

Sir HENRY E. POLLOCK, Senior Unofficial Member, addressed the Council on behalf of his colleagues and of all sections of the community, and seconded the Resolution.

Sir SHOU-SON CHOW addressed the Council and supported the Resolution in the name of the Chinese Community.

The Resolution was unanimously adopted.

His Excellency the Governor then read a message of condolence received from the Governor of Macao, and thanked the members of the Consular Body for their messages of condolence.

ADJOURNMENT.

5. The Council then adjourned until the date to which it already stands prorogued.

A. CALDECOTT,
Governor.

Confirmed this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

No. 109.—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 1936.—An Ordinance to regulate Practice Firing from Hong Kong Defences and for clearing of certain Sea Areas in connection therewith.

Ordinance No. 2 of 1936.—An Ordinance to amend the Police Force Ordinance, 1932.

Ordinance No. 3 of 1936.—An Ordinance to amend further the Pensions Ordinance, 1932.

Ordinance No. 4 of 1936.—An Ordinance to make provision for the apportionment of Crown Rents.

Ordinance No. 5 of 1936.—An Ordinance to amend the Gambling Ordinance, 1891.

Ordinance No. 6 of 1936.—An Ordinance to amend the Coinage Offences Ordinance, 1865.

Ordinance No. 7 of 1936.—An Ordinance to amend and consolidate the law relating to Quarantine and the Prevention of Disease among human beings.

Ordinance No. 8 of 1936.—An Ordinance to amend further the Magistrates Ordinance, 1932.

Ordinance No. 9 of 1936.—An Ordinance to amend the Bills of Exchange Ordinance, 1885, and the Falsification of Documents Ordinance, 1935.

HONG KONG.

No. 1 OF 1936.

I assent.

(L.S.)

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to regulate Practice Firing from Hong Kong Defences and for clearing of certain Sea Areas in connection therewith.

[31st January, 1936.]

WHEREAS it is necessary, from time to time, to carry out practice firing with projectiles from some or all of the defences of Hong Kong, and it is necessary to make provision for the safety of shipping and all persons who may be affected thereby:

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 Defences (Firing Areas) Ordinance, 1936. Short title.

2. In this Ordinance—

Interpretation.

“Vessel” includes ship, yacht, lighter, junk, boat and craft of every kind, and whether navigated by steam, motor, sail, oars or otherwise.

“Aircraft” includes all balloons (whether fixed or free), kites, airships, aeroplanes, seaplanes, flying boats and other flying machines.

3. Subject to the provisions of this Ordinance practice firing from any of the batteries of the Colony may take place over all or any of the Firing Areas described in the First Schedule: Provided that when any vessel or aircraft is within danger in any of the Firing Areas, all firing within that area shall cease. Authorised Firing Areas. First Schedule.

4.—(1) A provisional programme of firing from the batteries of the Colony shall be circulated at the commencement of each firing season by the Officer Commanding, Royal Artillery, Hong Kong, to the persons enumerated in the Second Schedule, such programme being subject to alteration from time to time if necessitated by military requirements. Firing Programme and Notices. Second Schedule.

(2) Such Officer shall also supply to such persons as many charts, showing the Firing Areas, as they may require for posting at their offices or stations.

(3) Such Officer shall also cause to be published notice of intending practice firing and of the Firing Areas affected in the Gazette of the week preceding that in which the firing is to take place and shall supply copies of such notice to the persons enumerated in the Second Schedule, not less than forty-eight hours before the firing commences.

(4) Such notice shall contain warnings to masters of vessels or pilots of aircraft exempt from the operation of this Ordinance under section 10, to assist the carrying out of the firing practice by hastening through the Firing Area affected or by consenting to be towed out of such area, if necessary, by any vessel acting under the orders of the local Military Authorities.

Firing
signals.

5.—(1) Notice that firing is taking place in any of the Firing Areas shall be given by the hoisting or display of the following signals—

A. *In respect of firing by day—*

(a) by red flag flown by the battery concerned.

(b) (i) For Firing Area A, by a red flag, with below it the International Code Flag "A", flown from Lyemun Typhoon Signal Mast.

(ii) For Firing Area B, by a red flag, with below it the International Code Flag "B", flown from Lyemun and Waglan Typhoon Signal Masts.

(iii) For Firing Area C, by a red flag flown from Aberdeen and Stanley Typhoon Signal Masts.

(iv) For Firing Area D, by a red flag flown from Aberdeen, Cheung Chau and Green Island Typhoon Signal Masts.

(v) For Firing Area E, by a red flag flown from Green Island Typhoon Signal Mast.

(c) by a large red flag on the Range Target Towing Vessel. The display of this flag is a signal that the target is ready to be, or is being, fired at.

B. *In respect of firing by night—*

(a) by a red lamp hoisted at the battery concerned.

(b) by the appropriate signal referred to in paragraph A, sub-paragraph (b) of this sub-section.

(2) The signals in respect of firing by day shall be hoisted or displayed two hours before firing is due to commence.

The signals referred to in respect of firing by night shall be hoisted or displayed two hours before sunset.

Signals shall remain hoisted or displayed until firing has ceased, when they shall at once be hauled down or extinguished.

Offences
while Firing
Signals are
displayed.

6. While notice that firing is taking place over any of the Firing Areas is given by the hoisting or display of the signals as provided in section 5, then in respect of the areas affected by the said notice—

(i) No person shall enter or remain within the area, nor bring, take or suffer to remain therein any vessel, aircraft or thing, except as provided in section 10.

(ii) No vessel shall be employed in fishing in the area.

(iii) No pleasure boat shall cruise in the area.

(iv) No vessel shall anchor or remain anchored in or ground on the area.

(v) No aircraft shall alight on, remain in or travel upon the area.

(vi) In the event of any vessel or aircraft being from any cause within the area, the Master or Pilot or other person in charge thereof shall use his utmost endeavours to pass out of the area without loss of time.

7. No person shall trawl, dredge or search for or otherwise interfere with any shot, shell or other projectile or portions thereof within any of the Firing Areas, or take or retain, or be in possession of, any such shot, shell or other projectile, or portions thereof, found within any of such areas.

Offences and provisions relating to the recovery of projectiles.

Any person who, when trawling, dredging, or in any manner whatsoever, shall come into possession of any such shot, shell or other projectile, or any portion thereof, within any of the areas, shall not retain it, but shall immediately return it in its existing condition, and without tampering with it, into the water:

Provided, nevertheless, that the provisions of this section shall not apply in cases of persons who recover projectiles under written instructions from the local Naval or Military Authorities.

8.—(1) Any person doing anything prohibited by or otherwise contravening sections 6 or 7 shall be deemed to commit an offence against this Ordinance.

Penalty for offences.
55 & 56 Vict.,
c. 43,
s. 17 (2).

(2) If any person commits an offence against this Ordinance he shall be liable, on summary conviction before a magistrate, to a fine not exceeding fifty dollars, and may be removed by any Officer authorised by section 9 from the areas to which the Ordinance applies, and taken into custody without warrant, and brought before a magistrate to be dealt with according to law, and any vessel or thing found in the areas in contravention of this Ordinance may be removed by such Officer as aforesaid and on due proof of such contravention may be declared by a magistrate to be forfeited to His Majesty.

9. The following officers are hereby authorised to remove or to take into custody without warrant any person contravening sections 6 or 7, or to remove any vessel, aircraft or thing found on any area affected:—

Officers authorised to arrest or remove trespassers, etc.

(i) the officer in charge of the batteries, that is to say the Officer Commanding, Royal Artillery, Hong Kong;

(ii) any officer, warrant officer, non-commissioned officer or military policeman, for the time being under the command of the said officer in charge of the batteries;

(iii) any person authorised in writing under the hand of the said officer in charge of the batteries; or

(iv) any police officer.

Exemptions

10. This Ordinance shall not apply to—

(a) any vessel entering or passing through the areas affected in the ordinary course of navigation from one port to another.

(b) any vessel compelled to enter or unable to quit the areas affected by reason of the exigencies of navigation.

(c) any vessel when racing, provided due notice of the racing fixture has been given not less than forty-eight hours previously to the Officer Commanding, Royal Artillery, at Military Headquarters, China Command, Hong Kong.

(d) any vessel employed in tending, placing or replacing mark buoys or other aids to navigation within the areas affected.

(e) His Majesty's Ships of War, His Majesty's Aircraft, or any vessel or aircraft employed under Admiralty, War Office, or Air Council Authority or under the Government of the Colony.

(f) any aircraft compelled to alight on or unable to quit the areas affected.

(g) any foreign vessel when outside territorial waters.

Commence-
ment.

11. This Ordinance shall not come into operation until such date as the Governor shall notify by Proclamation as the commencement of this Ordinance.

Passed the Legislative Council of Hong Kong; this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

FIRST SCHEDULE.

[s. 3.]

Firing Areas.

(a) *Firing Area A*:—

The sea area included in this Firing Area is bounded as follows:—

By a line starting from High Water Mark at light marking Harbour Boundary (latitude 22° 17' 23"—longitude 114° 14' 03"), thence following High Water Mark along western shore of Junk Bay to latitude 22° 18' 24"—longitude 114° 15' 05", thence across Junk Bay to latitude 22° 18' 44"—longitude 114° 15' 45", thence following High Water Mark along eastern shore of Junk Bay to latitude 22° 16' 46"—longitude 114° 16' 28", thence to Junk Island

at latitude $22^{\circ} 16' 46''$ —longitude $114^{\circ} 16' 18''$, thence following High Water Mark along southern shore of Junk Island to latitude $22^{\circ} 16' 38''$ —longitude $114^{\circ} 15' 44''$, thence across to Lao Shui Pai (latitude $22^{\circ} 16' 36''$ —longitude $114^{\circ} 14' 23''$), thence following High Water Mark northward to light marking Harbour Boundary (latitude $22^{\circ} 17' 10''$ —longitude $114^{\circ} 13' 57''$), thence across Lyemun to starting point.

(b) *Firing Area B*:—

The area included in this Firing Area is bounded as follows:—

By a line starting from High Water Mark at Cape Collinson (latitude $22^{\circ} 15' 48''$ —longitude $114^{\circ} 15' 48''$), thence across to Slope Island (latitude $22^{\circ} 15' 50''$ —longitude $114^{\circ} 16' 21''$), thence following High Water Mark along southern shore of Slope Island and northern shore of Tai Miu to Fo Tau Point (latitude $22^{\circ} 15' 42''$ —longitude $114^{\circ} 17' 53''$), thence on a bearing of 98° to latitude $22^{\circ} 14' 48''$ —longitude $114^{\circ} 25' 15''$, thence on a bearing of 218° to latitude $22^{\circ} 08' 42''$ —longitude $114^{\circ} 20' 00''$, thence to the northern end of Waglan Island (latitude $22^{\circ} 11' 25''$ —longitude $114^{\circ} 18' 14''$), thence to Tai Long Head (latitude $22^{\circ} 12' 33''$ —longitude $114^{\circ} 15' 33''$), thence northward following High Water Mark to starting point.

(c) *Firing Area C*:—

The area included in this Firing Area is bounded as follows:—

By a line starting from High Water Mark at Bluff Point (latitude $22^{\circ} 11' 46''$ —longitude $114^{\circ} 12' 42''$), thence following High Water Mark along the southern shore of Tai Tam Peninsula to latitude $22^{\circ} 11' 50''$ —longitude $114^{\circ} 13' 15''$, thence to Beaufort Island at latitude $22^{\circ} 11' 22''$ —longitude $114^{\circ} 14' 32''$, thence following High Water Mark along the western and southern shores of Beaufort Island to latitude $22^{\circ} 10' 52''$ —longitude $114^{\circ} 14' 48''$, thence across to Pu Toi Island at latitude $22^{\circ} 10' 00''$ —longitude $114^{\circ} 15' 08''$, thence across to North East Head on Tamkan Island (latitude $22^{\circ} 04' 00''$ —longitude $114^{\circ} 19' 10''$), thence following High Water Mark along northern shore of Tamkan Island to latitude $22^{\circ} 01' 32''$ —longitude $114^{\circ} 13' 02''$, thence across to Lingting Island at latitude $22^{\circ} 06' 52''$ —longitude $114^{\circ} 02' 30''$, thence across to Un Kok Point on Lamma Island (latitude $22^{\circ} 11' 00''$ —longitude $114^{\circ} 09' 00''$), thence across East Lamma Channel to starting point.

(d) *Firing Area D*:—

The area included in this Firing Area is bounded as follows:—

By a line starting from High Water Mark at Shiktongtsui (latitude $22^{\circ} 16' 36''$ —longitude $114^{\circ} 07' 00''$), thence following High Water Mark southward to Waterfall Bay (latitude $22^{\circ} 15' 02''$ —longitude $114^{\circ} 08' 15''$), thence across East Lamma Channel to Boulder Point on Lamma Island (latitude $22^{\circ} 14' 35''$ —longitude $114^{\circ} 07' 04''$), thence following High Water Mark along the western shore of Lamma Island to Tai Kok Point (latitude $22^{\circ} 10' 48''$ —longitude $114^{\circ} 08' 16''$), thence on a bearing of 180° to latitude $22^{\circ} 06' 44''$ —longitude $114^{\circ} 08' 17''$, thence on a bearing of 270° to latitude $22^{\circ} 06' 44''$ —longitude $113^{\circ} 56' 28''$ thence to Chang Chau Island (latitude $22^{\circ} 11' 54''$ —longitude $114^{\circ} 01' 16''$), thence following High Water Mark along the eastern shore of Chang Chau Island to latitude $22^{\circ} 13' 32''$ —longitude $114^{\circ} 02' 03''$, thence across to Papai Island at latitude $22^{\circ} 14' 36''$ —longitude $114^{\circ} 02' 40''$, thence following High Water Mark along the eastern shore of Papai and Chau Kung Islands to latitude $22^{\circ} 15' 56''$ —longitude $114^{\circ} 03' 09''$, thence across to Kau I Chau Island at latitude $22^{\circ} 17' 00''$ —longitude $114^{\circ} 04' 48''$, thence across to starting point.

(e) *Firing Area E*:—

The area included in this Firing Area is bounded as follows:—

By a line starting from High Water Mark at western end of Stonecutters Island (latitude $22^{\circ} 19' 10''$ —longitude $114^{\circ} 07' 48''$), thence across to Green Island (latitude $22^{\circ} 17' 14''$ —longitude $114^{\circ} 06' 36''$), thence across to eastern shore of Lantau at latitude $22^{\circ} 17' 40''$ —longitude $114^{\circ} 01' 32''$, thence following High Water Mark along the eastern shore of Lantau to latitude $22^{\circ} 20' 14''$ —

longitude 114° 03' 32", thence across to Chung Hue at latitude 22° 19' 40"—longitude 114° 05' 32", thence following High Water Mark along the southern shore of Chung Hue to latitude 22° 20' 00"—longitude 114° 06' 27", thence across to starting point.

SECOND SCHEDULE.

[s. 4.]

List of Persons to be supplied with programmes, notices and charts.

The Colonial Secretary.

The Director of Public Works.

The Harbour Master.

The Inspector General of Police.

The District Officer, Southern District.

The Commodore in Charge of Naval Establishments, Hong Kong.

The Officer Commanding, Royal Air Force Station, Kai Tak.

The Secretary, Royal Hong Kong Yacht Club.

HONG KONG.

No. 2 of 1936.

I assent.



A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend the Police Force Ordinance, 1932.

[31st January, 1936.]

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 Police Force Short title. Amendment Ordinance, 1936.

2. Section 18 of the Police Force Ordinance, 1932, is amended as follows:—

Amendment
of Ordin-
ance No. 37
of 1932,
s. 18.

(i) by the repeal of sub-sections (2) and (3) thereof and the substitution of the following sub-sections therefor:—

(2) Every person taken into custody by an officer of police with or without a warrant, except a person detained for the mere purpose of taking his name and residence, shall be taken with all convenient speed to a police station and there delivered into the custody either of the officer in charge of the police station or of any European officer of police of rank not inferior to lance-sergeant.

(3) On a person being taken into custody for an offence with or without a warrant a European lance-sergeant of police or any European officer of police of equal or superior rank, or the officer in charge of a police station, may in any case, and shall, if it will not be practicable to bring such person before a magistrate within forty-eight hours after he was so taken into custody, inquire into the case, and, unless it appears to such lance-sergeant or officer that the offence is of a serious nature, or that the person is a person who ought to be detained, discharge the person upon his entering into a recognizance with or without sureties for a reasonable amount to appear before a magistrate, or to surrender for service of a warrant of arrest and detention or for discharge, at the time and place named in the recognizance, but where such person is detained in custody he shall be brought before a magistrate as soon as practicable, unless within forty-eight

42 & 43
Vict. c. 49,
s. 38.
4 & 5 Geo.
5, c. 58,
s. 22.

hours of his apprehension a warrant for his arrest and detention under any Ordinance relating to deportation is applied for, in which case he may be detained for a period not exceeding seventy-two hours from the time of such apprehension. Every recognizance so taken shall be of equal obligation on the parties entering into the same, and shall be liable to the same proceedings for the estreating thereof, as if the recognizance had been taken before a magistrate.

(ii) by the repeal of the words "the officer in charge of the police station" in the second line of sub-section (5) thereof, and the substitution therefor of the words "any such lance-sergeant or officer as is mentioned in sub-section (3)".

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

HONG KONG.

No. 3 OF 1936.

I assent.



A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend further the Pensions Ordinance, 1932.

[31st January, 1936.]

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 Pensions Amend- Short title.
ment Ordinance, 1936.

2. Section 8 of the Pensions Ordinance, 1932, (as amended by section 2 of the Pensions Amendment Ordinance, 1935), is further amended by the substitution of the words "Except as provided in section 17, no" for the word "No" at the commencement thereof.

Amendment
of Ordinance No. 21
of 1932,
s. 8 as
amended by
Ordinance
No. 29 of
1935, s. 2.

3. Section 17 of the Pensions Ordinance, 1932, (as amended by section 5 of the Pensions Amendment Ordinance, 1934), is further amended by the insertion of the words " , on production within six months after her resignation or retirement, or such longer period as the Governor may in any particular case allow, of satisfactory evidence of her marriage," after the word "granted" in the sixth line thereof.

Amendment
of Ordinance No. 21
of 1932, s. 17
as amended
by Ordinance No. 12
of 1934,
s. 5.

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

HONG KONG.

No. 4 of 1936.

I assent.

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to make provision for the apportionment of
Crown Rents.

[31st January, 1936.]

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 Rents
(Apportionment) Ordinance, 1936.

Interpreta-
tion.

2. In this Ordinance:—

“Crown lease” means any lease granted by the Crown
and includes any instrument whereby the term of a Crown
lease may have been extended or the provisions thereof varied.

“Determined rent” means the annual sum determined by
the Land Officer under this Ordinance as the amount payable
by way of Crown rent in respect of any section of a lot.

“Land Office” means the principal Land Office at Victoria
and does not include any district land office.

“Lot” means any piece or parcel of ground situate in the
Colony of Hong Kong which has been leased by the Crown and
has been registered in the Land Office.

“Section” means any portion or division of a lot which
has been, or shall be, assigned or in any other manner
alienated or retained on such assignment or alienation
for the whole of the term or interest created by the Crown
lease thereof, and which has been or shall be registered in the
Land Office as a Remaining Portion, Section, Sub-section, Part
or Portion of a Lot.

“Owner” in relation to a section means the person whose
name is registered in the Land Office as that of the owner or
holder of a section and this expression includes a registered
mortgagee.

Land
Officer
may
determine
rent on
application
of section
owner.

3. Upon the application of a section owner and on pay-
ment of the prescribed fees the Land Officer may, in his
discretion, determine what annual sum shall be payable to the
Crown by way of Crown rent in respect of the section owned
by such section owner.

4.—(1) The amount of the determined rent of a section shall in so far as is reasonable bear a like proportion to the Crown rent of the lot of which it forms part as the proportion which the area of the section bears to the area of the lot: Provided that if the Land Officer is satisfied that the rent of any section as the same may appear in the Crown Rent Roll or in any instrument registered in the Land Office has been fixed substantially in accordance with the principle laid down in this subsection and is fair and reasonable he may accept such rent as the basis for fixing the determined rent.

Principles to be observed in determining rent.

(2) In any case in which the rent reserved by the Crown lease is expressed in terms of sterling the sterling rent shall for the purposes of this Ordinance be converted into Hong Kong currency at the rate of four shillings and two pence as equivalent to one dollar.

(3) In fixing the determined rent the Land Officer shall add and include such sum, if any, as may be necessary to make the determined rent an even number of dollars.

5.—(1) For the purpose of determining the area of any lot or section the Land Officer may accept as correct any statement as to such area contained in any Crown lease or other instrument registered in the Land Office or contained in any plan annexed to or endorsed upon any such Crown lease or instrument.

Proof of areas.

(2) If the Land Officer shall be of the opinion that the area of any lot or section necessary to be ascertained for the purpose of calculating the determined rent is uncertain he may require such lot or section to be surveyed and a plan or certificate showing the area of the lot or section and purporting to be signed by the Director of Public Works or by an officer authorised by him may be accepted by the Land Officer as conclusive evidence of the area of the lot or section. Notice that a survey is required shall be given by the Land Officer to the applicant for determination of the rent and at any time within fourteen days after the giving of such notice the application may be withdrawn.

(3) The fees for any survey required by the Land Officer under the preceding sub-section shall be paid and borne by the section owner on whose application the rent is to be determined.

6. When a determined rent is fixed on the application of a section owner other than the owner of the Remaining Portion of a lot the proportions of the Crown rent payable in respect of other portions of the lot shall not be affected thereby.

Determination on application of section owner not to affect remainder of lot.

7. When an application for the determination of the rent is made by the owner of the Remaining Portion of a lot and the Land Officer shall, in his discretion, decide to make such determination the following additional provisions shall apply:—

Provisions where application is made by the owner of the Remaining Portion of a lot.

(a) The Land Officer shall fix the determined rents for and in respect of each and every of the sections of the lot in like manner as if a separate request for determination had been made in respect of each and every of such sections.

(b) The owner of each and every section of the lot shall be bound by such determination in all respects as if he had made application therefor.

(c) All fees payable under this Ordinance for determination and for any survey required by the Land Officer shall in respect of this section be paid by the owner of the Remaining Portion of the lot, who shall, however, have a right of relief against the other section owners of the lot and shall be entitled to payment from each of them of the fee for registration and survey, applicable to the section of such section owner. A certificate, purporting to be under the hand of the Land Officer and setting forth the sum paid by the owner of the Remaining Portion in respect of such fees, shall, in any proceeding for recovery, be *prima facie* evidence of such payment.

Procedure
on deter-
mination.

8.—(1) Every determination shall state the determined rent of every section to which it relates and when it does not relate to every section forming part of the lot shall state the Crown Rent of the remainder of the lot as the same may be ascertained from the Land Office records.

(2) Every determination shall be signed by the Land Officer and shall be registered by him in the Land Office against every section in respect whereof the rent is determined and also against the Remaining Portion of the lot.

(3) Notice of every determination shall be published in the Gazette.

Effect of
determina-
tion.

9.—(1) On the registration and notification of a determination made under section 6, a section owner, in respect of whose section a determined rent has been fixed, shall hold such section, and shall be deemed to have held such section, as from the date up to which the Crown rent was last paid, subject to the payment of the determined rent as if a separate Crown lease of such section had been granted to such section owner at the determined rent, such Crown lease containing all covenants (including a covenant to pay the determined rent) and stipulations exceptions reservations powers and conditions (including the condition of re-entry) as are contained in the Crown lease of the lot so far as the same shall not be inapplicable to such section.

(2) The rights of the Crown under the Crown lease of the lot against the person or persons in whom is vested any part of such lot in respect whereof a determined rent has not been fixed shall not be affected.

(3) On the registration and notification of a determination made under section 7, all the section owners shall hold such sections, and shall be deemed to have held such sections, as from the date up to which the Crown rent was last paid, subject to the payment of the determined rents as if separate Crown leases of such sections had been granted to such section owners at the determined rents, such Crown leases containing all covenants (including covenants to pay the determined rents) and stipulations exceptions reservations powers and conditions (including the conditions of re-entry) as are contained in the Crown lease of the lot so far as the same shall not be inapplicable to such sections.

Correction
of errors.

10. After a determination has been registered and notified in the Gazette no alteration shall be made in it except as provided by section 11 or to correct merely clerical or mathematical errors.

Appeals and
Revisions.

11.—(1) Any person who is aggrieved by a determination of the Land Officer made under this Ordinance may appeal to the Governor in Council within one month from the date

of the notification of the determination in the Gazette and the Land Officer may at any time apply to the Governor in Council for the revision of a determination, and the Governor in Council may make any such order thereon as he shall think fit including an order as to the payment of the fees for any survey required for the purposes of the appeal or revision.

(2) An order made by the Governor in Council under the provisions of this section shall be final and conclusive and the Land Officer shall register against the property affected such amended determination as may be required to give effect to such order and shall publish in the Gazette notice of such amended determination.

(3) Any person who is aggrieved by the refusal of the Land Officer to make a determination under this Ordinance, may appeal to the Governor in Council within one month from the date of such refusal, and the Governor in Council may disallow such appeal, or direct the Land Officer to proceed with such determination. The decision of the Governor in Council shall be final and conclusive:

12.—(1) The fees mentioned in the Schedule shall be paid for and in respect of the several matters therein stated.

Fees and costs of survey. Schedule.

Such fees shall be paid by means of stamps which shall be duly cancelled by the Land Officer.

(2) The provisions of the Crown Remedies Ordinance, 1875, shall apply to the recovery of fees payable under this Ordinance and the certificate required by that Ordinance shall be signed only by the Land Officer.

Ordinance No. 6 of 1875.

13. This Ordinance shall apply to, and come into operation as regards, such lots, areas or districts and as from such date or dates as shall be from time to time appointed by the Governor by Proclamation.

Application and commencement of this Ordinance.

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

SCHEDULE. [secs. 5, 7, 11 & 12.]

Table of Fees.

For fixing the determined rent of a section on the application of a section owner	\$30.00
For fixing the determined rent under section 7:	
in respect of the Remaining Portion	\$30.00
in respect of each other section	\$ 5.00
For the registration of a determination in respect of a section.	\$15.00
For the registration of a determination under section 7:	
For registration in respect of the Remaining Portion	\$15.00
For each other section of the lot in respect of which the same is registered	\$ 3.00
For any survey required by the Land Officer or for which payment is ordered by the Governor in Council for each and every section of a lot	\$20.00

HONG KONG.

No. 5 OF 1936.

I assent.

L. S.

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend the Gambling Ordinance, 1891.

[31st January, 1936.]

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 Gambling Amendment Ordinance, 1936.

Amendment
of long
title of
Ordinance
No. 2 of
1891.

2. The long title of the Gambling Ordinance, 1891, is amended by the insertion of the words "betting, gaming", after the word "gambling" in the second line.

Amendment
of Ordinance
No. 2 of
1891, s. 2.

3. Section 2 of the Gambling Ordinance, 1891, is amended—

(i) in paragraph (a) thereof by the substitution of a semi-colon and the word "or" for the full stop after the word "lotteries" in sub-paragraph (2) and by the addition of the following new sub-paragraph:—

cf. 16 & 17
Vict. c. 119,
s. 1.

(3) for the purpose of betting with persons resorting thereto; or for the purpose of any money or valuable thing being received as or for the consideration for any assurance, undertaking, promise, or agreement, express or implied, to pay or give thereafter any money or valuable thing on any event or contingency of or relating to any horse race, or pony race, or other race, fight, game, sport, or exercise, or as or for the consideration for securing the paying or giving of any money or valuable thing on any such event or contingency.

(ii) by the addition after paragraph (b) thereof of the following new paragraph:—

(bb) "Gaming" applies to and includes the playing of any of the Games mentioned in paragraph (1) of the definition of "Common gaming house".

Amendment
of Ordinance
No. 2 of
1891, s. 3.

4. Section 3 of the Gambling Ordinance, 1891, is amended by the addition of the words ", or for any of the purposes mentioned in paragraph (3) of that definition" after the word "definition" at the end thereof.

5. Section 7 (1) of the Gambling Ordinance, 1891, is amended by the substitution of a semi-colon and the word "or" for the comma after the word "ticket" in paragraph (b) and by the addition of the following new paragraph:—

Amendment
of Ordinance
No. 2 of
1891,
s. 7 (1).

(c) makes any bet in a common gaming house; or pays or receives any money or valuable thing in a common gaming house for any of the considerations mentioned in subparagraph (3) of paragraph (a) of section 2.

6. Section 8 of the Gambling Ordinance, 1891, is amended by the insertion of the words "gambling or betting" after the word "gaming" in the second line.

Amendment
of Ordinance
No. 2 of
1891, s. 8.

7. Section 10 of the Gambling Ordinance, 1891, is amended—

Amendment
of Ordinance
No. 2 of
1891, s. 10.

(i) by the insertion of the words "gaming or" before the word "gambling" in the tenth line;

(ii) by the insertion of the words "betting slips," after the words "and also all" in the eleventh line;

(iii) by the substitution of the words "gaming, gambling or betting" for the word "gambling" in the twelfth and thirteenth lines;

(iv) by the substitution of the words ", betting slips" for the words "of gambling" in the fourteenth line.

8. Section 11 of the Gambling Ordinance, 1891, is amended—

Amendment
of Ordinance
No. 2 of
1891, s. 11.

(i) by the substitution of the words "gaming or gambling, or betting slips" for the word "gambling" in the second line.

(ii) by the substitution of the words "gaming or gambling or betting slips" for the word "gambling" in the ninth line.

(iii) by the substitution of the words "gaming, gambling or betting" for the word "playing" in the ninth line.

(iv) by the substitution of the words "gaming, gambling or betting" for the word "play" in the tenth line.

(v) by the substitution of the words "gaming or gambling and betting slips" for the word "gambling" in the last line.

9. Section 13 of the Gambling Ordinance, 1891, is amended—

Amendment
of Ordinance
No. 2 of
1891, s. 13.

(i) by the insertion of the words "gambling or betting" after the word "gaming" in the eleventh line;

(ii) by the substitution of the words "gaming or gambling or betting slips" for the word "gambling" in the thirteenth line.

10. Section 14 (1) of the Gambling Ordinance, 1891, is amended—

Amendment
of Ordinance
No. 2 of
1891,
s. 14 (1).

(i) by the insertion of the words ", gambling or betting" after the word "gaming" in the fifth line;

(ii) by the insertion of the words "gambling or betting" after the word "gaming" in the fourteenth line.

Amendment
of Ordinance
No. 2 of
1891,
s. 15 (2).

11. Section 15 (2) of the Gambling Ordinance, 1891, is amended by the substitution of the words "gaming, gambling or betting" for the word "gambling" in the third line.

Amendment
of Ordinance
No. 2 of
1891, s. 16.

12. Section 16 of the Gambling Ordinance, 1891, is amended—

(i) by the substitution of the words "gaming, gambling or betting" for the word "gambling" in the first line;

(ii) by the substitution of the words "for any such person" for the words "to street gamblers" in the second line.

Substitution
for Ordinance
No. 2
of 1891,
s. 17.

13. Section 17 of the Gambling Ordinance, 1891, is repealed and the following section is substituted therefor:—

Forfeiture
of imple-
ments of
gaming or
gambling,
betting slips
and money.

17. Where any persons are found gaming, gambling or betting in the street all implements of gaming or gambling, all betting slips, and also all money in actual use for any such purpose or found in the possession of such persons may be forfeited by the magistrate.

New section
18 for
Ordinance
No. 2 of
1891.

14. The following new section is inserted in the Gambling Ordinance, 1891, as section 18 thereof:—

Saving of
matters
authorised
by Ordinances
No. 40
of 1931,
No. 17 of
1933 and
No. 26 of
1934.

18. Nothing in this Ordinance shall be deemed to restrict anything authorised by the Betting Duty Ordinance, 1931, as amended by the Betting Duty Amendment Ordinance, 1933, and by the Betting Duty Amendment Ordinance, 1934.

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

HONG KONG.

No. 6 of 1936.

I assent.

LS.

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend the Coinage Offences Ordinance,
1865.

[31st January, 1936.]

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 Coinage Offences Short title.
Amendment Ordinance, 1936.

2. Section 11 of the Coinage Offences Ordinance, 1865, Amendment
of Ordinance
No. 7 of
1865, s. 11.
is amended by the substitution of the figures and word "8, 9
or 10" for the figures and word "9, 10 or 11" in the second
line.

3. Section 13 of the Coinage Offences Ordinance, 1865, Amendment
of Ordinance
No. 7 of
1865, s. 13.
is amended by the substitution of a semi colon and the word
"or" for the comma at the end of paragraph (3) and by the
insertion of the following new paragraph after paragraph (3)
thereof:—

(4) without lawful authority or excuse, imports or
receives into the Colony from beyond the seas, or from any
part of China, any false or counterfeit coin resembling, or
apparently intended to resemble or pass for, any of the King's
current copper coin, knowing the same to be false or counter-
feit.

Passed the Legislative Council of Hong Kong, this
30th day of January, 1936.

H. R. BUTTERS,
Deputy of Clerk Councils.

HONG KONG.

No. 7 OF 1936.

I assent.

L. S.

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend and consolidate the law relating to Quarantine and the Prevention of Disease among human beings.

[31st January, 1936.]

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 Quarantine and Prevention of Disease Ordinance, 1936.

Part I.**GENERAL.***Interpretation.*

2.—(1) In this Ordinance:—

Aerodrome. “Aerodrome” means a place set apart for the arrival and departure of aircraft and includes a place for the alighting of hydroplanes (and similar craft) on water. Whatever relates in this Ordinance to aerodromes is to be understood to apply *mutatis mutandis* to places for the alighting of hydroplanes (and similar craft) on water.

Aircraft. “Aircraft” includes any machine which can derive support in the atmosphere from the reactions of the air and is intended for aerial navigation.

Authorised aerodrome. “Authorised aerodrome” means any aerodrome declared by the Governor in Council by notification in the Gazette to be an authorised aerodrome on which aircraft may make their first landing on entering the Colony and which they may make their place of departure on leaving the Colony.

Building. “Building” includes any house, hut, shed or roofed enclosure, whether needed for the purpose of human habitation or otherwise, and also any wall, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty, landing stage or bridge.

“Circumscribed case” means either a case of infectious disease originating in a quarantine station or an imported case which has been immediately isolated in a quarantine station or a case occurring in a new arrival during the period of his observation or surveillance.

Circum-
scribed
case.

“Contact” means any person who has been or is likely to have been exposed to the risk of contracting an infectious disease.

Contact.

“Council” means the Urban Council, unless some other Council is indicated.

Council.

“Crew” includes any person who is on board any vessel or aircraft not for the mere purpose of being carried from one place to another, but who is employed in some way in the service of the vessel or aircraft or of persons on board or of the cargo.

Crew.

“Day” means an interval of twenty-four hours.

Day.

“Delouse” means to render free from lice.

Delouse.

“Deratise” means to render free from rats.

Deratise.

“Disinfect” means to destroy or remove the germs of disease.

Disinfect.

“Disinsectise” means to render free from insects.

Disinsectise.

“Health Officer” includes the Director of Medical and Sanitary Services, any medical officer appointed by the Governor as a Health Officer or Port Health Officer, and any officer for the time being performing the duties of a Health Officer or Port Health Officer.

Health
Officer.

“Immigrant” includes:—

Immigrant.

(a) any person arriving in the waters of the Colony as a deck, steerage or third class passenger on board a steamship or motor ship or as a passenger on board any other vessel with the intention of landing in the Colony;

(b) a third class passenger who enters the Colony by train.

“Infected” means infected with the germs of infectious disease.

Infected.

“Infected area” means any area which has been declared by the Governor in Council by notification in the Gazette to be an infected area from the date of such declaration until the date of withdrawal of such declaration in the Gazette.

Infected
area.

“Infected place” or “Infected port” means any place or port which has been declared by the Governor in Council to be an infected place or port from the date of such declaration until the date of withdrawal of such declaration.

Infected
place.
Infected
port.

“Infectious disease” means any of the following diseases, namely, plague, cholera, smallpox, yellow fever, typhus, cerebro-spinal meningitis, measles, chickenpox, diphtheria and enteric, and any other disease which the Governor in Council shall by notification in the Gazette declare to be included within the said expression.

Infectious
disease.

“Observation” means the compulsory detention in isolation for the purpose of and under the provisions of this Ordinance and the regulations made thereunder of any vessel,

Observation.

- person, animal or thing, so that it or they shall have no communication with any other vessel, person, animal or thing or with any other place except in accordance with the said Ordinance and regulations.
- Port.** "Port" includes sea-port, river-port and air-port.
- Port Health Officer.** "Port Health Officer" includes the Health Officer of the Port, the Second Health Officer of the Port and any other Health Officer or Medical Officer for the time being performing the duties of a Port Health Officer.
- Premises.** "Premises" includes any land, building, structure of any kind, footway, yard, alley, court, garden, stream, nullah, pond, pool, field, marsh, drain, ditch or place open, covered or enclosed, or cesspool or foreshore, and also any vessel lying within the waters of the Colony.
- Quarantine anchorage.** "Quarantine anchorage" means that area of the Harbour which has been appointed for the time being for the detention in isolation of vessels undergoing observation and which has been declared a quarantine anchorage by Ordinance or by the Governor in Council.
- Quarantine station.** "Quarantine station" means any place where observation is carried out and includes an infectious diseases hospital and any place declared by the Governor in Council to be a quarantine station or a sanitary station.
- Sanitary aerodrome.** "Sanitary aerodrome" means an authorised aerodrome declared by the Governor in Council to be a sanitary aerodrome after being satisfied that it will at all times have at its disposal:—
- (i) an organised medical service with one medical officer at least and one or more sanitary inspectors, it being understood that this staff will not necessarily be in permanent attendance at the aerodrome;
 - (ii) a place for medical inspection;
 - (iii) equipment for taking and despatching suspected material for examination in a laboratory;
 - (iv) facilities in the case of necessity for isolation, transport and care of the sick, for the isolation of contacts separately from the sick and for carrying out other prophylactic measures in suitable premises either within the aerodrome or in proximity to it;
 - (v) apparatus necessary for carrying out disinfection, disinsectisation and deratisation if required, as well as any other measures laid down in the International Sanitary Convention for Aerial Navigation, signed at the Hague on the 12th day of April, 1933;
 - (vi) a sufficient supply of wholesome drinking water;
 - (vii) a proper and safe system for the disposal of excreta and refuse, and for the removal of waste water; and
 - (viii) protection, as far as possible, from rats.
- Surveillance.** "Surveillance" means that persons subject thereto are not isolated, and that they may move about freely on condition that they sign a bond pledging themselves to submit to medical examination daily or as often as may be required by the Health Authorities of the several places whither they

are bound, such authorities being notified by the Health Officer of the advent of the persons in question and of the conditions under which they have been given their freedom.

“ Vessel ” includes any ship, boat or other description of vessel used in navigation. Vessel.

(2) A vessel or aircraft shall be regarded as “infected”— Vessels or aircraft when regarded as infected.

(a) in respect of plague :—

(i) if it has a case of plague on board;

(ii) if a case of plague broke out on board more than six days after embarkation of the person affected; or

(iii) if plague-infected rats are found on board.

(b) in respect of cholera :—

(i) if there is a case of cholera on board; or

(ii) if there has been a case on board during the five days previous to the arrival of the vessel.

(c) in respect of yellow fever :—

(i) if there is a case of yellow fever on board; or

(ii) if there was a case on board at the time of departure or during the voyage.

(3) A vessel or aircraft shall be regarded as “suspected”— Vessels or aircraft when regarded as suspected

(a) in respect of plague :—

(i) if a case of plague broke out on board in the first six days after embarkation of the person affected; or

(ii) if there has been an unusual mortality on board among rats the cause of which has not been determined.

(b) in respect of cholera :—

if there has been a case of cholera on board at the time of departure or during the voyage, but no fresh case during the five days previous to arrival.

(c) in respect of yellow fever :—

(i) if having had no case of yellow fever on board it arrives after a voyage of less than six days from an infected port or from a port in close relation with any endemic centre of yellow fever; or

(ii) if having had no case of yellow fever on board it arrives after a voyage of more than six days and there is reason to believe that it may carry winged stegomyia (*Aedes Egypti*) from any such port.

3. The period of incubation for the purposes of this Ordinance shall be five days in the case of cholera, six days in the case of plague or yellow fever, twelve days in the case of typhus and fourteen days in the case of smallpox. Duration of period of incubation.

4.—(1) Any person liable to be subjected to surveillance shall, as a condition of being exempted from observation, give a written undertaking to a Health Officer to attend and submit to daily examination at such place and at such time as such Health Officer shall appoint. Conditions of release from observation of persons liable to be subjected to surveillance.

Schedule.

(2) The undertaking shall be in the form in the Schedule, or in its equivalent in Chinese characters.

(3) Every failure to comply with the terms of any such undertaking shall be deemed an offence against this Ordinance.

(4) A Health Officer at his discretion may require the person giving the undertaking to furnish security in a sum not exceeding two hundred dollars for the due execution of the undertaking.

Conditions of release from observation of contacts.

5.—(1) A Health Officer may require that any contact liable to be detained under observation shall, as a condition of being released therefrom for the period for which he is so liable, give a written undertaking:—

(a) to attend and submit daily to examination at such place and at such time as such Health Officer may appoint; and

(b) to submit to surveillance at a private residence under such conditions as such Health Officer may impose.

Schedule.

(2) The undertaking shall be in the form in the Schedule, or in its equivalent in Chinese characters.

(3) Every failure to comply with the terms of any such undertaking shall be deemed an offence against this Ordinance.

(4) A Health Officer at his discretion may require the person giving the undertaking to furnish security in a sum not exceeding two hundred dollars for the due execution of the undertaking.

Substitution of observation for surveillance.

6. In all cases where this Ordinance refers to "surveillance" a Health Officer may substitute observation when the persons in question do not offer sufficient security that they will faithfully observe all the conditions of the undertaking which those who are granted surveillance are required to give. Such observation may be carried out on board ship or in a quarantine station according to the exigencies of the case.

Escape or evasion.

7.—(1) Any person who is authorised to be detained under this Ordinance or any regulation made thereunder may in case of escape be arrested by:—

(a) any officer or servant of the hospital, reception place, isolated house or quarantine station from which the escape was made;

(b) any officer appointed under this Ordinance; or

(c) any police officer;

and may be again conveyed to and detained in the place from which the escape was made or any other place authorised by a Health Officer.

(2) Any person who being subject to surveillance under this Ordinance or any regulation made thereunder fails to present himself for examination or to observe any term of his undertaking may be similarly arrested and detained to the satisfaction of a Health Officer.

(3) Any person who having been authorised to be detained escapes or attempts to escape shall be guilty of an offence against this Ordinance.

Power to Make Regulations.

8.—(1) The Governor in Council may make regulations for the purpose of preventing the introduction into, the spread in and the transmission from, the Colony of any disease.

Power of Governor in Council to make regulations.

(2) Without prejudice to the generality of the provisions of sub-section (1) such regulations may provide:—

(a) for the appointment of Health Officers, Inspectors and other officers to carry out the provisions of this Ordinance or of any regulations or by-laws made thereunder, and for regulating their duties and conduct and for investing them with all powers necessary for the due execution of their duties;

(b) for prescribing the reporting to Government by medical practitioners or others of cases of disease;

(c) for prescribing and regulating the form and mode of service of delivery of notices and other documents;

(d) for prescribing the fees to be paid under this Ordinance;

(e) for placing under observation vessels and aircraft arriving or being at any port or place within the Colony or the waters of the Colony, and for their management while under observation, and for granting certificates of the condition of vessels and aircraft or of the Colony or any part thereof in respect of disease;

(f) for the deratisation of vessels or aircraft;

(g) for the disinfection and disinsectisation of vessels, aircraft, persons, animals and things;

(h) for prohibiting either absolutely or conditionally, or for regulating, the importation, exportation or removal in the Colony of dead bodies;

(i) for prohibiting or regulating:—

(i) the admission of persons into or their movements within the Colony or their departure therefrom either absolutely or conditionally.

(ii) the importation of merchandise, food and drink;

(j) for establishing and maintaining quarantine stations for persons and for regulating the management of the same;

(k) for the detention and seclusion in a quarantine station or on board of persons, whether actually suffering from disease or not, arriving on vessels or aircraft subject to observation, and for the payment to Government of any costs and expenses charged or incurred for the medical attendance and maintenance of any such persons;

(l) for prescribing the measures to be taken for the prevention of the conveyance of infection by means of any vessel or otherwise from any area or port of the Colony, including:—

(i) the measures that shall be applied to vessels or aircraft before departure;

(ii) the measures that shall be taken to prevent the departure of persons infected with or suspected of being infected with plague, cholera, yellow fever, typhus or small-pox, and of persons in such relation with the sick as to be rendered liable to transmit the infection of these diseases;

(iii) the measures that shall be applied with respect to merchandise, articles or clothing infected or suspected of being infected;

(iv) the prohibition either absolutely or conditionally of the export of merchandise, or of articles of clothing infected or suspected of being infected;

(v) precautions with regard to drinking water and food-stuffs taken on board vessels, aircraft or trains and the water taken in as ballast by vessels;

(vi) measures for the prevention of access of mosquitoes to vessels or aircraft in the case of the prevalence of yellow fever;

(vii) measures for delousing typhus suspects before embarkation; and

(viii) measures for the disinfection of clothes and rags before packing where smallpox is prevalent;

(m) for appointing, establishing and maintaining places for the sanitary control of aerial navigation and for prescribing the sanitary measures to be taken in respect thereof;

(n) for prescribing the liability of any person to defray the expenses connected with the enforcement of this Ordinance or any regulation made under this Ordinance, and for regulating questions of compensation in connection therewith; and

(o) for prescribing the fine with which the contravention of any regulation made under this Ordinance shall be punishable, but so that no such fine shall exceed five hundred dollars.

(3) Without prejudice to the generality of the provisions of sub-section (1) and for the prevention of any epidemic, endemic, contagious or communicable disease, such regulations may also provide—

(a) for the compulsory reporting of infectious disease;

(b) for entering and searching houses, buildings, rooms and other places in which the presence of diseased persons or persons dead of disease or contacts may be suspected and for the examination of the occupants;

(c) for prohibiting or regulating the movements of diseased persons or of persons suspected of being diseased or of contacts;

(d) for the removal of diseased persons or persons suspected of being diseased to hospital or other places for medical treatment, and for their detention until they can be discharged with safety to the public, and for the temporary occupation of places required for the treatment of diseased persons or for the segregation of diseased persons or contacts;

(e) for prohibiting or regulating the removal of bedding, clothing, furniture or other articles which have been in the presence of a diseased person and which are reasonably suspected of being infected, and for the disinfection or destruction of the same;

(f) for ordering the vaccination of, and for ordering or executing the cleansing and disinfection of, houses, buildings, rooms and other places which have been occupied by any

diseased person, or which are suspected of being infected with disease, or which are overcrowded or otherwise in an insanitary condition;

(g) for house to house visitation, cleansing and disinfection;

(h) for the better prevention of the danger of the spreading of infection by rats by destroying them or minimising their numbers, and for the prevention of the passing of rats from the shore to vessels and aircraft and *vice versa*.

(i) for the disinfection and purification of infected vehicles;

(j) for the examination of the bodies of dead persons and the certification of the cause of death in cases where the cause has not been certified by a qualified medical practitioner or where there is reason to suspect that the diagnosis made is not correct;

(k) for the speedy and safe disposal of the dead; and

(l) for such other matters as may appear to the Governor in Council advisable for the prevention or mitigation of disease.

(4) 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 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.

OFFENCES AND PENALTIES.

9. If any person without lawful authority or excuse does or omits to do anything which, under the provisions of this Ordinance or any regulation made thereunder, he ought not to do or omit, or if he obstructs or impedes, or assists in obstructing or impeding, any Health Officer or other officer appointed under this Ordinance or any police officer in the execution of his duty or disobeys any lawful order of any such officer as aforesaid, he shall be guilty of an offence against this Ordinance.

Offences generally.

10. If any person is guilty of an offence against this Ordinance or any regulation made thereunder for which no other penalty is provided, he shall be liable on summary conviction to a fine not exceeding two hundred dollars, and, if such offence be of a continuing nature, to a further fine not exceeding twenty dollars for every day during which such offence shall continue.

Penalty.

11. A person convicted of any offence against this Ordinance or any regulation made thereunder who is within a period of twelve months from the date of such conviction convicted of a second or subsequent like offence against this Ordinance or any regulation made thereunder shall be liable to imprisonment for any term not exceeding two months either in addition to or in lieu of the fine authorised by section 10.

Increased penalty for second or subsequent offence.

Arrest. **12.**—(1) When a person is seen or found committing or is reasonably suspected of being engaged in committing an offence against this Ordinance or any regulation made thereunder, any Health Officer or police officer may, without warrant, stop and detain him, and if his name and address are not known may arrest him.

(2) If any person obstructs or impedes a Health Officer or other officer appointed under this Ordinance or any police officer in the execution of his duty under this Ordinance or any regulation made thereunder, or assists in any such obstruction or impeding, he may be arrested by such Health Officer or other officer or police officer without warrant.

(3) Nothing in this section shall take away or abridge any power or authority that a police officer would have had if this section had not been enacted.

Forfeitures. **13.** If any person lands or attempts to land or otherwise brings into the Colony any animal or thing in contravention of this Ordinance or of any regulation made thereunder, such animal or thing shall be liable to be forfeited: Provided that this section shall not apply to landing or bringing into a quarantine station any animal or thing under the instructions of a Health Officer.

Presumption of knowledge. **14.** When any occupant of a house in which a case of disease occurs, or any person in charge of a diseased person, is charged with an offence against this Ordinance or any regulation made thereunder, relative to such disease, he shall be presumed to have known of the existence of such disease in such person unless and until he shows to the magistrate before whom he is charged that he had not such knowledge and could not with reasonable diligence have obtained such knowledge.

Measures prescribed to be under general direction of Director of Medical and Sanitary Services. **15.** The execution of the measures prescribed by this Ordinance and the regulations made thereunder shall be carried out under the general direction of the Director of Medical and Sanitary Services.

Part II.

THE PREVENTION OF THE INTRODUCTION OF DISEASE.

Import of noxious insects and pests. **16.** No person shall knowingly import into the Colony any living noxious insect, or any living pest, or any living germ or microbe of disease, or any bacterial culture, without the written consent of the Director of Medical and Sanitary Services.

Import of diseased persons. **17.** Every master of any vessel or aircraft who brings into the Colony any person suffering from leprosy or any infectious or contagious disease, or who removes any such person from one part of the Colony to the other, except on the order of a Health Officer, shall be deemed guilty of an offence against this Ordinance unless such master can show to the satisfaction of the magistrate that he had no reasonable means of knowing that such person was so suffering.

Declaration of infected port. **18.** Whenever information is received that plague, cholera, yellow fever, typhus or smallpox has broken out, or exists, or is reasonably suspected to exist, at any place or

port without the Colony it shall be lawful for the Governor in Council to declare that such place or port is an infected place or infected port.

All declarations made under this section shall be notified in the Gazette.

19.—(1) All persons coming from an infected place or port otherwise than by sea or air may be medically inspected or examined by a Health Officer.

Medical inspection or examination of arrivals from infected places or ports otherwise than by sea.

(2) The inspection or examination shall be conducted at such place as the Director of Medical and Sanitary Services shall approve.

(3) In the case of persons arriving by rail the railway authorities shall allow sufficient time and make due arrangements for the examination to take place.

20.—(1) Any vessel or aircraft arriving in the Colony may be visited by a Health Officer, who may exercise all or any of the powers vested in him by section 31, and shall deal with the vessel or aircraft in the manner prescribed by or under this Ordinance.

Any vessel or aircraft may be visited by Health Officer.

(2) Every master of such vessel or aircraft shall allow and assist on board without delay a Health Officer as soon as he comes alongside.

Duties of master.

(3) The master or any other person having the control of any vessel or aircraft shall give to a Health Officer, officer in charge of aerodrome or Boarding Officer such information about the vessel or aircraft and the voyage and the health of the crew and passengers and otherwise as the officer may require and shall answer truly and fully all the questions put to him by any such officer.

Master to furnish information to Health Officer or Boarding Officer.

(4) Any vessel refusing to submit to the measures prescribed by or under this Ordinance shall be at liberty to put to sea. She may however be permitted by a Health Officer to land goods if she is isolated and if the goods are subjected to the measures laid down in sections 47 (iv), 53 (iv), 58 (iv) and 60 (iv). She may also be authorised by him to disembark passengers at their request on condition that they submit to the measures prescribed by or under this Ordinance. The vessel may also take on fuel, foodstuffs and water.

Vessels refusing to submit to measures prescribed.

(5) Subject to the provisions of section 61, any aircraft which does not wish to submit to the measures prescribed by or under this Ordinance is at liberty to continue its voyage. It may not however land in any other aerodrome in the Colony except for the purpose of taking in supplies. It may be permitted by a Health Officer to land goods on condition that it is isolated and that the goods are subjected, if necessary, to the measures prescribed by or under this Ordinance. It may also take in fuel, replacements, food and water while remaining in isolation.

Aircraft not wishing to submit to measures prescribed.

21. No infected or suspected vessel, and no vessel which has come from an infected port and which has not been granted free pratique in Hong Kong, shall enter the harbour limits before 6 a.m. or after 6 p.m. without the permission of a Health Officer.

Time limits for admission to harbour of vessels infected, suspected or arriving from an infected port.

Vessels which are to show quarantine signal.

22.—(1) Every vessel referred to in section 21 on entering the waters of the Colony shall show the appropriate quarantine signal as prescribed by section 35, and shall not communicate with the shore until granted pratique by the express written order of a Health Officer: Provided nevertheless that any such vessel, which is on a voyage to any other place and which has held no unauthorised communication with the shore, may with the written consent of a Health Officer proceed on such voyage or tranship the passengers for the purpose of completing such voyage.

(2) The aforesaid quarantine signal shall not be lowered until a Health Officer has given free pratique.

Vessels which are required to proceed to quarantine anchorage.

23. Every vessel referred to in section 21 shall, unless previously granted pratique, proceed at once to the quarantine anchorage and shall not remove therefrom, except from stress of weather, until released by order of a Health Officer. No vessel which is compelled to leave the quarantine anchorage from stress of weather shall communicate except by signals with the shore or with any other vessel, and such vessel shall return to the quarantine anchorage immediately such stress of weather has subsided: Provided that in case of stress of weather involving probable actual danger to the vessel the vessel may remove for a time, but shall be deemed nevertheless for all purposes to be subject to all other regulations applicable to such vessels.

Position at quarantine anchorage determined by Harbour Master.

24. The master of every vessel shall remove his vessel to any part of the quarantine anchorage as and when required by the Harbour Master.

No communication allowed with certain vessels.

25. Subject to the provisions of section 26, no person other than a Health Officer, or persons in his boat, shall approach within thirty yards of any vessel referred to in section 21, or hold any communication except by signals with such vessel or with any person on board thereof, or receive or take any person or thing whatsoever, directly or indirectly, from the vessel or from any person on board thereof without having first received the express written permission of such Health Officer, and without observing such precautions as he may require.

Pilot may board vessel showing quarantine signal.

26. The pilot may board a vessel showing the quarantine signal for the purpose of taking it to the quarantine anchorage. In no case shall any member of his crew or other person board the vessel unless authorised by a Health Officer.

Prohibition of landing passengers from certain vessels before inspection.

27. No master of any vessel referred to in section 21 bringing passengers into the Colony shall land or permit to land or to be landed from his vessel any such passengers until they have been inspected and passed by a Health Officer, and the master shall afford all reasonable facilities for enabling such inspection to be duly carried out. No master shall land or permit to land or be landed from his vessel at any place within the Colony any infected person except with the permission of a Health Officer, and any master from whose vessel any infected person is landed without permission shall, on demand from a Health Officer, forthwith remove such person from the Colony.

28.—(1) The guard of any train on which a case of plague, cholera, yellow fever, typhus or smallpox is present shall on arrival at the first station report the facts to the station master, who shall telephone or telegraph them to a Health Officer.

Duty of guard of train to report cases of infection.

(2) The station master shall detain the carriage in which the sick person is and all other occupants thereof for examination by a Health Officer, and shall detach the carriage from the rest of the train and keep it at the station until the examination has been made, or send the carriage to another station at which the examination can be more expeditiously carried out and from which the sick person and other persons may be more easily conveyed to a hospital or place of isolation.

Duty of station master with regard to infected case and carriage.

(3) Any person suffering or suspected to be suffering from any such disease shall be removed to a hospital or place of observation and remain there until discharged by the officer in charge thereof.

29. No infected or suspected aircraft, and no aircraft which has come from an infected port and which has not been granted free pratique in Hong Kong shall land at any place in the Colony other than a sanitary aerodrome, and no such aircraft shall leave such sanitary aerodrome until released by order of a Health Officer.

Restriction on landing or departure of certain aircraft.

30. No person other than a Health Officer or persons authorised, either generally or specially, by him shall enter or depart from a sanitary aerodrome.

Sanitary aerodrome, restriction of admission to and departure from.

31. On the arrival of any vessel referred to in section 21 at the quarantine anchorage, a Health Officer shall go on board and put to the master and surgeon, if any, or to any other person on board such questions as he deems necessary in order to ascertain the state of health of persons on board, the sanitary condition of the ship and cargo and the sanitary conditions of the port of departure or of intermediate ports touched at, and may require the presence for inspection and examination of all persons on board, and may inspect every part of the ship and demand to see the journal or log book and all ship's papers.

Health Officer to inspect certain vessels.

32.—(1) The master and surgeon of every such vessel as aforesaid shall make and sign before a Health Officer a true declaration as to the number of crew and passengers, the presence or prevalence of infectious disease on board or during the voyage, the number of deaths and such other particulars as may be required by such Health Officer.

Declaration by Master and Surgeon.

(2) Any such declaration purporting to be signed by the master and surgeon shall be deemed to have been so signed, and any information therein contained, which shall subsequently be found to be untrue, shall render such master or surgeon liable on summary conviction to a fine not exceeding one thousand dollars each and to imprisonment for any term not exceeding six months.

Penalty for untrue declaration.

(3) Any master or surgeon who fails to make and sign a declaration as herein required, shall be liable on summary conviction to a fine not exceeding five hundred dollars.

Penalty for failure to make declaration.

Vessel to be dealt with according to provisions of this Ordinance.

33. A Health Officer, after making such an enquiry, inspection or examination, shall deal with such vessel as aforesaid and the persons and things on board in the manner provided by this Ordinance or by the regulations made thereunder.

Penalties for preventing Health Officer inspecting vessel.

34. Any master of a vessel or other person on board who :—

(a) prevents or attempts to prevent a Health Officer from going on board such vessel;

(b) conceals from a Health Officer the true state of the health of the crew or passengers or other persons on board such vessel;

(c) refuses to answer or gives an untrue answer to any enquiry made by a Health Officer under this Ordinance;

(d) fails to produce the journal or log and ship's papers of such vessel or any of them on demand of a Health Officer;

(e) fails to present the crew and passengers for inspection when required to do so by a Health Officer;

(f) prevents or attempts to prevent a Health Officer from inspecting any part of the vessel,

shall be liable on summary conviction to a fine not exceeding five hundred dollars.

Signals to be shown by certain vessels.

35. Every infected and every suspected vessel, and every vessel which has come from an infected port and which has not been granted free pratique in Hong Kong, shall show whichever of the undermentioned signals is appropriate until a Health Officer has given free pratique :—

(a) By day—

(i) the Flag Signal Q: meaning “ my ship is healthy and I request free pratique ”;

(ii) the Two Flag Signal QQ: meaning “ my ship is *suspect*, that is to say I have had a case or cases of infectious disease more than five days ago, or there is an unusual mortality among rats on board ”; or

(iii) the Two Flag Signal QL: meaning “ my ship is *infected*, that is to say I have had a case or cases of infectious disease less than five days ago.

The day signal shall be shown at the vessel's masthead or where it can best be seen.

(b) By night—

during the whole of the time between sunset and sunrise, but only when the vessel is within the waters of the Colony, a signal comprising a red light over a white light, the lights being not more than six feet apart, and meaning “ I have not free pratique ”.

The night signal shall be shown at the vessel's peak or other conspicuous place where it can best be seen.

Power of Police to restrict movements of persons or things to and from certain vessels.

36. The Inspector General of Police and any officer whom he may appoint for the purpose may order any person leaving any vessel referred to in section 35, or taking or sending any person or thing whatsoever from such vessel, to **remain in, or return to, such vessel and may, with such necessary force as the case requires, compel any person neglecting or refusing to observe such order to obey the same.**

37. Whenever a Health Officer shall so require, all passengers on board any vessel under observation or so many as he may direct shall be taken to a quarantine station and there kept and attended to for such a time as he may deem proper before allowing them to return on board the vessel or to be transferred to any other vessel or to land in the Colony. The period of detention shall in no case be greater than is permitted by this Ordinance or any regulation made thereunder.

Power of Health Officer as to passengers on board vessels under observation.

38. A Health Officer may detain in a quarantine station, until such time as the disease is no longer communicable to others, any person desirous of landing in the Colony who on arrival is found to be suffering from an infectious disease.

Power of Health Officer of infected persons desirous of landing.

39. In the case of a vessel or aircraft in the waters of the Colony having on board the body of any person who has died from an infectious disease, the body shall be disposed of in such manner as may be ordered by a Health Officer; and the master of the vessel shall carry out such orders as such Health Officer may give him in relation to the disposal of the body.

Power of Health Officer with regard to disposal of infectious corpse.

40. Any person entering or landing on a quarantine station without permission may be detained and kept under observation at his own expense for such period not exceeding fourteen days as a Health Officer may deem proper.

Trespasser on quarantine station may be detained.

41. Any reasonable costs and expenses charged or incurred by the Government for the vaccination, inoculation, removal, medical attendance and maintenance of any person, whether on the ship's articles or not, who under this Ordinance or the regulations made thereunder is removed to any hospital or place from any vessel or aircraft for medical treatment or surveillance, or for the burial of any person who may die on any vessel or aircraft, or who dies after removal to hospital, or for the burial of any dead body found on board any vessel or aircraft, or for the cleansing and disinfection of any vessel or aircraft, or of the merchandise on board any vessel or aircraft, or of any part of the vessel or aircraft or of the merchandise, including the hire of the necessary labour, boats, junks and disinfecting appliances, shall be paid to the Government by the owners or agents of the vessel.

Costs incurred by Government may be recovered from owners or agents.

42. The Inspector General of Police shall furnish such police assistance as any Health Officer may require for the purpose of enabling him to exercise the powers vested in him by this Ordinance or the regulations made thereunder and to deal with vessels and aircraft and persons and things on board thereof in the manner prescribed by this Ordinance.

Police to furnish assistance.

43. Nothing in this Ordinance or the regulations made thereunder shall render liable to detention, disinfection or destruction any articles being part of any mails conveyed under the authority of the postal administration of any country, except in the case of such importation as is prohibited under section 16.

Exemption of postal matter.

Duty of medical practitioner and master when a case of infectious disease discovered on board vessel or aircraft.

44.—(1) Should the surgeon of, or any medical practitioner visiting, any vessel or aircraft within the limits of the Colony find on board any infectious disease, it shall be the duty of such surgeon or medical practitioner to inform the master of the nature of the disease and notify the same in writing to a Health Officer. All further action regards the patient, the members of the crew, the passengers or the vessel or aircraft shall be under the direction of a Health Officer.

(2) Should such infectious disease be believed or suspected to be plague, cholera, small-pox, typhus or yellow fever, such vessel or aircraft shall at once be considered as an infected vessel or aircraft under this Ordinance. The master of such vessel or aircraft shall at once take such steps as are necessary to inform a Health Officer of the facts of the case and shall display the appropriate signal referred to in section 35, and shall not permit any further communication with the shore, but shall wait for instructions from a Health Officer.

Duty of master in case of sickness where no surgeon is carried.

45. In case any vessel in the waters of the Colony which carries no surgeon has on board any sickness, the nature of which the master is unable to determine, he shall at once hoist the call flag for medical assistance (letter M in the International Code of Signals over the Code Pennant), and shall take such measures as may be necessary to inform a Health Officer and shall await his directions.

Internal management of vessels or aircraft of war not to be interfered with.

46. This Ordinance and the regulations made thereunder shall not in any way interfere with the internal management of any of His Majesty's or of foreign vessels or aircraft of war, or with their freedom to proceed whenever the officer in command may deem such course requisite.

Plague Precautionary Measures.

Plague precautionary measures in case of infected vessels or aircraft.

47. Plague infected vessels and aircraft shall be subjected to the following measures:—

(i) Medical inspection.

(ii) The sick shall be immediately disembarked and isolated.

(iii) All persons who have been in contact with the sick and those whom a Health Officer has reason to consider suspect shall be disembarked if possible. They may be subjected to observation, or to surveillance, or to observation followed by surveillance, provided that the total duration of these measures does not exceed six days from the arrival of the vessel.

(iv) Bedding, soiled linen, wearing apparel and other articles which, in the opinion of a Health Officer, are infected shall be disinfected and if necessary disinfected.

(v) The parts of the vessel which have been occupied by persons suffering from plague or which in the opinion of a Health Officer are infected shall be disinfected and if necessary disinfected.

Provisions relating to discharge of cargo.

48.—(1) A Health Officer may require deratisation by fumigation before or during the unloading of cargo, if he is of opinion, having regard to the nature of the cargo and the way it is loaded, that it is possible so to effect a total destruction of rats. In this case a vessel shall not be subjected to a further deratisation unless during or after the unloading

live rats are still found, in which event a second fumigation may be required by a Health Officer, but the cost of such second fumigation shall not be charged to the owners or agents of the vessel under section 41. In other cases the complete destruction of the rats shall be effected on board when the holds are empty. In the case of ships in ballast this process shall be carried out as soon as possible before taking cargo.

(2) If the vessel is to unload a part of its cargo only and if a Health Officer considers that it is impossible to carry out complete deratisation, the said vessel may remain in port for the time required to unload that part of its cargo, provided that all precautions, including isolation, are taken to the satisfaction of a Health Officer to prevent rats from passing from the vessel to the shore, either during unloading or otherwise.

(3) The unloading of cargo shall be carried out under the control of a Health Officer, who shall take all measures necessary to prevent the persons employed on this duty from becoming infected. Such persons shall be subjected to observation or surveillance for a period not exceeding six days from the time when they have ceased to work at the unloading of the vessel.

49. Plague suspected vessels and aircraft shall undergo the measures specified in section 47 (i), (iv) and (v) and in section 48. In addition the passengers and crew may be subjected to surveillance which shall not exceed six days reckoned from the date of arrival.

Plague precautionary measures in case of suspected vessels or aircraft.

50. A vessel or aircraft shall be regarded as uninfected or healthy, notwithstanding its coming from an infected port, if there has been no human or rat plague on board either at the time of departure or during the voyage or on arrival, and if the investigations regarding rats have not shown the existence of any unusual mortality.

Uninfected or healthy vessels or aircraft coming from an infected port.

51. An uninfected or healthy vessel or aircraft shall be given pratique immediately with the reservation that a Health Officer may prescribe the following measures in connection therewith:—

Pratique.

(i) Medical inspection to determine whether the condition of the ship corresponds to the definition of an uninfected ship.

(ii) In exceptional cases and for wellfounded reasons which shall be communicated in writing to the captain of the vessel, destruction of rats on board under the conditions specified in section 48 (1).

(iii) Subjection of the passengers and crew to surveillance for a period not exceeding six days from the date on which the vessel left the infected port. The crew may be prevented during the same period from leaving the vessel except on duty of which a Health Officer has been notified.

52. All vessels liable to harbour rats shall be periodically deratised, or be permanently so maintained that any rat population is kept down to the minimum. In the first case they shall receive Deratisation Certificates, and in the second Deratisation Exemption Certificates from a Health Officer. Every such certificate shall be valid for six months, but this period may be extended by one month in the case of a vessel proceeding to its home port.

Periodical deratisation of vessels.

If no valid certificate is produced, a Health Officer may after inquiry and inspection—

(a) himself carry out deratisation of the vessel, or cause such operations to be carried out under his direction and control. On completion of these operations to his satisfaction he shall issue a dated Deratisation Certificate. He shall decide in each case the technique which should be employed to secure the practical extermination of rats on board, but details of the deratising process applied and of the number of rats destroyed shall be entered on the certificate. Destruction of rats shall be carried out so as to avoid as far as possible damage to the vessel and cargo (if any). The operation must not last longer than twenty-four hours. In the case of vessels in ballast the process shall be carried out before taking cargo. Any charges made in respect of these operations shall be determined in accordance with section 41; or

(b) issue a Deratisation Exemption Certificate if he is satisfied that the vessel is maintained in such a condition that the rat population is reduced to a minimum. The reasons justifying the issue of such a certificate shall be set out in the certificate.

Cholera Precautionary Measures.

Cholera
precaution-
ary measures
in case of
infected
vessels and
aircraft.

53. Cholera-infected vessels and aircraft shall be subjected to the following measures :—

(i) Medical inspection.
(ii) The sick shall be immediately disembarked and isolated.

(iii) The passengers and crew may be kept under observation or subjected to surveillance during a period not exceeding five days reckoned from the date of arrival.

(iv) Bedding, soiled linen, wearing apparel and other articles, including foodstuffs, which, in the opinion of a Health Officer, have been recently infected, shall be disinfected.

(v) The parts of the vessel or aircraft which have been occupied by the patients or which are considered by such Health Officer as infected shall be disinfected.

(vi) Unloading of cargo shall be carried out under the supervision of such Health Officer, who will take all measures necessary to prevent the infection of the persons engaged in unloading. They shall be subjected to observation or to surveillance which shall not exceed five days from the time they cease unloading.

(vii) When the drinking water on board is suspected it shall be turned off and emptied out after being disinfected and shall be replaced, after disinfection of the tanks, by a supply of water of good quality.

(viii) Such Health Officer may prohibit the emptying of water ballast which has been taken in at an infected port, unless such water ballast has first been disinfected.

(ix) Such Health Officer may prohibit the emptying or discharge of human dejecta and of waste waters of the ship into the waters of the port unless such dejecta or waste waters have first been disinfected.

54. Vessels or aircraft suspected of cholera shall be subjected to the measures prescribed under paragraphs (i), (iv), (v), (vii), (viii) and (ix) of the preceding section. The passengers and crew may be subjected to surveillance for a period not exceeding five days from the date of arrival.

Cholera precautionary measures in case of suspected vessels and aircraft.

55. If any vessel or aircraft has been declared infected or suspected only because of cases on board presenting the clinical features of cholera and if two bacteriological examinations made with an interval of not less than 24 hours between them have not revealed the presence of cholera or any other suspicious vibrios, it shall be classed as uninfected.

Effect of bacteriological examinations.

56. A vessel or aircraft shall be regarded as uninfected if, although arriving from an infected port or having on board persons proceeding from an infected area, there has been no case of cholera either at the time of departure from such infected port, during the voyage, or on arrival. Such vessel or aircraft may be subjected to the measures provided under paragraphs (i), (vii), (viii) and (ix) of section 53. In addition the passengers and crew may be subjected to surveillance during a period which shall not exceed five days from the date of arrival. The crew may be prevented during the same period from leaving the ship or sanitary aerodrome except on duty of which a Health Officer has been notified.

Cholera precautionary measures in case of vessels and aircraft.

57.—(1) Cases presenting the clinical symptoms of cholera in which no cholera vibrios have been found or in which vibrios not strictly conforming to the character of cholera vibrios have been found shall be subjected to all measures required in the case of cholera.

Cases clinically cholera to be classed as cholera.

(2) Germ carriers discovered on the arrival of a vessel or aircraft may be treated in the same way as cases of disease.

Germ carriers.

Smallpox Precautionary Measures.

58. Vessels or aircraft which during the voyage had, or at the time of their arrival have, a case of smallpox on board shall be subjected to the following measures:—

Smallpox precautionary measures in the case of infected vessels or aircraft.

(i) Medical inspection.

(ii) The sick shall be immediately disembarked and isolated.

(iii) Other persons reasonably suspected to have been exposed to infection on board, who, in the opinion of a Health Officer, are not sufficiently protected by recent vaccination or by a previous attack of smallpox, may be subjected to vaccination or to vaccination followed by observation or surveillance, the period of observation or surveillance being specified according to the circumstances, but in any case not exceeding fourteen days reckoned from the date of arrival of the vessel or aircraft.

(iv) Bedding, soiled linen, wearing apparel and other articles which such Health Officer considers to have been recently infected shall be disinfected.

(v) Those parts of the vessel or aircraft which have been occupied by persons ill with smallpox and which such Health Officer regards as infected shall be disinfected.

Smallpox
precaution-
ary measures
in the case
of contact
vessels or
aircraft.

59. Vessels and aircraft which are not infected with smallpox but which come from a port declared to be infected with the disease shall be subjected to the following measures :—

(i) Medical inspection.

(ii) Any passenger or member of the crew who is not protected by vaccination or by a previous attack of smallpox, and who has left a local area where smallpox is epidemic within the previous fourteen days before landing in the Colony, may be subjected to vaccination followed by surveillance.

Provided that nothing in this section or in section 58 shall derogate from the powers in respect of vaccination or detention conferred by sections 17 and 18 of the Vaccination Ordinance, 1923.

Ordinance
No. 12 of
1923.

Typhus Precautionary Measures.

Typhus
precaution-
ary measures
in case of
infected
vessels or
aircraft.

60. Vessels or aircraft which during the voyage had, or at the time of their arrival have, a case of typhus on board shall be subjected to the following measures :—

(i) Medical inspection.

(ii) The sick shall be immediately disembarked, isolated, and deloused.

(iii) Other persons reasonably suspected to harbour lice, or to have been exposed to infection, shall be deloused and may be subjected to surveillance during a period which shall not exceed twelve days from the date of the delousing.

(iv) Bedding, linen, wearing apparel and other articles which a Health Officer considers to be infected shall be disinfected.

(v) The parts of the vessel or aircraft which have been occupied by persons ill with typhus and which such Health Officer regards as infected shall be disinfected and disinsectised.

Yellow Fever Precautionary Measures.

Yellow
fever pre-
cautionary
measures in
case of
infected
vessels or
aircraft.

61. Vessels or aircraft infected with yellow fever shall be subjected to the following measures :—

(i) Medical inspection.

(ii) The sick shall be disembarked, and those of them whose illness has not lasted more than five days shall be isolated in such a manner as a Health Officer may direct to prevent the infection of mosquitoes.

(iii) Other persons who disembark shall be kept under observation or surveillance during a period which shall not exceed six days reckoned from the time of disembarkation.

(iv) A ship shall be moored at least 220 yards from the inhabited shore and at such a distance from other vessels as will render the access of mosquitoes improbable.

(v) The destruction of mosquitoes in all phases of growth shall be carried out on board, as far as possible before unloading of cargo. If the unloading is carried out before the destruction of mosquitoes, the persons employed shall be subjected to observation or surveillance for a period not exceeding six days from the time when they ceased unloading.

62. Vessels or aircraft suspected of yellow fever may be subjected to the measures specified in paragraphs (i), (iii), (iv) and (v) of section 61.

Yellow fever precautionary measures in case of suspected vessels or aircraft.

63. A vessel or aircraft shall be regarded as uninfected, notwithstanding its having come from a yellow fever infected port, if on arriving after a voyage of more than six days it has no case of yellow fever on board and either there is no reason to believe that it carries adult stegomyia or a Health Officer is satisfied:—

Yellow fever precautionary measures in the case of vessels or aircraft.

(a) that the vessel or aircraft during its stay in the port of departure was moored at a distance of at least 220 yards from an inhabited shore and at such a distance from other vessels as to make the access of stegomyia improbable; or

(b) that the vessel or aircraft at the time of departure was effectually fumigated in order to destroy mosquitoes.

Other Infectious Diseases, Precautionary Measures.

64.—(1) Any person who, on arrival in the Colony by any vessel or aircraft, is found to be suffering from chicken-pox, diphtheria, enteric, dysentery, scarlet fever, influenza, cerebro-spinal meningitis, measles or other such infectious disease, may be removed to a hospital if a Health Officer is of opinion that he cannot be isolated or treated on board.

Precautionary measures with regard to vessels or aircraft infected with certain diseases.

(2) Any bedding, linen, wearing apparel or other articles which such Health Officer considers to be infected shall be disinfected as he may direct.

(3) Any part of the vessel or aircraft which such Health Officer considers to have been infected shall be disinfected as he may direct.

Insanitary and Overcrowded Vessels.

65.—(1) If a Health Officer on inspection of any vessel finds any decaying animal or vegetable matter, rubbish, dirt, filth or other matter, which in his opinion is likely to be injurious to health or to create a nuisance, he may serve a written notice on the master, agent or owner of the vessel to abate the said nuisance within twelve hours.

Measures with regard to nuisances and insanitary conditions on board vessel or aircraft.

(2) If such nuisance is not abated within such time the master, agent or owner shall be liable to a fine not exceeding fifty dollars and to a further fine not exceeding twenty dollars for every day of continuing default.

(3) If a Health Officer on inspection of any vessel finds any crew's quarters, living spaces, water tanks, foodlockers, paintlockers, decks, lavatories, latrines or bilges to be in a dirty or insanitary state, he may call upon the master of such vessel to carry out to his satisfaction such cleansing, disinfection, white-washing or painting as he may direct.

(4) Any master of a vessel who neglects to comply with such orders within such time as a Health Officer directs shall be liable to a fine not exceeding fifty dollars and to a further fine not exceeding twenty dollars for every day of continuing default, and the person whose duty it is to grant a port

clearance may, on the certificate of such Health Officer, withhold a port clearance from such vessel until such Health Officer's directions have been complied with.

(5) At the discretion of a Health Officer any offensive articles mentioned in this section may be discharged, and the vessel may, at the owner's or agent's expense, be disinfected under the supervision of a Health Officer.

(6) All expenses incurred by a Health Officer in carrying out this section shall be recoverable from the owner or agents of the vessel under the Crown Suits Ordinance, 1910.

Ordinance
No. 5 of
1910.

Vessels
with filthy
passengers
or in an
overcrowded
state to go
to quaran-
tine
anchorage.

66. Where a vessel has passengers on board who are in a filthy or otherwise unwholesome condition, or is overcrowded with passengers, emigrants or otherwise, a Health Officer may, if in his opinion it is desirable with a view to checking the introduction of any infectious or contagious disease, and on his certifying to that effect, order the vessel to the quarantine anchorage or to such place as he may direct, and although the vessel is not infected or suspected such Health Officer may order the cleansing and disinfection of the vessel in such manner as he may deem necessary.

Part III.

THE PREVENTION OF THE SPREAD OF INFECTIOUS DISEASE.

(a) Notification.

Notification
forms to be
furnished by
Secretary to
Medical
Depart-
ment.

67. The Secretary to the Medical Department shall upon application furnish every medical practitioner, every medical officer in charge of a Chinese Public Dispensary and every officer in charge of a Police Station with the printed forms to be used in the notification of infectious disease.

Notification
must contain
no false
information.

68. No notification which contains any false information shall be deemed a notification as required by this Ordinance or by any regulation made thereunder unless the person notifying proves that he believed and had reasonable grounds for believing such information to be true.

Attending
practitioner
to notify.

69. If any inmate of any premises be suffering from or has died from plague, cholera, smallpox, yellow fever, typhus, cerebro-spinal meningitis, measles, chicken-pox, diphtheria, scarlet fever, enteric, puerperal fever or rabies, and if such inmate be under the care of a medical practitioner, the said practitioner shall forthwith furnish a Health Officer with a notification thereof in writing stating the name of such inmate and the situation of such premises.

Such medical practitioner if not a Government Officer shall be entitled to receive, on application to the Secretary to the Medical Department, the sum of one dollar for each and every such notification, provided that he applies for payment within one month after the notification to which it relates; but not more than one fee shall be paid in respect of each case.

70. If any inmate of any premises be suffering from or has died from plague, cholera, smallpox or cerebro-spinal meningitis, and if such inmate be not under the care of a medical practitioner, the occupier or keeper of such premises or, in default of such occupier or keeper, the nearest male adult relative living on such premises, or, in default of such relative, occupier or keeper, any person in charge of or in attendance on the sick person or dead body shall, on the nature of the disease becoming known to him or on the suspicion of the existence in such inmate of such disease, forthwith notify the same to any Government Medical Officer or the Medical Officer in charge of the nearest Chinese Public Dispensary, or any officer on duty at the nearest police station or any Sanitary Inspector, who shall immediately on receipt thereof transmit the information to a Health Officer.

Notification where no practitioner has attended.

71. All persons knowing or having reason to believe that any person has been attacked by, or is suffering from, or has died from, plague, cholera, smallpox or such other epidemic, endemic, or contagious disease as may from time to time be duly notified in the Gazette, shall notify the same without delay to any officer on duty at the nearest police station, or to any Government Medical Officer or to the Medical Officer in charge of the nearest Chinese Public Dispensary or any Sanitary Inspector, and any such officer receiving such information whether verbal or written or discovering any such case, shall notify the same with the least possible delay to a Health Officer, and may detain such person or remove him to a hospital until he can be examined by a Government Medical Officer or a Health Officer.

Notification by persons having knowledge of the existence of disease.

72. If any person in any hotel, boarding house or common lodging-house becomes ill from any infectious, contagious or communicable disease the keeper of such institution shall forthwith give notice thereof to a Health Officer or to the Secretary for Chinese Affairs who shall immediately transmit such information to a Health Officer.

Notification by keepers of hotels, boarding houses or common lodging-houses.

73.—(1) Any person required under this Ordinance or any regulation made thereunder to give information of any infectious disease, or of any death from infectious disease, who neglects without reasonable excuse to give such information with the least practicable delay, shall be guilty of an offence against this Ordinance.

Delay in notification, failing to notify or giving false information.

(2) Any person who knowingly omits or refuses to give any information which he is required to give, or who furnishes as true information which he knows or has reason to believe to be false, shall be guilty of an offence against this Ordinance.

(3) When any person is charged with neglecting to give information of any infectious disease or any death from an infectious disease he shall be presumed to have known of the existence of such disease, unless he shows to the satisfaction of the court before which he is charged that he had no such knowledge and could not with reasonable diligence have obtained such knowledge.

74. When any medical practitioner in attendance on any person suffering from infectious disease is satisfied that such person has so far recovered as, in the opinion of such medical practitioner, to be no longer a source of infection to others, such medical practitioner shall notify a Health Officer

Notice of recovery to be furnished to Health Officer.

(b) *Power of Entry for Search, Examination and Detention.*

Power of entry for search and examination.

75.—(1) A Health Officer may enter and search, or direct a Sanitary Inspector to enter and search, any building or enclosure for the purpose of ascertaining whether there is any person suffering from infectious disease or contacts therein and may cause any persons found therein to be examined in order to ascertain whether any of them are infected or have recently been infected.

(2) A Health Officer may further cause any person to be detained for medical examination and may segregate in such place as he may appoint for the purpose any person found to be or suspected to be infected.

(3) A Health Officer or any officer duly authorized by him, may at any time enter any premises for the purpose of examining, and may examine, any dead body where he has reason to believe that the cause of death has not been certified by a duly qualified medical practitioner or has doubt as to the diagnosis made, and he may if he thinks fit order the removal of such body to any place if such removal is in his opinion necessary for the further examination of the body.

Power of magistrate to authorise officer to enter and inspect premises.

(4)—(a) If admission to premises for any of the purposes specified in this section is refused, any magistrate on complaint thereof on oath by any officer authorised by this section to enter and inspect premises (made after reasonable notice in writing of the intention to make the same has been given to the person having custody of the premises, if such person there be) may, by order under his hand, require the person having the custody of the premises to admit any officer entitled under this section to inspect the same into the premises, and, if no such person can be found, the magistrate shall, on oath before him of that fact, by order under his hand authorise any such officer to enter the premises.

(b) After such order of a magistrate has been obtained, any officer authorised to inspect premises under this section may, if necessary, break into the premises named in the order.

(c) Any order made by a magistrate under this section shall continue in force until the work for which the entry was necessary has been done.

(c) *Restrictions Against the Exposure or Transport of Infected Persons or Infected Articles.*

Movement of infectious cases restricted.

76. Except with the permission of a Health Officer no infected person shall depart from the house or place in which the disease manifested itself to any other house or place nor shall any person assist in such departure.

Exposure of infected persons and transfer of infectious cases except under proper precautions prohibited.

77.—(1) No person while suffering from an infectious disease shall expose himself in any place to which the public has access or in any other place used in common by persons other than the members of the family or household to which such infected person belongs, nor shall any person assist in such exposure.

(2) The transport of infected persons to any hospital or other place approved by the Health Officer if carried out with proper precautions shall not be deemed an offence against this section.

78. No person shall knowingly give, lend, sell, pawn, transmit, remove or expose any bedding, clothing or other articles which have been exposed to the risk of infection: Removal with proper precautions by a Health Officer shall not be deemed an offence against this section.

Transfer or exposure of infected articles prohibited.

79. Except on the requisition of a Health Officer or police officer no owner, driver or person in charge of a public conveyance shall permit any person suffering from an infectious disease to enter such conveyance, nor shall any infected person enter a public conveyance except with the permission of a Health Officer.

Diseased persons not to be carried in public conveyances.

80. A Health Officer may, for the purpose of carrying out the provisions of this Ordinance, temporarily impress motor cars, carts, or other vehicles ordinarily let for hire with the beasts (if any) necessary to draw them and may engage the services of drivers, labourers or coolies. The owner of any vehicle so impressed shall not be entitled to claim more than a reasonable sum for the use thereof. All such vehicles shall be disinfected before being returned to their owners.

Impressment of vehicles and beasts.

(d) Isolation of Infected Person in his own Premises.

81.—(1) If in the opinion of a Health Officer any person suffering from an infectious disease can be properly attended in his own home without danger to others, the Health Officer may order that such person shall be detained and treated there and the premises isolated.

Conditions under which infectious cases can be isolated in their own houses.

(2) Every such order shall be in writing and signed by the Health Officer.

(3) A copy of such order in English and Chinese shall forthwith be posted up in a conspicuous position on or near the patient's house, and a copy shall also be sent to the nearest police station.

(4) After the posting up of any such order and so long as the same remains in force no person, except the Health Officer or any person authorised by the Health Officer in that behalf, shall enter or leave the isolated house or remove any furniture, bedding, clothing or articles therefrom.

(5) Any person may approach the isolated house for the purpose of delivering food or medicine to the persons confined in the house or of removing their excreta but may not enter such house.

(6) The Health Officer may in his discretion disinfect any person, furniture, bedding, clothing or other articles in the isolated house and may thereupon permit such person or thing to leave or be removed from the house.

(7) When satisfied that the need for isolation no longer exists the Health Officer shall remove the order posted up as aforesaid and thereupon such order shall be deemed to be cancelled.

(8) Notice of such cancellation shall be sent to the nearest police station by the Health Officer.

(9) Upon receipt of the order mentioned in subsection (3) the officer in charge of the police station shall send as many police officers as are necessary to the isolated house and such police officers shall enforce the isolation of the house and repel any attempt by the persons confined in the house to break out therefrom or by any others to enter therein.

(10) Upon receipt at the police station of the notice mentioned in sub-section (8) the police officers shall be removed from the house.

(e) Removal of Infectious Cases to Hospital.

Power to remove infectious cases to hospital.

82.—(1) A Health Officer may direct the removal to a hospital or other suitable building of any person suffering from an infectious disease, the treatment for which is provided in such hospital or building, if such person is, in his opinion, without proper lodging or accommodation or is living under conditions which are likely to cause the spread of the disease to other persons, or where there is no proper means of attending to the patient without danger to others: Provided that, if any such person refuses to be so removed, it shall be lawful for a magistrate, on the application of the Health Officer, to order the removal of such person to such hospital or other suitable building.

(2) A patient so removed to a hospital or other suitable building shall there remain until discharged by the Medical Officer in charge thereof.

(f) Isolation of Contacts and Closure of Infected Buildings.

Detention of persons occupying infected houses.

83. If in the opinion of a Health Officer it is necessary in the interests of the public health, the persons residing in a building or part of a building which is infected shall be detained therein or shall be removed to such other building or buildings as the Director of Medical and Sanitary Services may direct and there be isolated and kept under supervision until such time as they may, in the opinion of the Health Officer, be safely released.

It shall not be lawful for any person to reoccupy any such building or part of a building until it has been thoroughly cleansed and disinfected.

Power to close and disinfect buildings and to isolate, detain, or subject to surveillance the contacts found therein.

84.—(1) If in the opinion of the Director of Medical and Sanitary Services it is necessary that all or any of the inmates, not themselves sick, of any house or building or part thereof; in which a case of infectious disease exists or has recently existed, should be isolated or put under medical surveillance or that any such house or building or part thereof should be temporarily closed, a Health Officer may direct that:—

(a) such house or building or part thereof shall be temporarily closed for such time as is necessary to secure its thorough disinfection and the disinfection or destruction of all infected articles contained therein.

(b) all or any of the inmates, not being themselves sick, shall be isolated to the satisfaction of the Health Officer or removed to a quarantine station and detained there for such period as is necessary to ensure that such inmates are themselves free from disease.

(2) All or any such inmates, who enter into a written undertaking according to the form in the Schedule, or in its equivalent in Chinese characters, to present themselves daily for examination and who deposit, if required to do so, such sum of money, not exceeding two hundred dollars, as is fixed by the Health Officer, shall present themselves daily to the Health Officer, or to a medical practitioner approved by the Health Officer, for examination for such period and at such place and time as the Health Officer appoints.

Schedule.

(g) *Quarantine Station.*

85. Whenever any persons are detained under observation at a quarantine station a yellow flag shall be hoisted by day at a conspicuous place on the station and by night a red light over a green light, at a distance one above the other of not more than six or less than four feet.

Distinguishing signals to be shown on a quarantine station when occupied.

86. No person, except a Health Officer or persons authorised, either generally or specially, by him, shall enter a quarantine station.

Trespass on quarantine station prohibited.

87. No person detained under observation at a quarantine station shall leave such station without the permission of a Health Officer.

Departure from quarantine station without permission prohibited.

88. Any building or place which is in the opinion of a Health Officer suitable and required for the purpose of isolation and treatment of persons suffering from infectious disease or suspected to be suffering from infectious disease or who are contacts, and for their detention until they are free from disease, may with the written approval of the Governor be entered upon and occupied, if untenanted, without any notice whatsoever, and, if tenanted, after twenty-four hours notice in writing conspicuously posted on such building or such place. The owner or person entitled to the occupation of such building or place shall not be entitled to claim anything beyond a reasonable rent for the period during which such building is occupied under the provisions of this section.

Buildings may be requisitioned for isolation purposes.

(h) *Disposal of Infected Dead Bodies.*

89.—(1) In the event of the death of any person from infectious disease the friends of the deceased shall be permitted to dispose of the corpse by cremation or burial in accordance with their religious customs at the burning ground or burial ground set apart for persons dying from infectious disease or at such other places as a Health Officer may permit and shall obey the directions of the Health Officer in all matters relating to the disinfection or to the time, route and method of removing the corpse to the cremation or burial place.

Disposal of infectious corpses.

(2) In the event of failure or refusal of the friends of the deceased to dispose of the corpse the Health Officer shall see to the proper disposal of it.

90.—(1) If a Health Officer has reasonable grounds for suspecting that any death may have been due to infectious disease he may order the removal of the body to a mortuary or other suitable place for the purpose of a post-mortem examination.

Post-mortem examination where infectious disease is suspected.

Penalty for obstruction.

(2) Any person obstructing the removal of the body for such purposes shall be liable to a fine not exceeding one hundred dollars.

Penalty for dumping infectious corpses.

91. Any person who deposits or causes to be deposited in any public or private place, other than a grave in which it may be lawfully buried, the corpse of any person who has died while suffering from an infectious disease, shall be guilty of an offence against this Ordinance.

(i) Disinfection and Cleansing.

Disinfection of bedding, clothing and personal effects of cases and contacts.

92.—(1) The clothing, bedding and personal effects of all persons detained or segregated or removed to a hospital or other suitable building or place under the provisions of this Ordinance or the regulations made thereunder, which are infected or suspected to be infected, shall be thoroughly disinfected or may be destroyed at the discretion of a Health Officer, and no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the disinfection or destruction of such articles.

(2) The Director of Medical and Sanitary Services may with the sanction of the Governor give compensation for the articles destroyed.

Disinfection or destruction of infected or suspected articles.

93.—(1) A Health Officer may disinfect or destroy any rags, clothing, bedding or other articles infected or suspected to be infected and no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the disinfection or destruction of such articles.

(2) The Director of Medical and Sanitary Services may with the sanction of the Governor give compensation for the articles destroyed.

Disinfection of persons prior to release.

94. A Health Officer may require any person liable to observation to be disinfected before being released.

Disinfection of infected railway carriage and articles contained therein.

95.—(1) Whenever it appears to a Health Officer that any railway carriage has been infected by a person suffering from plague, cholera, smallpox or yellow fever, he may order the carriage to be detained at the nearest station for such time as may be necessary for the purpose of disinfecting it, or may order such carriage to be sent to another station at which disinfection may be more expeditiously carried out.

(2) Any clothing, bedding or other articles in the carriage may be disinfected or destroyed at the discretion of the Health Officer and no person shall be entitled as of right to any compensation by way of damages or otherwise for the destruction of any such articles.

(3) The Director of Medical and Sanitary Services may with the sanction of the Governor give compensation for the articles destroyed.

Detention of vehicles for disinfection.

96. Whenever it appears to a Health Officer that any vehicle has been infected he may detain such vehicle for such time as may be necessary for the purpose of disinfecting it.

97. All such carts and other vehicles as a Health Officer shall use for the transport of infected persons or of things likely to spread infectious disease shall be thoroughly disinfected by the Health Officer before being returned to their owners.

Disinfection
of infected
vehicles.

98. When any building or place which has been entered on and occupied under the provisions of section 88 is vacated the Health Officer concerned shall be bound at the cost of Government to cleanse and disinfect the said building or place, and if a building and if he is so required to do, to whitewash it both internally and externally immediately after vacating it.

Disinfection
of houses
requisitioned
for hospitals.

99. In any case where a Health Officer shall certify in writing that it is necessary as a precaution against the introduction of disease in any place that any well should be filled up, cleansed or disinfected, he may by written order require the owner or occupier of the house or land wherein such well is situated to fill up, cleanse or disinfect such well within a reasonable time to be specified in the order, and such owner or occupier shall fill up, cleanse or disinfect such well accordingly.

Disinfection
or closing
of dangerous
wells.

100.—(1) If in the opinion of a Health Officer it is necessary in the interests of the public health that the persons residing in a building or part of a building which is infected shall be removed, he may direct that such building or part thereof shall be temporarily closed for such time as is necessary to secure its thorough disinfection and the disinfection or destruction of all infected articles contained therein, and it shall not be lawful for any person to reoccupy such building or part thereof until it has been thoroughly cleansed and disinfected as aforesaid.

Temporary
closure of
buildings
after
removal
of case.

(2) Such cleansing and disinfection may, with the approval of such Health Officer, be done in whole or in part by the inmates or by persons engaged by them; and further if in the opinion of such Health Officer it is necessary for the thorough purification and disinfection of such premises to take down any lath and plaster or other hollow partition wall or any partition, screen, panelling, wainscoting, skirting, stair-lining, ceiling, or other similar structure or any fittings or any portion of such wall, structure or fitting, the Health Officer shall forthwith have the same taken down, and, if he considers their removal from the premises or the destruction thereof or both to be necessary in the interests of the public health, he shall forthwith cause the same to be removed from the premises or destroyed or both.

(3) Such destruction shall be carried out with such precautions and in such manner as such Health Officer may deem proper, and compensation for such removal or destruction shall be given by the Governor unless it is proved that the wall, structure or fitting removed or destroyed had been unlawfully erected or maintained.

(4) Such compensation shall be calculated so as to cover the cost of making good the portions of the building damaged by such removal, including the limewashing of any exposed surface and the rebuilding of any necessary wall in materials approved by the Governor, but no compensation shall be payable for any loss of rent or deterioration in the value of the property occasioned or alleged to be occasioned by the operation of these provisions.

(5) The Governor shall decide in each case whether the compensation, if any, is to be paid to the owner or occupier, and payment in accordance with the decision of the Governor shall bar any further claim to compensation by owner or occupier.

Provided that nothing in this section shall affect the rights of the owners or occupiers *inter se* as to the ultimate apportionment of any compensation awarded.

Cleansing and disinfection of buildings as a check to the spread of disease.

101. If a Health Officer is of opinion that the cleansing or disinfection of a building or part of a building or of any article therein likely to retain infection would tend to prevent or check the spread of any infectious disease, leprosy or tuberculosis, he may by notice in writing require the owner or occupier to cleanse or disinfect the same in the manner therein specified.

Power of Health Officer to cleanse and disinfect buildings and their contents.

102. When in the opinion of a Health Officer the owner or occupier is from poverty or otherwise unable effectually to carry out the said requirements, the Health Officer may cleanse or disinfect or cause to be cleansed or disinfected the building or buildings or part of the same and any articles therein at the expense of the Government.

Disinfection of premises with or without closure after removal of cases.

103.—(1) After the removal of any person suffering from an infectious disease from any house a Health Officer shall cause the room which such person occupied, and any other portion of the house which such Health Officer deems to be infected, to be thoroughly disinfected, and the house may be closed for such period as he may direct.

(2) No person except a Health Officer or persons authorised by him shall enter such room or house during such period.

Action with regard to infectious corpses.

104. In the event of the death of any person from infectious disease a Health Officer shall take the necessary action to prevent the spread of infection from the corpse. The clothing, bedding and all personal effects of the deceased, which are liable, in the opinion of the Health Officer, to carry infection, shall be disinfected or, if the Health Officer so orders, be destroyed by fire, and no person shall be entitled to claim compensation as of right for the destruction of any such article.

Recovery of cost of disinfection and payment of compensation for damage.

105. Notwithstanding anything contained in the foregoing sections, the Council shall have power by officers of the Sanitary Department to enter and to cleanse and to disinfect any premises where any person suffering from plague, cholera or smallpox or any other contagious or infectious disease, is or has been, or is reasonably suspected to have been, recently located, and the Council may recover the cost of such disinfection and cleansing from the house holder; but compensation may be given to such house holder for any bedding, clothing or other articles which have been destroyed during such cleansing or disinfection:

Provided that where the case of infection has been duly reported no charge shall be made for the cost of such cleansing and disinfection, and reasonable compensation for property destroyed or damaged shall in such case be given.

Limitation of Liability.

106. No matter or thing done by the Council or by any member of the Council, or by any Health Officer or Sanitary Inspector or other person whomsoever acting under the direction of the Council or a Health Officer, shall, if it was done *bonâ fide* for the purpose of executing this Ordinance, subject them or any of them personally to any action, liability, claim or demand whatsoever: Provided that nothing herein contained shall exempt any person from any proceeding by way of *mandamus*, injunction, prohibition or other order unless it is expressly so enacted.

Limitation of liability.

Repeals.

107.—(1) In the Merchant Shipping Ordinance, 1899, section 23 and the heading thereto, sub-section (20) of section 39 and Table L of the Schedule are repealed.

Repeal of Ordinance No. 10 of 1899,

s. 23 and heading, s. 39 (20) and Table L.

also repeal of Ordinance No. 12 of 1935.

(2) The Public Health (Quarantine and Prevention of Disease) Ordinance, 1935, is repealed.

Commencement.

108. This Ordinance shall come into operation on the first day of February, 1936

Commencement.

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

Serial No.
(FOR RECORD IN THE
HEALTH OFFICE)

Date of undertaking
Full name of person undertaking
.....
.....
Address in full
.....
.....
Ship's name

SCHEDULE. [s.s. 4, 5, 7, 10, 84.]
QUARANTINE AND PREVENTION OF DISEASE
ORDINANCE, 1936.

Serial No.
Undertaking to submit to surveillance.
I, of
being desirous of proceeding to
(which I hereby declare to be my full and sufficient address), hereby
undertake, in consideration of my being exempted from observation,
(to present myself for examination at the office of the
situated at daily at a.m. for
..... days from the date hereof, and to report immediately
at the said office any change in my residence) or (to proceed direct to
the said premises and to submit myself for examination daily by the
examination officer for days from the date hereof).

I am aware that failure to comply with the terms of this under-
taking, will render me liable to arrest, and, upon conviction, to a
fine not exceeding \$200.00 for every day during which the offence
shall continue.

Dated this day of 19 ..
.....
Signature of Passenger.

Before me,
.....
Health Officer.

Serial No.
Slip No.
(TO BE HANDED TO PERSON GIVING
THE UNDERTAKING)

Date of undertaking
.....
Full name of person undertaking
.....
Address in full
.....
.....
Ship's name

Address of the examining officer to whom
the undertaker must report
Period for which examination
is ordered

Note:—Breach of this undertaking renders
the offender liable to arrest and to
a fine not exceeding \$200 for every
day during which the offence shall
continue.

To be printed at the back.

INSTRUCTIONS.

1. This undertaking is to be forwarded by the Health Officer to the Health Officer of the area containing the address of the person giving the undertaking. The slip is to be handed to the said person.
2. The Health Officer of such area will every day, as he sees such person, initial the space below.

	Date.	Initials.	
First day			
Second day			
Third day			

HONG KONG.

No. 8 OF 1936.

I assent.

L.S.

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend further the Magistrates Ordinance,
1932.

[31st January, 1936.]

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 Magistrates
Amendment Ordinance, 1936.Repeal of
Ordinance
No. 41 of
1932, s. 26.2. Section 26 of the Magistrates Ordinance, 1932, is
repealed.Substitution
for Ordin-
ance No. 41
of 1932,
s. 108 (5).3. Sub-section (5) of section 108 of the Magistrates
Ordinance, 1932, is repealed and the following sub-section is
substituted therefor:—(5) The appellant, if then in custody, shall be liberated
on the recognizance being further conditioned for his appear-
ance at the hearing of the appeal and for his submission to
the judgment of the Full Court.Substitution
for Ordin-
ance No. 41
of 1932,
s. 109 (1).4. Sub-section (1) of section 109 of the Magistrates
Ordinance, 1932, is repealed and the following sub-section is
substituted therefor:—Service and
notice.
23 & 24
Geo. 5,
c. 38,
s. 1 (x).109.—(1) Any notice or document required to be given,
sent to or served on the respondent by the appellant shall
be deemed to have been duly given, sent or served if the
same shall have been delivered to the solicitor for the time
being representing the respondent or transmitted to the
respondent in a registered letter addressed to him at his last
or usual place of abode or business and, if so transmitted,
shall be deemed to have been given at the time when it
would have been delivered in the ordinary course of post.Amendment
of Ordinance
No. 41 of
1932,
s. 118E (i)
Ordinance
No. 19 of
1935.
23 & 24
Geo. 5,
c. 38,
s. 1 (x).5. Section 118E (i) of the Magistrates Ordinance, 1932,
as enacted by section 2 of the Magistrates Amendment
Ordinance, 1935, is amended by the addition of the following
words at the end thereof:—and such copy may be sent by post in a registered letter
addressed to that party at his last or usual place of abode
or business or to the solicitor for the time being representing
that party;

6. Sub-section (4) (a) of section 118 I of the Magistrates Ordinance, 1932, as enacted by section 2 of the Magistrates Amendment Ordinance, 1935, is amended by the deletion of the word "it" in the first line thereof.

Amendment
of Ordinance
No. 41 of
1932,
s. 118 I (4)
(a).
Ordinance
No. 19 of
1935.

7. The First Schedule to the Magistrates Ordinance, 1932, is amended—

New
forms
Nos. 88,
93 and 94
for Ordin-
ance No. 41
of 1932.

(i) by the repeal of Form No. 88 and by the substitution therefor of the Form No. 88 in the Schedule to this Ordinance;

(ii) by the addition at the end thereof of Forms Nos. 93 and 94 in the Schedule to this Ordinance.

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.

SCHEDULE. [s. 108].

FORM No. 88.

Recognizance of Appeal.

HONG KONG.

IN THE POLICE COURT AT

[The form of recognizance will be the same as in Form No. 28 supra, but the condition indorsed will be as follows]:—

The condition of the within-written recognizance is such that if the within-bounden shall without delay prosecute a certain appeal to the Full Court from a conviction [or order] of J.P., Esquire, a magistrate of the said Colony, dated the day of , 19 , whereby [here state effect of conviction or order], and further shall abide by and duly perform the order of the said court to be made upon the hearing of such appeal, and shall pay such costs as may be awarded by the said court [add, if appellant is liberated from custody and further if the said shall personally appear and surrender himself at and before the Full Court at each and every hearing of his appeal to such Court and at the final determination thereof and to then and there abide by the judgment of the said Court and not to depart or be absent from such Court at any hearing without the leave of the said Court, and in the meantime not to depart out of the Colony of Hong Kong,] then this recognizance to be void or else to stand in full force and effect.

FORM No. 93.

[s. 118E (ii)].

—
Recognizance to prosecute appeal with due diligence.
 —

HONG KONG.

IN THE POLICE COURT AT

[The form of recognizance will be the same as in Form No. 23 supra, but the condition indorsed will be as follows]:—

The condition of the within-written recognizance is such that if the within-bounden shall with diligence prosecute a certain appeal to a judge of the Supreme Court of Hong Kong from a conviction [or sentence] of J.P., Esquire, a magistrate of the said Colony dated the day of , 19 , then the within-written recognizance shall be void, but otherwise shall remain in full force and effect.

FORM No. 94.

[s. 118E (iv)].

—
Recognizance of Appeal.
 —

HONG KONG.

IN THE POLICE COURT AT

[The form of recognizance will be the same as in Form No. 28 supra, but the condition indorsed will be as follows]:—

The condition of the within-written recognizance is such that if he the said shall personally appear and surrender himself at the Supreme Court before the judge thereof at each and every hearing of his appeal from a conviction [or sentence] of J.P., Esquire, a magistrate, dated the day of , 19 , to such judge and at the final determination of such appeal and then and there abide by the judgment of the said judge and not depart or be absent from such Court at any such hearing without the leave of the said judge, and in the meantime not to depart out of the Colony of Hong Kong, then this recognizance to be void or else to stand in full force and effect.

HONG KONG.

No. 9 OF 1936.

I assent.

(L.S.)

A. CALDECOTT,
Governor.

31st January, 1936.

An Ordinance to amend the Bills of Exchange Ordinance, 1885, and the Falsification of Documents Ordinance, 1935.

[31st January, 1936.]

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 Bills of Exchange and Falsification of Documents Amendment Ordinance, 1936. Short title.

2. The Bills of Exchange Ordinance, 1885, is amended by the insertion of the following section after section 82A:— New section 82B for Ordinance No. 3 of 1885.

82B. Sections 76 to 82, both inclusive, shall extend to any document issued by a customer of any banker, and intended to enable any person or body corporate to obtain payment from such banker of the sum mentioned in such document, and shall so extend in like manner as if the said document were a cheque: Provided that nothing in this section shall be deemed to render any such document a negotiable instrument. For the purposes of this section the Colonial Treasurer shall be deemed to be a banker, and the public officers drawing on him shall be deemed customers. Extension of sections 76 to 82 to certain other documents. 46 & 47 Vict. c. 55, s. 17.

3. The Falsification of Documents Ordinance, 1935, is amended by the repeal of section 2 thereof. Repeal of Ordinance No. 33 of 1935, s. 2.

Passed the Legislative Council of Hong Kong, this 30th day of January, 1936.

H. R. BUTTERS,
Deputy Clerk of Councils.