

No. 798.

**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 14th 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 regulations, which shall be added as regulations 35 and 36 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, and amended by Government Notification No. 794 in the Gazette of 12th October, 1938 :—

**REQUISITIONING.**

35.—(1) It shall be lawful for any public officer authorized by the Governor in Council in writing under the hand of the Clerk of Councils to take possession of any article, substance, or thing of a class to be specified in the authorization, and to dispose of the same in any manner which the Governor in Council may consider desirable in the public interest.

(2) Such compensation shall be paid for any article, substance or thing taken from any person under this regulation and not returned to such person as shall in default of agreement be determined by the arbitration of a single arbitrator appointed by the Governor and named in the authorization; but in determining the amount of the compensation the arbitrator shall have regard to the cost (unless the cost exceeds the market value) of the article and to the allowance of a reasonable profit, without necessarily taking into consideration the market price of the article at the time.

**CONTROL OF PRICES.**

36. The Governor in Council may by notification published in the Gazette from time to time restrict the price and fix a maximum price for the sale of any article for a period

specified in the notification, and while the restriction remains in force—

(a) no person shall sell any such article for a sum greater than such maximum price; and

(b) notwithstanding any agreement to the contrary, no action shall lie for the payment of any money in excess of such maximum price, but such money, if paid, may be recovered by the payer:

Provided that nothing in this regulation shall affect the sale of any article sold in pursuance of a contract made before the date of the notification.

T. MEGARRY,  
*Clerk of Councils.*

COUNCIL CHAMBER,  
14th October, 1938.

---

**LEGISLATIVE COUNCIL.**

No. 799.

**LEGISLATIVE COUNCIL, No. 9.**

---

Thursday, 15th September, 1938, at 2.30 p.m.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir GEOFFRY ALEXANDER STAFFORD NORTHCOTE, K.C.M.G.).

His Excellency the General Officer Commanding the Troops, (Major-General ARTHUR WOLLASTON BARTHOLOMEW, C.B., C.M.G., C.B.E., D.S.O.).

The Honourable the Colonial Secretary, (Mr. NORMAN LOCKHART SMITH, C.M.G.).

„ the Attorney General, (Mr. JOHN ALEXANDER FRASER, M.C., *Acting*).

„ the Secretary for Chinese Affairs, (Mr. ROLAND ARTHUR CHARLES NORTH).

„ the Financial Secretary, (Mr. SYDNEY CAINE).

„ Commander GEORGE FRANCIS HOLE, R.N. (Retired), (Harbour Master).

„ Mr. RICHARD McNEIL HENDERSON, (Director of Public Works).

„ Mr. THOMAS HENRY KING, (Commissioner of Police).

„ Dr. PERCY SELWYN SELWYN-CLARKE, M.C., (Director of Medical Services).

„ Mr. JOHN JOHNSTONE PATERSON.

„ Mr. CHAU TSUN-NIN, C.B.E.

„ Mr. LO MAN-KAM.

„ Mr. STANLEY HUDSON DODWELL.

„ Mr. LEO D'ALMADA E CASTRO, Junior.

„ Dr. LI SHU-FAN.

Mr. BRIAN CHARLES KEITH HAWKINS, (Deputy Clerk of Councils).