

## EXECUTIVE COUNCIL.

No. 728.

Hong Kong.

ORDINANCE No. 34 of 1910. (NEW TERRITORIES  
REGULATION).

By virtue and in exercise of the powers conferred by section 6A (1) of the New Territories Regulation Ordinance, 1910, as amended by the New Territories Regulation Amendment Ordinance, 1938, the Governor in Council makes the following rules for the prevention and abatement of nuisances and the making of orders by magistrates in connexion therewith:—

1. The following shall be deemed to be nuisances:

(1) any premises in such a state as to be a nuisance or dangerous to the health of any person;

(2) any pool, ditch, gutter, watercourse, privy, urinal, cesspool, drain or ashpit so foul or in such a state as to be a nuisance or dangerous to the health of any person;

(3) any cistern for domestic water supply or place so constructed or kept as to render the water liable to contamination at the risk of the health of any person;

(4) any animal or bird so kept as to be a nuisance or dangerous to the health of any person;

(5) any accumulation or deposit which is a nuisance or dangerous to the health of any person, except where necessary for a business or manufacture and where a magistrate is satisfied that it has not been kept longer than necessary and that the best available means have been taken to prevent injury to the public health;

(6) any house or part of a house so overcrowded as to be dangerous to the health of the inmates;

(7) any work place, not being a factory or workshop within the meaning of the Factories and Workshops Ordinance, 1937, which is not kept in a cleanly state, properly ventilated, and free from overcrowding.

For the purposes of this rule, "premises" extends to and includes vessels and boats.

2. On the application by summons of a Health Officer or Sanitary Inspector, any magistrate may, if he is satisfied that a nuisance exists or has existed on any premises, require the owner or occupier of the premises and the author of the nuisance to abate the nuisance within such time as the magistrate considers reasonable; and whether the nuisance has been abated or not before the making of the order, to prevent the recurrence of the nuisance; and without prejudice to the generality of the foregoing, to do or refrain from doing such things as the magistrate deems necessary for the abatement and prevention of the nuisance.

T. MEGARRY,  
Clerk of Councils.

COUNCIL CHAMBER,  
21st September, 1938.