



The Hong Kong Government Gazette Extraordinary

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The following Notification is published,

By command,

N. L. SMITH,
Colonial Secretary.

EXECUTIVE COUNCIL.

No 794.

Hong Kong.

Regulation made by the Governor in Council under section 2 of the Emergency Regulations Ordinance, 1922, Ordinance No. 5 of 1922, on the 12th day of October, 1938.

WHEREAS by section 2 of Ordinance No. 5 of 1922, intituled the Emergency Regulations Ordinance, 1922, it is provided among other things that on any occasion which the Governor in Council may consider to be an occasion of emergency or public danger, he may make any regulations whatsoever which he may consider desirable in the public interest :

AND WHEREAS the Governor in Council considers that such an occasion of emergency or public danger continues to exist :

NOW THEREFORE by virtue and in exercise of the powers conferred by the said section 2 of the Emergency Regulations Ordinance, 1922, and of all other powers enabling him in that behalf, the Governor in Council makes the following regulation, which shall be added as regulation 34 to the regulations made under the said section 2 on 28th September, 1938, and published in the Gazette of 7th October, 1938, as Government Notification No. 775:—

RESTRICTIONS ON ALIEN COMBATANTS, REFUGEES AND
OTHERS.

34.—(1) This regulation shall apply to—

(a) every person belonging to the naval, military or air forces of China or Japan who seeks refuge under the jurisdiction of the British Crown and comes or is within the Colony during the continuance of hostilities between those countries and

(b) every alien having no regular employment or fixed abode in this Colony

—all of whom are hereinafter referred to as “aliens”.

(2) The Governor may establish camps or places for the residence of aliens and direct that aliens shall therein be under the control of such persons as he may appoint.

(3) The Governor may make rules for the government of aliens in camps or places established under paragraph (2).

(4) Aliens may be confined in any camp or place established under paragraph (2), taken from any such camp or place to another, or released subject to such directions as the Commissioner of Police in his discretion and either personally or by his officers may give for reporting to the police, restriction of movement and otherwise.

(5) The Commissioner of Police, any public officer authorized, either generally or specially, by the Commissioner of Police in that behalf and any member of His Majesty's forces so authorized as aforesaid may, using force if necessary, arrest and detain any person who appears to such Commissioner, officer or member of His Majesty's forces to be an alien to whom this regulation applies, and may take such person or direct such person to go to a camp or place established under paragraph (2).

(6) Every alien who—

(a) escapes or attempts to escape from such arrest;

(b) escapes or attempts to escape from a place or camp in which he is confined under this regulation;

(c) commits a breach of any rule made by the Governor under paragraph (3); or

(d) fails to comply with any direction given to him under paragraph (4) or (5),

shall be guilty of an offence against these regulations.

(7) Any police officer who has reasonable ground for suspecting that any alien has escaped from a place or camp in which he was confined under this regulation and is in any premises or on board any vessel may search the premises or vessel and take such alien, if found, to any camp or place established under paragraph (2).

B. C. K. HAWKINS,
Deputy Clerk of Councils.

COUNCIL CHAMBER,
12th October, 1938.