.

FIRST SCHEDULE.

[ss. 3 and 4.]

Auctioneer.

Hawker.

Massage establishment.

Money-changer.

Public billiard-table.

Public dance-hall.

Undertaker of burials.

# SECOND SCHEDULE.

[s. 10.]

# REGULATIONS.

# PART I.—GENERAL.

1. The officers authorised to issue licences, and the fees prescribed for such licences, and the periods for which such licences shall be issued shall be as set forth in the following table:—

Licensing authority, fees, and term.

### TABLE.

	TABLE.		
Licence.	Period of Licence.	Fee.	Officer authorised to issue the licence.
Auctioneer.	Annual.	\$600	Inspector General of Police,
"	Weekly.	\$ 25	Do.
Hawker (stall holder).	Annual.	\$ 24	Do.
", (itinerant; if permitted to sell tobacco).	} "	\$ 8	Superintendent of Imports and Exports.
", (itinerant; if not permitted to sell tobacco)."	} "	\$ 4	$ \left\{ \begin{array}{c} \text{Inspector} \\ \text{General} \\ \text{of Police.} \end{array} \right.$
" (steamships).	"	\$ 24	Do.
" (native craft).	,,	\$ 4	Do.
" (newspaper).	,,	\$ 1	Do.
Massage establishment.	,,,	\$ 25	Do.
Money-changer.	,,	\$100	Do.
" (ships).	,,	<b>\$</b> 100	Do.
" in the New Territories (except New Kowloon).	} "	\$ 25	Northern District— District Officer; Southern District— Inspector General of Police.
Undertaker of burials.	,,	\$ 25	Head of the Sanitary Department.
Public billiard table.	,.	<b>\$1</b> 00	Inspector General of Police.
Public dance-hall.	Annual.	<b>\$</b> 120	Do.
"	Monthly.	\$ 20	Do.
,,	Extension of 1 hour.	<b>\$</b> 10	Do.
,,	Extension of 2 hours.	<b>\$</b> 30	Do.
,,	Extension of 3 hours.	<b>\$</b> 60	Do.
Duplicate licence, where the fee for the original			
does not exceed \$1.		25 ets.	Officer authorised to
exceeds \$1 and does not exceed \$10.	_	\$ 1	issue original licence.
exceeds \$10.	_	<b>\$</b> 5	J

Interpreta-

- 2. In these regulations-
- (a) "the Ordinance" means the Miscellaneous Licences Ordinance, 1933.
- (b) "the premises" means, unless the contrary appears, the premises for which any licence has been or is sought to be granted under the Ordinance.
- (c) "Licensing authority" means the officer authorised to issue a licence under the Ordinance.

Renewals.

3. A licence may be renewed by the endorsement of the renewal thereof by the licensing authority on the original licence; and each renewal shall be subject to the same fee as the fee prescribed by these regulations for such licence.

Transfers.

- 4. The licensing authority may, on sufficient cause being shown to his satisfaction and subject to such conditions as he may think fit to impose permit
- (a) the transfer of an existing licence until its expiration to another person; or
- (b) the transfer of an existing licence until its expiration to different premises;

and such transfer shall be endorsed on the licence.

Duplicates.

5. If the licensing authority is satisfied that a licence granted or transferred to any person under the provisions of the Ordinance has been lost or destroyed, or accidentally defaced, he may issue to such person a duplicate of the licence on payment of the fee prescribed by these regulations.

Refusals and revocations.

- 6.—(1) The licensing authority may refuse to grant or renew a licence, or may revoke a licence granted:—
  - (a) to a person under the age of twenty-one years;
  - (b) to any person who may be unsuitable to hold such licence;
- (c) in respect of any premises which are unsuitable for the purposes for which the licence is required or held, or in which the accommodation or provision for treatment, where such is the purpose of the licence, is not reasonably adequate or suitable;
- (d) in respect of any premises which have been or are being improperly conducted;
- (e) in respect of any premises in which any curative treatment is or may be administered by any person who does not possess such technical qualifications as may be reasonably necessary;
- (f) in respect of any premises in which no adequate provision against fire has been made;
- (g) in respect of any premises which are being conducted in contravention of the provisions of the Ordinance, or any regulation made thereunder; and
- (h) to any person or in respect of any premises, if such refusal or revocation in his opinion be expedient in the public interest.
- (2) Upon any breach of the Ordinance or any regulation or condition of a licence the licensing authority may in his discretion peremptorily revoke the licence, whereupon the same shall forthwith cease to be valid.

In all other cases, the licensing authority shall not refuse to renew or shall not revoke a licence unless he has given to the person applying for the licence or holding the licence proposed to be revoked not less than seven days' previous notice either personally or in writing that objections have been or will be taken to such renewal or that a revocation is proposed. Such written notice as aforesaid may be given by post to the applicant at the premises or at his last address as shown in any register of licences kept by the licensing authority.

Provided that no such notice shall be necessary in the case of non-renewal of any hawker's licence.

Nothing in this regulation contained shall be construed as limiting in any way the discretion of the licensing authority contained in section 5 of the Ordinance.

- 7. Any appeal to the Governor in Council from the decision of Appeals. the licensing authority shall be made in writing addressed to the Colonial Secretary setting forth the grounds of the appeal, within fourteen days from the date of such decision.
- 8. Subject to the approval of the Governor in Council, the Special licensing authority may impose such special conditions in respect of conditions. any licence as the circumstances may require.
- 9. No person shall alter, deface, or make any erasure on a Defacing licence, and no person shall use, or have in his possession with a licence a view to use, a licence on which an erasure has been made, or which has been altered or defaced in any way.
- 10. A person requiring a licence or the renewal or any extension Applicaof such licence shall make application either personally or in writing tions and to the licensing authority and in such form as he may direct and shall when making the same pay to the licensing authority the licence fee prescribed by these regulations.
- 11. If the licensing authority refuses to grant or renew a licence, Refunds. the licence fee shall be refunded, or if he revokes a licence except on the ground of misconduct, a part of such fee shall be refunded to the applicant or licensee.

The part of the fee so refunded shall bear to the whole fee the same proportion as the unexpired part of the term for which the licence was granted bears to the whole term.

No refund shall be made in respect of any period during which a licence shall have been in force.

12. Every licence shall expire on the day fixed by these Date of regulations or named in such licence, or if no day be fixed then on expiration of the day which, in the year following, corresponds to the day on licences. which such licence was granted, or renewed.

13. Every licence may on its expiration be renewed for further Power to periods not exceeding one year at a time.

14. When a licence has been granted to any person or persons Premises to carry on any trade, business or occupation at any premises, such person or persons shall not carry on any such trade, business or changed. occupation at any other premises without the appropriate licence for such other premises and the written approval of the licensing authority.

15. No licence granted to any person under the Ordinance to Boarding carry on any trade, business or occupation on board ships shall ships. authorise such person to go on board any ship without the permission of the master or officer in charge of such ship.

Cf. Ordinance No. 10 of 1899,

s. 26 (1) (d).

### PART II .- AUCTIONEERS

- 1. The form of an auctioneer's licence shall be that in form Form. No. 1A in the Appendix to these regulations.
- 2. The licensing authority may at any time issue to any person Temporary a temporary licence to act as an auctioneer in place and on behalf licence. of the holder of an auctioneer's licence, or on his own behalf for a particular occasion.
- 3. The form of such temporary licence shall be that in form form of No. 1B in the Appendix to these regulations. Appendix.

Name to be exhibited at auctions.

4. Every auctioneer, before beginning any auction, shall affix or suspend, or cause to be affixed or suspended, a ticket or board, containing his true and full personal and surname and residence painted, printed, or written in large letters and Chinese characters publicly visible and legible, in some conspicuous part of the place or premises where the auction is held so that all persons may easily read the same, and shall also keep such ticket or board so affixed or suspended during the whole time of such auction held.

Production of licence.

5. Any person acting as an auctioneer shall on demand of any European officer of police produce and show to such officer, or within twenty four hours produce and show to the officer on duty at the charge room at the Central Police Station, a proper licence to him granted under the Ordinance.

Liquor and

6. No licence taken out by any person to exercise or carry on the trade or business of an auctioneer shall authorise such person to deal in or sell, either on his own account or for the benefit of any other person, any liquor or tobacco for the dealing in or selling of which a licence is required under any Ordinance for the time being in force relating to the same, except upon premises in respect of which the owner of such liquor or tobacco shall have taken out and shall have in force at the time of the sale thereof the proper licence for the sale of such liquor or tobacco:

Provided that any such licensed auctioneer may sell by auction, by sample, any such liquor or tobacco as aforesaid, if the owner thereof shall be duly licensed for the sale of such liquor or tobacco: and provided also that the Superintendent of Imports and Exports may in his discretion authorise any licensed auctioneer to sell any such liquor or tobacco by auction where he shall be satisfied that the said liquor or tobacco is the property of a private person, and is not sold for profit or by way of trade.

Conditions.

- 7. The holder of every auctioneer's licence shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:—
- (1) Except with the written permission of the licensing authority. the licensee shall not transfer, lend or hire his licence to any person.
- (2) No auction shall take place except between the hours of 8 a.m. and 8 p.m.

### PART III.—HAWKERS.

Exemption of
New
Territories,
except
New
Kowloon.

The regulations in this Part, and so much of the Ordinance as makes it an offence to carry on the trade of a hawker except under and in accordance with a licence shall not apply to any hawker in the New Territories, except New Kowloon.

# A. HAWKERS GENERALLY.

Classifica-

The following regulations shall apply to all licensed hawkers.

- 1. There shall be five classes of licence for hawkers, namely
  - (1) hawker's (itinerant) licence;
  - (2) hawker's (stallholders) licence;
  - (3) hawker's (native craft) licence;
  - (4) hawker's (steamships) licence; and
  - (5) hawker's (newspaper) licence.

Forms.
Appendix.

2. The forms of such licences shall be respectively those in Forms Nos. 2A, 2B, 2C, 2D, and 2E in the Appendix to these regulations.

Trade limited to class of licence.

3. The trade of every licensed hawker is strictly limited to the class of his licence: for instance, the holder of a hawker's (itinerant) licence, a hawker's (stallholders) licence, or a hawker's (native craft) licence may not carry on his trade on any steamship.

- 4. Every hawker's licence shall expire on the 30th day of Expiration of hawkers' September following the date on which it is granted. licences.
- 5. A person requiring a hawker's licence shall when making Photograph. application for the same furnish such copies of his photograph, not exceeding four, as the licensing authority may require.
- 6. When hawking, every licensed hawker shall carry a valid Production licence issued to him, and shall produce and show the same to any of licence. police officer (and in the case of a hawker's (steamships) or hawker's (native craft) licence, to any revenue officer) on demand. Such officer may retain such licence for examination or endorsement by the licensing authority, and such licence shall, unless revoked, be returned to the licensee within a reasonable time.

7. Every hawker's licence shall specify the kind or class of Class of goods, wares or merchandise for the sale of which the licence is goods granted, and no licensed hawker shall sell anything of a nature hawked to be entered or class other than that specified in such licence.

on licence.

8. No licensed hawker shall hawk in the enclosure to any naval, Hawking in military or air force premises or in the Man of War Anchorage on naval, etc., the North side of the City of Victoria as defined in Table M of the enclosure forbidden. Merchant Shipping Ordinance, 1899.

Ordinance No. 10 of 1899.

9. Every licensed hawker shall collect and remove all refuse Cleanliness caused by his trade, and shall keep the implements of his trade in and refuse removal. a clean and wholesome condition.

### B. LICENSED (ITINERANT) HAWKERS.

The following regulations shall apply only to licensed (itinerant) hawkers:

1. The licensing authority shall when issuing an (itinerant) Licence hawker's licence supply to the licensee a numbered licence board, and the holder of such license shall when hawking carry and exhibit such board in a conspicuous position so that the number shall be at all times clearly visible.

2. No licensed (itinerant) hawker shall use or utter any cry, or Street make or use any other noise for the purpose of attracting attention cries. to his trade within the following roads, streets and areas:

- (1) in the City of Victoria:
- (a) Bonham Road, Caine Road, Upper Albert Road and Kennedy Road, and the whole area to the south thereof;
- (b) the area bounded on the north by Queen's Road, on the west by Cochrane Street and Old Bailey, on the south by Caine Road and Upper Albert Road, and on the east by Garden Road, including such boundaries; and
- (c) Wanchai Road, Morrison Hill Road, Leighton Hill Road, Caroline Road, Causeway Bay Road and the whole area to the south and south-east thereof;
- (2) any part of Broadwood Road, Ventris Road, Village Road, Stubbs Road and the area known as Wong Nei Chung Village, not included in paragraph (1) (c);
- (8) any part of the Hill District as defined in the Rating Ordinance, 1901; and

1901.

# (4) in Kowloon:

- (a) the whole area south of a dividing line passing along the north side of Austin Road and produced at either end in an easterly and westerly direction respectively to the sea;
- (b) to the north of such dividing line, the area bounded by and including on the west Nathan Road, on the north Prince Edward Road, and on the east Argyle Street from its junction with Prince Edward Road to Waterloo Road, thence bounded by and including Waterloo Road to the railway line, thence bounded by and including the railway line to the northern boundary of the area in paragraph (a);

- (c) to the north of the area in paragraph (b), the area bounded by and including on the west the railway line, on the north Cornwall Street, and on the east Waterloo Road; and
  - (d) Jordan Road, where not included in the above areas.

# Prohibited areas.

3. No licensed (itinerant) hawker shall

#### Ordinance No. 2 of 1870.

- (1) trade within the boundaries of the Wongneichong Recreation Ground as defined under the Public Places Regulation Ordinance, 1870; or
- (2) trade within the area bounded on the north by the Harbour, on the west by Wing Wo Street, on the south by Queen's Road, and on the east by Murray Road, including such boundaries, or in Stanley Street, or in any portion of any street leading directly from Stanley Street to Queen's Road; or
- (3) sell, expose or have in his possession for sale, any wares usually sold in a market within the limits of such market prescribed under any Ordinance for the time being in force relating to markets.

#### Receptacles.

4. No tray, basket, box, tub, pan, pail, tin or other receptacle in which any itinerant hawker carries or displays his wares shall exceed three feet in length and three feet in width, and no such hawker shall have in his possession for the purposes of his trade more than two such receptacles and one smaller receptacle, of not more than two feet cubic capacity, for refuse.

#### Cooked food

5. No licensed (itinerant) hawker shall sell, expose or have in his possession for sale, any prepared food not usually sold by licensed hawkers.

#### Conditions.

- 6. The holder of every (itinerant) hawker's licence shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose which shall be endorsed on the licence:—
- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) The licensee shall carry on his trade only between the hours of 4 a.m. and 10 p.m.

### C. LICENSED (STALLHOLDERS) HAWKERS.

The following regulations shall apply only to licensed (stell-holders) hawkers.

# Licence card.

1. The licensing authority shall when issuing a (stallholders) hawker's licence supply to the licensee a card bearing the licensee's name, a licence number, and particulars of the site and measurements of his stall, and the holder of such licence shall exhibit and keep such card exhibited on his stall in a conspicuous position approved by the licensing authority.

### Stalls.

2. Only stalls of a pattern approved by the licensing authority, similar to the models exhibited at the hawkers' offices at the Central and Yaumati Police Stations, shall be used.

# Position of stalls.

3. No licence taken out by any person to carry on the trade of a (stathholder) hawker shall confer on such person any right in any site or pitch, and such person shall place his stall only in such position as the licensing authority may approve.

# Removal

4. The licensing authority may at any time direct the removal of any stall from any position to any other position, and the holder

of a licence for such stall shall thereupon remove the stall and place it in accordance with such direction of the licensing authority.

- 5. No licensed stallholder shall place his stall or any part Obstruction thereof or anything used in or pertaining to his trade within ten of surface feet of any storm water grating, or in such manner as to obstruct drainage. any sidechannel.
- 6. No stall for the sale of cooked food shall exceed seven feet Dimensions in length or four feet in width, and no other stall shall exceed six of stalls. feet in length or three feet in width.
- 7. The licensee of a stall for the sale of cooked food, fruit or Refuse vegetables shall provide and maintain to the satisfaction of the receptacles. licensing authority a covered receptacle of galvanized iron for refuse.
- 8. The licensee of a stall for cocked food shall have no chimney Fuel. at or near his stall, and shall use no wood, coal or other fuel except
- 9. No licensed stallholder shall sell or have in his possession Prohibited for sale or expose for sale
- (1) any food commonly used for human consumption not usually sold by licensed hawkers;
- (2) any kerosine, gunpowder, firecracker or other description of dangerous goods as defined in the Dangerous Goods Ordinance, 1873; or

1873.

- (3) any wares usually sold in a market within the limits of such market prescribed under any Ordinance for the time being in force relating to markets, except, as regards this subsection, with the written permission of the Head of the Sanitary Department.
- 10. No licensed stallholder shall use or utter any cry, or make any  $_{
  m Street}$ other noise for the purpose of attracting attention to his trade.
- 11. A licensed stallholder shall employ at his stall only such Only assistants as the licensing authority may approve. The names and approved photograph of every assistant so approved shall be endorsed on the assistants to be licence.

to be employed.

12. The holder of every (stallholders) hawker's licence shall Conditions. observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:-

- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) The licensee shall carry on his trade only between the hours of 4 a.m. and 11 p.m.

### D. LICENSED (NATIVE CRAFT) HAWKERS.

The following regulations shall apply to every hawker licensed to trade on board native sailing craft.

1. The holder of a hawker's (native craft) licence shall trade Method of in the harbour or other area for which his licence is issued only on hawking. board native sailing craft or from a Chinese boat duly licensed as such under the Merchant Shipping Ordinance, 1899, approved by Ordinance the licensing authority and specified in the licence.

No. 10 of 1899.

2. The licensing authority may in his discretion license any Hawkers number of such hawkers as aforesaid to trade from one Chinese using same boat, but the number of such hawkers who may trade at any one boat. time from any boat shall not exceed the number of persons who may lawfully be carried in such boat.

3. No hawker licensed to trade on board native sailing craft Prohibited shall

- (1) trade on any steamship or motorship or board such ship for the purposes of his trade; or
- (2) trade on land or elsewhere than within the area for which his licence is issued and specified in his licence.

Prohibited articles.

4. No hawker licensed to trade on board native sailing craft shall deal in, sell, or have in his possession for sale, or expose for sale

Ordinance No. 1 of 1873.

- (1) any kerosine, gunpowder, firecracker or other description of dangerous goods as defined in the Dangerous Goods Ordinance, 1873;
- (2) any liquor, tobacco, eigarettes or other article on which a duty is imposed under any Ordinance for the time being relating to revenue; or

Ordinance No. 13 of 1919. (3) any marine stores as defined in the Marine Stores Protection Ordinance, 1919.

Dumping forbidden. 5. No hawker licensed to trade on board native sailing craft shall knowingly let fall or throw anything whatsoever into the waters of the harbour.

Conditions.

- 6. The holder of every hawker's (native craft) licence shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence.
- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) The licensee shall carry on his trade only between the hours of 6 a.m. and 8 p.m., or, in the junk anchorages only between the hours of 6 a.m. and 12 midnight.

# E. LICENSED (STEAMSHIPS) HAWKERS.

The following regulations shall apply to every hawker licensed to trade on board steamships.

Method of hawking.

1. Every person holding a hawker's (steamships) licence shall trade in the harbour or other area for which his licence is issued only on board passenger or cargo vessels or from a Chinese boat duly licensed as such under the Merchant Shipping Ordinance, 1899, approved by the licensing authority and specified in the licence.

Ordinance No. 10 of 1899. Hawkers'

boats.

2. The licensing authority may in his discretion license any number of such hawkers as aforesaid to trade from one Chinese boat but the number of such hawkers who may trade at any one time from any boat shall not exceed the number of persons who may lawfully be carried in such boat.

Prohibited places.

3. No hawker licensed to trade on board steamships shall trade on land or elsewhere than within the area for which his licence is issued and specified in his licence.

Cries and obstruction.

- 4. No hawker licensed to trade on board steamships shall on board any ship:
- (1) use or utter any cry, or make any other noise for the purpose of attracting attention to his trade; or
- (2) lay out any goods, wares or merchandise in such manner as to obstruct the crew, or any of them, in the navigation or management of such ship, or impede the free movement of any person about such ship.

Prohibited . articles.

5. No hawker licensed to trade on board steamships shall deal in, sell or have in his possession for sale or expose for sale

(1) any kerosine, gunpowder, firecracker or other description of Ordinance dangerous goods as defined in the Dangerous Goods Ordinance, 1873; No. 1 of 1873.

- (2) any liquor, tobacco, eigarettes or other article on which a duty is imposed under any Ordinance for the time being relating to revenue; or
- (3) any marine stores as defined in the Marine Stores Protection Ordinance, 1919.

Ordinance

6. No hawker licensed to trade on board steamships shall Dumping knowingly let fall or throw anything whatsoever into the waters of forbidden. the harbour.

7. Every person holding a hawker's (steamships) licence shall Conditions. observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:-

- (1) Except with the written permision of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) The licensee shall carry on his trade only between the hours of 6 a.m. and 8 p.m. or, in the junk anchorages only between the hours of 6 a.m. and 12 midnight.

### F. LICENSED (NEWSPAPER) HAWKERS.

The following regulations shall apply only to newspaper hawkers.

1. The licensing authority shall when issuing a newspaper hawker's licence supply to the licensee a metal badge of a pattern badge. approved by the licensing authority, and every licensed newspaper hawker shall when hawking wear and exhibit such badge in a conspicuous position so as to be at all times clearly visible.

2. No licensed newspaper hawker shall act in a manner Obstruction. importunate towards, or calculated to obstruct, disturb or annoy any person.

3. Every person holding a newspaper hawker's licence shall Conditions. observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:-

- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) The licensee shall carry on his trade only between the hours of 6 a.m. and 11 p.m.

### PART IV.—MASSAGE ESTABLISHMENTS.

1. The form of a massage establishment licence shall be that Form. in form No. 3 in the Appendix to these regulations.

Appen

2. A person requiring a licence under this Part shall when Application making application for the same furnish to the licensing authority for licence. two copies of his photograph.

3. Every person holding a licence under this Part of these Outdoor Regulations shall exhibit and keep exhibited the words "Licensed sign and Massage Establishment" in English and in Chinese the characters licence to exhibit 領有牌照按摩舘 in some conspicuous place near the door and cn the outside of the premises to the satisfaction of the licensing authority and shall keep his licence exhibited in a suitable place (to be approved by the licensing authority) in the premises.

be exhibited.

Only approved assistants to be employed. Register of employees.

- 4. No person holding a licence under this Part shall employ in the premises any person other than assistants approved by the licensing authority.
- 5. Every person holding a licence under this Part shall keep a register at the premises and shall correctly enter therein the names, age, sex, nationality, birthplace and place of residence in the Colony of every person employed in the premises and shall affix thereto a photograph of every such person.

Return of employees.

6. On the first day of every month every person holding a licence under this Part shall make a return in writing to the licensing authority in such form as he may approve of the particulars required to be entered in the register, relating to every person then employed in the premises.

Entry and inspection.

7. Every person holding a licence under this Part shall permit any police officer not under the rank of sub-inspector and any person authorised in writing by the licensing authority to enter and inspect the licensed premises and the entries in any records kept in connection therewith.

Conditions.

- 8. Every person holding a licence under this Part shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose which shall be endorsed on the licence:—
- (1) Without the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) No massage or other treatment shall be given except between the hours of 8 a.m. and 8 p.m.

### PART V .-- MONEY-CHANGERS.

Form.
Appendix.

1. The form of a money changer's licence shall be that in form No. 4A in the Appendix to these regulations.

Outdoor sign. 2. Every money changer shall exhibit and keep exhibited the words "Licensed money-changer" in English and in Chinese the characters 頒有牌照金銀找換店 in some conspicuous place near the door and on the outside of the premises to the satisfaction of the licensing authority.

Grilles.

3. Every money changer shall carry on his business behind a locked grille designed, constructed and maintained to the satisfaction of the licensing authority, and shall keep such grille locked during business hours.

Business confined to premises.

4. Every money changer shall carry on his business entirely within the premises, and shall permit no person resorting thereto to obstruct any street or thoroughfare.

Notices relating to currency.

5. The Colonial Treasurer and the Secretary for Chinese Affairs may from time to time direct any money changer to exhibit any notice relating to the currency of the Colony, and such money changer shall thereupon exhibit such notice and shall keep the same exhibited in a conspicuous part of the premises to the satisfaction of the licensing authority.

Conditions.

- 6. The holder of every money changer's licence shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:—
- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not
  - (a) transfer, lend or hire his licence to any person;
- (b) carry on his business except between the hours of 6 a.m. and 8 p.m.

Money changers on ships.

- 7. No person shall act as a money-changer on board any ship Ships. except under and in accordance with the terms of a valid licence issued to him in that behalf.
- 8. Upon the application of any licensed money-changer for the Application. grant of a licence to himself to carry on, or to a person nominated by such money-changer as the person to act for him in carrying on, his business on board ships, the licensing authority may issue to such money-changer, or to a person so nominated, a money-changer's (ships) licence.

- 9. Such money changer's (ships) licence shall be for the same period as the money-changer's licence held by such licensed money changer, upon the determination of which for any reason such money changer's (ships) licence shall also determine and cease to be valid.
- 10. A person requiring a money changer's (ships) licence shall Photograph. when making application for the same furnish to the licensing authority two copies of his photograph.

11. The form of a money changer's (ships) licence shall be that Form. in form No. 4B in the Appendix to these regulations.

Appendix.

12. The holder of a money-changer's (ships) licence shall carry Area on his business on board ships only in the harbour or other area for which the licence is issued.

within which business may be done.

13. The holder of a money changer's (ships) licence shall while Notices. carrying on his business on any ship conspicuously exhibit and keep exhibited in his immediate vicinity on such ship

- words "Licensed money-changer" in English and in Chinese the characters 領有牌照金銀找換商; and
- (2) such notices relating to the currency of the Colony as the Colonial Treasurer or the Secretary for Chinese Affairs may from time to time direct.
- 14. The holder of a money changer's (ships) licence shall permit Unlicensed no unlicensed person to act as a money changer.

15. Every person holding a money changer's licence shall produce Production and show the same at the premises and every person holding a money-changer's (ships) licence shall produce and show such licence, to any police officer on demand.

- 16. The holder of a money changer's (ships) licence shall Conditions, observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:
- (1) Except with the written permission of the licensing authority endorsed on his licence the licensee shall not
  - (a) transfer, lend or hire his licence to any person;
- (b) carry on his business except between the hours of 6 a.m and 8 p.m

### PART VI.-PUBLIC BILLIARD TABLES.

1. The form of a public billiard table licence shall be that in Form. Form No. 5 in the Appendix to these Regulations.

Appendix.

2. Every person licensed to keep a public billiard table shall  $_{
m Outdoor}$  exhibit and keep exhibited the words "Licensed for billiards" in sign. English and in Chinese the characters 已颁有桌球牌照 in some conspicuous place near the door and on the outside of the premises to the satisfaction of the licensing authority.

Good order in premises.

- 3. Every person licensed to keep a public billiard table shall maintain good order in the premises and shall not suffer or permit therein
  - (1) any drunkenness or other disorderly conduct;
  - (2) any unlawful game; or
- (3) any persons of notoriously bad character to assemble and meet together.

Sale or consumption of liquor.

4. No person licensed to keep a public billiard table shall allow any intoxicating liquors to be sold or consumed on the premises. except under and in accordance with the terms of a valid licence in that behalf granted to him in respect of such premises.

Production of licence.

5. Every person holding a licence to keep a public billiard table shall produce and show such licence at the premises to any police officer on demand.

Conditions.

- 6. Every person holding a licence to keep a public billiard table shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall appear on the face of the licence:—
- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) The use by the public of the licensed billiard table shall not be permitted except between the hours of 8 a.m. and 12 midnight.

### PART VII .- PUBLIC DANCE HALLS.

Form. Appendix. 1. The form of a public dance hall licence shall be that in Form No. 6A, and the form of a temporary public dance hall licence that in Form No. 6B, in the Appendix to these Regulations.

Application for licence.

2. A person requiring a licence to open or keep any premises as a public dance hall shall when making application for the same furnish to the licensing authority two copies of his photograph.

Outdoor sign. 3. Every person licensed to keep a public dance hall shall exhibit and keep exhibited the words "Licensed for dancing" in English and in Chinese the characters 已 領有跳舞牌照 in some conspicuous place near the door and on the outside of the premises to the satisfaction of the licensing authority.

Only approved assistants to be employed. Register of dancing partners. etc.

- 4. Every person licensed to keep a public dance hall shall employ in the premises only such assistants as the licensing authority may approve.
- 5. Every person licensed to keep a public dance hall shall keep a register at the premises and shall correctly enter therein the names, age, sex, nationality, birthplace and place of residence in the Colony of every dancing partner and other person employed in the premises and shall affix thereto a photograph of every such dancing partner and employee.

Return of dancing partners. etc.

6. On the first day of every month every person licensed to keep a public dance hall shall make a return in writing to the licensing authority in such form as he may approve of the particulars required to be entered in the register, relating to every dancing partner and other person then employed in the premises.

Persons under 15 years. 7. No person under the age of fifteen years shall be employed in or permitted to dance in the premises.

Sleeping on

8. No person other than the licensee, members of his family his agent, or watchman, and no person employed as a dancing partner shall sleep or be permitted to sleep on the licensed premises.

Exclusion of public.

9. Except during the hours prescribed in the conditions of licence, the public shall be excluded from the premises.

10. The licensing authority may in his discretion for any Extension particular occasion extend the hours prescribed in the licence.

Such extension shall be in writing, and subject to the payment of the fee prescribed by these regulations.

- 11. No intoxicating liquors shall be sold or consumed in the Sale or premises, except under and in accordance with the terms of a valid consumption of liquors. licence in that behalf granted in respect of such premises.
- 12. Every person licensed to keep a public dance hall shall Good order maintain good order in the premises and shall not suffer or permit in premises.
  - (1) any profanity or impropriety of language;
  - (2) any indecency of dress, dance or gesture;
- (3) any offensive personalities or representations of living persons or anything calculated to produce riot or breach of the peace;
  - (4) any drunkenness or other disorderly conduct;
  - (5) any unlawful game; or
- (6) any persons of notoriously bad character to assemble and meet together.
- 13. The premises shall be lighted throughout by gas or Lighting. eletericity from the mains of a public utility company, and, except by and in accordance with the special permission of the licensing authority, no candle, oil lamp or other form of illumination shall be used therein.

14. The licensing authority may require the removal of, and Removal the licensee shall immediately remove, anything in the premises of fire which in the opinion of the licensing authority is a fire danger.

15. Every person licensed to keep a public dance hall shall Fire provide and maintain on the premises to the satisfaction of the appliances and escape. Chief Officer of the Fire Brigade

- 1) fire appliances adequate for the protection of the premises. at all times free from obstruction and ready for use;
- (2) adequate arrangements for escape in case of fire from every part of the premises;
  - (3) an adequate shade or guard for every lamp and fire; and
- (4) fire resisting screens, shutters, curtains or other adequate means of fire protection for every window or opening which adjoins any place or premises where any inflammable substance is kept or stored.

16. Every door and barrier on the premises must open outwards, Exits and and every exit shall be plainly indicated in seven-inch letters and doors. Chinese characters by a fixed lighted sign of a nature and in a position approved by the Chief Officer of the Fire Brigade.

17. Every gangway, passage and staircase for the exit of the Gangways public shall be kept entirely free from obstruction, whether permanent and stairor temporary, and no person shall be permitted to loiter therein.

18. No corridor shall be used as a cloak room, and no pegs for Corridors hanging hats or cloaks shall be allowed therein

not to be used as

19. Every person licensed to keep a public dance hall shall Latrines, provide and shall maintain in a clean and wholesome condition on the premises adequate latrine, urinal or water-closet accommodation to the satisfaction of the Head of the Sanitary Department.

20. Every person licensed to keep a public dance hall shall Hygiene. provide adequate measures for ventilating, cleansing and otherwise securing hygienic conditions in the premises and shall maintain the premises in a hygienic condition to the satisfaction of the Head of the Sanitary Department.

Entry and inspection.

21. Every person holding a licence under this Part shall at all reasonable times permit any police officer not under the rank of sub-inspector and any person authorised in writing by the licensing authority to enter and inspect the licensed premises and the entries in any records kept in connection therewith.

Conditions.

- 22. Every person holding a licence to keep a public dance hall shall observe the following conditions and such special conditions as the licensing authority may in his discretion impose, which shall appear on the face of the licence:—
- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not:
  - (a) transfer, lend or hire his licence to any person;
- (b) allow the premises to be used for dancing except between the hours of 12 noon and 12 midnight.
- (2) Should any person employed by the licensee and induced by him or on his behalf to enter the Colony become liable to expulsion from the Colony or at any time after the termination, in whatsoever manner, of his services with the licensee desire to return to the place whence he came to the Colony, the licensee shall defray the cost of such expulsion or return.
- (3) The licensee shall deposit a sum of one hundred dollars with the Colonial Treasurer at such interest as he may fix and shall maintain such deposit during the continuance of this licence.
- (4) Any money so deposited shall be available to pay the cost of the return or expulsion to any place outside the Colony of any employee as set out in condition No. (2), and the licensing authority may direct that the whole of such money or such part as may be necessary shall be paid out in respect of such expulsion or return.
- (5) The licensee shall on demand produce and show to the licensing authority and any person deputed by him in writing in that behalf every contract in respect of any employment performed on the premises.

## PART VIII.—UNDERTAKERS OF BURIALS.

Exemption of New Territories, except New Kowloon.

The regulations in this Part, and so much of the Ordinance as makes it an offence to carry on the trade of an undertaker of burials except under and in accordance with a licence shall not apply to any person exercising such trade in the New Territories, except New Kowloon.

Form.
Appendix.

1. The form of an undertaker's licence shall be that in form No. 7 in the Appendix to these regulations.

Conditions.

- 2. Every person holding an undertaker's licence shall observe the following conditions, and such special conditions as the licensing authority may in his discretion impose, which shall be endorsed on the licence:—
- (1) Except with the written permission of the licensing authority endorsed on the licence, the licensee shall not transfer, lend or hire his licence to any person.
- (2) Every grave shall be dug to a depth throughout of not less than six English feet from the ordinary surface of the grave to the uppermost side of the corpse or coffin therein deposited

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$\mathbf{FORM}$	No.	2A.			
			Licence	No.	

HAWKER'	S (ITINERANT) LICENCE	
	of	
is hereby licensed to haw	k	
until the	day of 19	TO
inclusive, subject to th	e conditions and for the	Photograph,
further periods endorsed	hereon.	
Fee \$4.00.		
Dated this	day of	19
	Licensing	Authority.
	FORM No. 2B.	No
•	STALL HOLDER'S) LICEN	NCE.
	of	
•	'k	
	m at	Photograph.
	y of 19	
inclusive, subject to the c	onditions and for the further	
periods endorsed hereon.		
Fee \$24.		
Dated this	day of 19	
	Licensing	Authority.
	FORM No. 2C. Licence	No
	· · · · · · · · · · · · · · · · · · ·	
HAWKER'S	(NATIVE CRAFT) LICEN	CE.
	of	
is hereby licensed to have	vk	
from licensed boat No	and on native craft	Photograph.
in the harbour of Hong	Kong (or as the case may	Thotograph.
be) until the	day of	
19 inclusive, subject	t to the conditions and for	
the further periods endo	rsed hereon.	
Fee \$4.		,
Dated this	day of	19
	τ	A 17 11

FORM	NT <sub>~</sub>	01
T. OTM	INO.	21)

Licence	No.	

HAWKER'S	(STEAMSHIPS)	LICENCE
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••••••••••••••••••••••••••••••••••••••	
is hereby licensed to hawk	
from licensed boat No and on steam and	
motor ships in the harbour of Hong Kong (or as the	Photograph.
case may be) until the day of	
19 inclusive, subject to the	
conditions and for the further periods endorsed hereon.	,,
Fee \$24.	
Dated this day of	19
Licensing	Authority.
FORM No. 2E. Licence	No
	<u> </u>
is howard to hard	
is hereby licensed to hawk	e e e
newspapers until the day of	Photograph.
conditions and for the further periods endorsed hereon.  Fee \$1.00.	
Dated this day of 19	,
Licensing	Authority.
FORM No. 3.	
Licence	No
MASSAGE ESTABLISHMENT LICENC	CE.
of	•
is hereby licensed to carry on a massage establish-	
ment at (description of licensed premises) until the	·
day of	Photograph.
inclusive, subject to the conditions and for the further	
periods endorsed hereon.	. :
Fee \$5.	
Dated this day of	19
Licensing	Authority.

FORM No. 4A.  Licence No
PROVER OTTANGED A LIGHNOR
MONEY-CHANGER'S LICENCE.
s hereby licensed to carry on the business of a money-changer at (description of licensed premises) until the
Dated this day of
Licensing Authority.
FORM No. 4B.  Licence No
MONEY-CHANGER'S (SHIPS) LICENCE.
of
Dated this day of 19
Licensing Authority.
FORM No. 5.  Licence No  PUBLIC BILLIARD TABLE LICENCE.
is hereby licensed to keep
(description of licensed premises) until the day of
19 inclusive, subject to the conditions and
for the further periods endorsed hereon.
Fee \$100.
Dated this day of 19
Licensing Authority.

FORM No. 6A.

Licence No. ....

PUBLIC DANCE HALL LICENCE.
(Annual).
of
is hereby licensed to keep (description of licensed premises) as a
public dance hall until the day of
19 inclusive, subject to the conditions and for the further periods
endorsed hereon.
Fee \$120.
Dated this day of 19 .
Licensing Authority.
FORM No. 6B.
Licence No
DUBLIC DANCE HALL LIGENCE
PUBLIC DANCE HALL LICENCE.
(Temporary).
of
is hereby licensed to keep (description of licensed premises) as a
public dance hall during the month ending19
subject to the conditions endorsed hereon.
Fee \$20.
Dated this day of 19
Licensing Authority.
FORM No. 7. Licence No
UNDERTAKER'S LICENCE.
of
is hereby licensed to undertake and perform burials of Chinese
 (or non-Chinese, as the case may be) dead in the cemeteries allotted
for that purpose, until the day of 19
inclusive, subject to the conditions and for the further periods
endorsed hereon.
Fee \$25.
Dated this day of 19
Licensing Authority. 1000000 6648

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