

12. *Registration of Persons Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to provide for the registration of certain persons.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

RETIRING MEMBER.

13. His Excellency the Governor addressed the Council expressing regret at the retirement of the Hon. Mr. ALAN EUSTACE WOOD, the Secretary for Chinese Affairs, and paying high tribute to his services.

The Hon. Sir HENRY EDWARD POLLOCK, Kt., K.C., and the Hon. Mr. ROBERT HORMUS KOTEWALL, C.M.G., LL.D., also addressed the Council in the same sense, on behalf of the Unofficial Members.

The Hon. Mr. ALAN EUSTACE WOOD replied.

ADJOURNMENT.

14. The Council then adjourned until Thursday, the 29th day of March, 1934, at 2.30 p.m.

W. PEEL,
Governor.

Confirmed this 29th day of March, 1934.

R. A. C. NORTH,
Deputy Clerk of Councils.

No. 232.—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. 1 of 1934.—An Ordinance to amend the Commissioners Powers Ordinance, 1886.

Ordinance No. 2 of 1934.—An Ordinance to amend the Merchandise Marks Ordinance, 1890.

Ordinance No. 3 of 1934.—An Ordinance to provide for the registration of certain persons.

HONG KONG.

No. 1 OF 1934.

I assent.

(L.S.)

W. PEEL,
Governor.

29th March, 1934.

An Ordinance to amend the Commissioners Powers Ordinance, 1886.

[29th March, 1934.]

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 Commissioners Powers Amendment Ordinance, 1934. Short title.

2. The Commissioners Powers Ordinance, 1886, is amended by the repeal of section 4 and by the substitution of the following section. Substitution for Ordinance No. 13 of 1886, s. 4.

4.—(1) No action of any description other than criminal proceedings shall be maintained against any person examined at any inquiry authorised by this Ordinance, in respect of any statement made or document produced by him, merely by reason of his making the statement or producing the document at the inquiry. Proceedings arising from examination of witnesses.

(2) No prosecution in respect of any statement made or document produced at any such inquiry shall be commenced without the sanction of the Attorney General.

3. The Commissioners Powers Ordinance, 1886, is amended by the insertion of the following section immediately after section 5:— New section 6 to Ordinance No. 13 of 1886.

6. Any person whose conduct is the subject of inquiry under this Ordinance, or who is in any way implicated or concerned in the matter under inquiry shall be entitled to be represented by counsel or a solicitor at the whole of the inquiry, and any other person who may consider it desirable that he should be so represented may, by leave of the commissioners, be represented in the manner aforesaid. Appearance of counsel, etc.

Passed the Legislative Council of Hong Kong, this 29th day of March, 1934.

R. A. C. NORTH,
Deputy Clerk of Councils.

HONG KONG.

No. 2 OF 1934.

I assent.

L.S.

W. PEEL,
Governor.

29th March, 1934.

An Ordinance to amend the Merchandise Marks Ordinance,
1890.

[29th March, 1934.]

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 Merchandise Marks
Amendment Ordinance, 1934.Amendment
of Ordin-
ance No. 4
of 1890,
s. 3 (3).**2.** Paragraph (b) of section 3 (3) of the Merchandise
Marks Ordinance, 1890, is repealed and the following para-
graph is substituted therefor:—(b) on summary conviction, to imprisonment for any term
not exceeding six months, or to a fine not exceeding one
thousand dollars; and,Amendment
of Ordin-
ance No. 4
of 1890,
s. 5 (1).**3.** Section 5 (1) of the Merchandise Marks Ordinance,
1890, is amended by the insertion of the following paragraph
after paragraph (c) thereof:—(cc) makes in any affidavit, declaration or writing any
statement to the effect that a trade mark or trade description
is applicable to the goods; orAmendment
of Ordin-
ance No. 4
of 1890,
s. 11 (2).**4.** Section 11 (2) of the Merchandise Marks Ordinance,
1890, is amended by the insertion of the words "in the Colony"
after the word "found" in the fourth line thereof.New
section 19
added to
Ordinance
No. 4 of
1890.**5.** The Merchandise Marks Ordinance, 1890, is amended
by the addition of the following section at the end thereof:—

19.—(1) The Governor in Council may make regulations providing that in cases appearing to affect the general interests of the Colony, or of a section of the community, or of a trade, the prosecution of offences under this Ordinance shall be undertaken by the Crown or by any public officer, and prescribing the conditions on which such prosecutions are to be undertaken.

Regulations
as to
Official
prosecutions.
54 & 55
Vict.
c. 15, s. 2.

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

(3) Nothing in this section shall affect the power of any person or authority to undertake prosecutions otherwise than under the said regulations.

Passed the Legislative Council of Hong Kong, this 29th day of March, 1934.

R. A. C. NORTH,
Deputy Clerk of Councils.

HONG KONG.

No. 3 of 1934.

I assent.

L.S.

W. PEEL,
Governor.

29th March, 1934.

An Ordinance to provide for the registration of certain persons.

[29th March, 1934.]

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 Registration of Persons Ordinance, 1934.

Aliens
who have
to report
to Police.

2.—(1) Subject to the provisions of sub-sections (4) and (5), every alien who is in the Colony at the commencement of this Ordinance, other than an alien of Chinese race, shall report the fact in person or in writing for registration at Police Headquarters within one month of such commencement, unless such person shall have departed from the Colony within the said period of one month.

(2) Every alien, other than an alien of Chinese race, who arrives in the Colony or who changes his ordinary residential or business address or who is about to leave the Colony shall report the fact in person or in writing for registration at Police Headquarters within seventy-two hours after every such arrival or within one week before every such change of address or intended departure, as the case may be.

(3) In any case of doubt a person shall be deemed to be an alien unless and until he produces a certificate, passport or other evidence, to the satisfaction of the Inspector General of Police or of a Magistrate, to the effect that he is a natural born or naturalized British Subject.

(4) The Inspector General of Police may in his absolute discretion exempt in writing any person to whom this section applies from any or all of the requirements of this section. Any such exemption may be issued subject to such terms and conditions as the Inspector General of Police may see fit to impose.

(5) This section shall not apply to:—

(a) Consular Officers of foreign states and the members of their families;

(b) The personnel of any ship which is in the waters of the Colony and passengers residing thereon;

(c) Persons not exceeding 16 years of age.

3.—(1) Every alien, other than an alien of Chinese race or an alien exempted from liability to report under section 2 (4) or by section 2 (5), on being required to do so by any police officer either verbally or in writing, shall make a correct return of the information and particulars specified in the Schedule and shall, for such purpose, if so required by any police officer, attend forthwith or as directed at Police Headquarters. He shall also either supply two sufficient photographs of himself or allow himself to be photographed.

Aliens may be required to furnish certain particulars, etc.

Schedule.

(2) He shall also truthfully and fully answer all questions and inquiries put to him by any police officer with a view to checking the correctness of the return.

(3) Any answer to any such question or inquiry shall be admissible in evidence in any proceedings under this Ordinance: Provided that nothing in this sub-section shall be construed as rendering any such answer inadmissible in any other proceedings in which it would otherwise be admissible.

(4) He shall also disclose and produce to any police officer on demand all documents in his possession tending directly or indirectly to establish his identity, nationality and occupation.

4.—(1) It shall be the duty of the keeper of every hotel, inn, boarding-house, and lodging-house, and of the secretary of every club, to ascertain and enter in a register kept for the purpose the names and nationality of all persons except persons of Chinese race staying at the hotel, inn, boarding-house, lodging-house or club, together with the dates of their arrival and departure, their destinations on departure and such other particulars as may be prescribed by the Inspector General of Police, and if the keeper of an hotel, inn, boarding-house or lodging-house, or the secretary of a club, fails to do so, or if he makes any entry in any such register which he knows or could by the exercise of reasonable diligence have ascertained to be false, he shall be guilty of a contravention of this Ordinance.

Registration of visitors at hotels, etc.

(2) The keeper of every hotel, inn, boarding-house or lodging-house, and the secretary of every club, shall also make to the Inspector General of Police such return as to the particulars aforesaid, at such times or intervals, and in such form as the Inspector General of Police may direct, and every such keeper or secretary who fails to do so, or makes any false return, shall be guilty of a contravention of this Ordinance.

(3) It shall be the duty of every person except a person of Chinese race who stays at an hotel, inn, boarding-house, lodging-house, or club, to furnish to the keeper or secretary and sign a statement containing such information as such keeper or secretary may require for the purpose of compiling such register as aforesaid, and every person who fails to do so, or gives any false information, shall be guilty of a contravention of this Ordinance.

(4) Every register kept under this section shall, at all reasonable hours, be open to inspection by any officer of police, or by any other person authorised by the Inspector General of Police.

(5) For the purposes of this section, "keeper of a lodging-house" includes any person who for reward receives any other person to lodge with him or in his house; and where any hotel, inn, boarding-house, or lodging-house is under the management of a manager, "keeper" in relation thereto includes such manager.

Duty of masters, owners and agents of ships to furnish passenger lists.

5. It shall be the duty of the master, owner and agent of every ship which arrives within the waters of the Colony, or which departs therefrom, carrying any passenger or passengers not being of Chinese race, to furnish in writing to the Inspector General of Police, within forty-eight hours after such arrival or departure as the case may be, a list containing the names of every such passenger. Such list shall be in such form as the Inspector General of Police may prescribe. Every such owner, master or agent who fails to furnish such list, or who furnishes any list which he knows or could by the exercise of reasonable diligence have ascertained to be false shall be guilty of a contravention of this Ordinance.

Amendment of Schedule and Regulations.

6. The Governor in Council may amend in any way whatsoever the Schedule to this Ordinance and may also make regulations generally for the purpose of carrying out the provisions of this Ordinance.

Penalties.

7. Every person who acts in contravention of or fails to comply with any of the provisions of this Ordinance or of any regulations made thereunder, and every person who permits or knowingly is a party to any such contravention or failure, shall be liable upon summary conviction to imprisonment for any term not exceeding six months and to a fine not exceeding five hundred dollars.

Repeals. Ordinances No. 19 of 1915, No. 6 of 1916.

8. The Travellers Restriction Ordinance, 1915, and the Registration of Persons Ordinance, 1916 are repealed.

Commencement.

9. This Ordinance shall come into force on such date as may be fixed by Proclamation of the Governor.

Passed the Legislative Council of Hong Kong, this 29th day of March, 1934.

R. A. C. NORTH,
Deputy Clerk of Councils.

SCHEDULE.

[ss. 3 & 6.]

Name in full (surname first)

Sex age single, married
or widow

Particulars of Birth:

Country in which born

County, Division or State

City, Town or Village

Date of Birth

Nationality

Proposed length of stay in the Colony

Particulars of Passport:

By whom Issued

Place

Date of Issue

Date of Expiry.....

No. of Passport

Particulars of visa valid for Hong Kong.

By whom Issued.....

Place

Date of Issue

Date of Expiry

Local residence and telephone number

Profession or occupation

Name of employer (if any)

Business address and telephone number

Nature of employer's business

Further particulars tending to establish identity, nationality and
occupation

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.....

.....

Signature

Date 19.....

Photograph.

Witness

Address