

LEGISLATIVE COUNCIL.

No. S. 67.—The following Bills were read a first time at a Meeting of the Council held on the 7th March, 1912:—

A BILL

ENTITLED

An Ordinance to amend and consolidate the Law relating to "Chinese Passenger Ships" as defined by the Chinese Passengers Act, 1855, and concerning Asiatic Emigrants generally.

Be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

PART I.

Preliminary Provisions.

- Short title. 1. This Ordinance may be cited as the Asiatic Emigration Ordinance, 1912.
- Interpretation of terms. 2. In this Ordinance—
- "The Act" means the Chinese Passengers Act, 1855:
 - "Ship" includes all sea-going vessels:
 - "Emigration Officer" as regards this Colony means the Harbour Master and includes any person duly authorised to perform or assist in performing his duties and as regards other places includes every person lawfully acting as Emigration Officer, Immigration Agent or Protector of Emigrants and every person authorised by the Governor of any British Colony to carry out the provisions of the Act:
 - "Emigrant Ship" includes every ship carrying from any port in the Colony more than twenty passengers being natives of Asia:
 - "British Emigrant Ship" includes every British ship carrying from any port in China or within one hundred miles of the coast thereof more than twenty passengers being natives of Asia:
 - "Assisted Emigrant" means any male labourer being a native of Asia who intends to labour for hire in some place beyond the limits of this Colony and has received assistance in the way of payment of passage money, subsistence or otherwise to enable him to carry out his intention:
 - "Contract Emigrant" means any person engaged under the provisions of section 28 of this Ordinance:
 - "Free Asiatic Emigrant" means an emigrant, being a native of Asia, who is not an assisted emigrant or under any contract of service whatever:

“Commander or master of any ship” includes any person for the time being in command or charge of the same :

“Short voyage” means any voyage to any port in British North Borneo, Borneo, Labuan, Brunei, Sarawak, or Siam or in any place which may be declared by the Governor-in-Council to be a place to which the provisions of this Ordinance relating to short voyages shall apply :

“Long voyage” means any voyage of more than seven days duration within the meaning of the Act but not exceeding thirty days duration :

“Extended voyage” means any voyage of more than thirty days duration within the meaning of the Act.

3. Any emigrant ship or British emigrant ship clearing out or proceeding to sea on any voyage to any port for the purpose of commencing at or from such port any short, long or extended voyage shall be deemed to have cleared out or proceeded to sea upon the said last mentioned voyage from the Colony or from a port in China or within one hundred miles of the coast thereof, as the case may be. Definition of voyage.

4.—(1.) The Harbour Master shall be the Emigration Officer in this Colony for the purpose of sections 4 and 6 of the Act. Legislation authorised by the Act.

(2.) The provisions of this Ordinance respecting ships and the treatment of passengers while at sea are hereby substituted for the regulations contained in Schedule (A) to the Act and shall be deemed to be regulations made under section 2 of the Act.

(3.) The form contained in the First Schedule to this Ordinance shall be substituted for the form of certificate contained in Schedule B to the Act. First Schedule.

(4.) The form contained in the Second Schedule to this Ordinance shall be substituted for the form contained in Schedule C to the Act. Second Schedule.

5. The voyages specified in the Tenth Schedule to this Ordinance are hereby declared to be voyages of not more than thirty days duration. Specification of voyages of not more than thirty days duration. Tenth Schedule.

6.—(1.) Save as is provided in sub-section (2) of this section nothing in this Ordinance shall apply to passengers who are natives of Asia travelling or about to travel in the first class of any vessel which is provided with a general licence, on the same terms as non-Asiatic passengers, or in the first or second class, if the vessel carries more than two classes of passengers. Saying of right of Asiatic passengers to travel in first or second class as other nationalities.

(2.) Such passengers shall, however, in cases where other Asiatic passengers are carried, be reckoned in calculating the number of passengers, natives of Asia, who are carried by the said vessel.

PART II.

Emigrant Ships and British Emigrant Ships.

7. The master of every ship arriving within the waters of the Colony with or intended for carrying from the Colony more than twenty Asiatic emigrants shall, within twenty-four hours, report the same to the Emigration Officer ; and in case he neglects to do so, he shall be liable on summary conviction to a fine not exceeding one hundred dollars and to imprisonment for any term not exceeding six months. Report to Emigration Officer of arrival of emigrant ship.

8. No emigrant ship or British emigrant ship shall clear out or proceed to sea on any short, long or extended voyage without a certificate from the Emigration Officer in the form contained in the First Schedule to this Ordinance. Certificate.

Notice. 9. The owners or charterers of every such ship about to proceed on any such voyage, or, if they are absent, their respective agents, shall, as soon as such ship is laid on for the conveyance of emigrants, give notice in writing of the fact to the Emigration Officer specifying in such notice the name, destination, and probable time of departure of such ship.

Requirements as to hospital accommodation. 10.—(1.) In every emigrant ship or British emigrant ship about to proceed on any short or long voyage, there shall be a sufficient space properly divided off and located to the satisfaction of the Emigration Officer at the port of clearance, to be used exclusively as a hospital and shall in no case be of less dimensions than eighteen clear superficial feet for every fifty passengers whom the ship carries.

(2.) Every such hospital shall be fitted with bed places and supplied with proper beds, bedding and utensils, to the satisfaction of the Emigration Officer at the port of clearance, and shall throughout the voyage be kept so fitted and supplied.

(3.) In the measurement of the passenger decks, for the purpose of determining the number of passengers to be carried in any such ship, the space for the hospital shall be included.

Medical examination before sailing. (4.) No such ship shall clear out or proceed to sea on any short, long or extended voyage, until the proper medical officer has certified to the Emigration Officer, and the Emigration Officer shall not grant his certificate unless he is satisfied, that none of the passengers or crew appear, by reason of any bodily or mental disease, unfit to proceed or likely to endanger the health or safety of other persons about to proceed in such ship.

(5.) A medical inspection of the passengers for the purposes of giving such certificate shall take place either on board the ship, or, at the discretion of the Emigration Officer, at such time and on shore, before embarkation, as he may appoint.

(6.) The master, owner, or charterer of the ship shall pay to the Emigration Officer a sum at the rate of fifty dollars for every hundred persons so examined.

Prohibition of Asiatic emigrant ship proceeding to sea without licence. 11. No such ship shall clear out or proceed to sea on any such voyage and the Emigration Officer shall not grant the certificate unless the master of such ship is provided with a licence under the hand of the Governor and the public seal of the Colony or under the hand and seal of an Emigration Officer, to be obtained in manner hereinafter mentioned.

Time and mode of application for licence in the Colony. 12. Whenever any emigrant ship is about to proceed to sea from the Colony on any such voyage the owners or charterers of such ship, or, if absent from the Colony, their respective agents, shall, before such ship is laid on for the conveyance of Asiatic emigrants apply in writing to the Colonial Secretary for a licence under the hand of the Governor and the public seal of the Colony for the conveyance of such emigrants, and shall furnish all particulars, according to the form in the Third Schedule to this Ordinance, as to the destination of the said ship and as to all other matters relating to the intended voyage and emigration which may be required of them.

Third Schedule.

Time and mode of application for licence at port out of the Colony. 13. Whenever any British emigrant ship, which is not provided with a licence covering her intended voyage, is about to proceed with Asiatic emigrants from any port in China, or within one hundred miles of the coast thereof, on any short or long voyage, the owners or charterers of such ship, or, if absent, their respective agents, shall, before such ship is laid on for the conveyance of Asiatic emigrants apply in writing to the Emigration Officer at such port for a licence under his hand and seal for the conveyance of such emigrants on the intended voyage only, and shall furnish all particulars, according to the form in the Third Schedule to this Ordinance, as to the destination of the said ship and as to all other matters relating to the intended voyage and emigration which may be required of them.

Third Schedule.

14. All such particulars shall, if so ordered, be verified upon oath or declaration before the Emigration Officer or any Justice of the Peace, who are hereby authorized to administer such oath or declaration ; and every person who knowingly furnishes untrue particulars shall be liable to imprisonment for any term not exceeding six months and to a fine not exceeding one hundred dollars.

Verification of particulars, etc.

15. The Governor may, in his discretion, grant to any vessel a general licence for any period, or for any number of voyages, or for voyages to and from any specified port, on the condition that the vessel provided with such licence shall carry only free Asiatic emigrants except as hereinafter mentioned.

Power to grant general licence.

16. The granting of any licence in the Colony shall be subject to the payment of a fee of fifteen dollars and to such conditions as may from time to time be prescribed under instructions from the Secretary of State.

Conditions, etc., of licence in Colony.

17. The granting of any licence under section 13 shall be in the discretion of the Emigration Officer, and shall be subject to the payment of a fee of five dollars and to such conditions as may from time to time be prescribed, and the Emigration Officer may impose such conditions on the granting of the application as he may think expedient in each particular case, provided the same are not contrary to or inconsistent with such instructions.

Conditions, etc., of Emigration Officer's licence out of Colony.

18. Every licence, other than a general licence, granted under this Ordinance in respect of any ship shall specify the period within which such ship shall clear out and proceed to sea : Provided always that it shall be lawful for the Governor or the Emigration Officer who granted the licence from time to time to extend such period.

Licence to specify time of departure, etc.

19. In case it is shown, to the satisfaction of the Governor-in-Council, at any time before the departure of any emigrant ship or British emigrant ship proceeding on any short, long or extended voyage, that the master, mate, or any other officer of such ship is unfit for the proper discharge of his duties by reason of incompetency or misconduct or for any other sufficient cause, it shall be lawful for the Governor, by order under his hand, to direct the dismissal or removal of such master, mate, or other officer from the said ship, and thereupon the owners or charterers thereof, or their agents, shall forthwith dismiss or remove such master, mate, or other officer, as the case may be, and appoint another in his place, to be approved by the Emigration Officer, in the place of the one so dismissed or removed as aforesaid.

Power to remove master or other officer.

20. In any of the following cases, namely,—

- (1.) if it appears, to the satisfaction of the Governor or of the Emigration Officer granting the licence, at any time before the departure of any such ship, that the particulars furnished to him in relation thereto are untrue or that any condition of the said licence has been violated ; or
- (2.) if any such ship fails to clear out and proceed to sea within the period specified in the licence or within such extended period as aforesaid ; or
- (3.) if the owners or charterers of any such ship fail forthwith to dismiss or remove any master, mate, or other officer ordered to be dismissed or removed and to appoint a master, mate, or other officer, to be approved as aforesaid,

Power to revoke and cancel licence in certain cases.

it shall be lawful for the Governor or the Emigration Officer to revoke the licence granted by him in respect of such ship, and to order that the said ship be seized and detained until her emigration papers (if already granted) are delivered up to be cancelled.

21. The breach of any condition of a licence granted under any preceding section shall be deemed a breach of a regulation within the meaning of sections 2 and 7 of the Act.

Breach of condition of licence.

Application of penalty for breach of the Ordinance recoverable under the Act. **22.** It shall be lawful for the Governor-in-Council to apply the whole or any part of the penalties recoverable under section 5 of the Act for the non-observance or non-performance of the regulations made under this Ordinance or the Act towards the expenses of reconveying to their homes or transferring to another ship emigrants who were intending to proceed in any vessel whose licence has been revoked in manner hereinbefore provided.

Grant of special licence to mail or first class steamer, subject to certain regulations. **23.—(1.)** The Governor may, in his discretion, and on payment of a fee of fifteen dollars, grant a special licence for any period not exceeding twelve months, or for any number of voyages to be performed within twelve months, to any steamer which is regularly employed in the conveyance of public mails under an existing contract with the Government of the State or Colony for which such mails are carried, or to any other steamer which is approved by the Governor as a first class steamer.

Fourth Schedule. (2.) Such special licence shall authorize the steamer named therein to carry a limited number of free Asiatic emigrants on voyages of not more than thirty days duration between ports to be specified in the licence, under and subject to the regulations contained in the Fourth Schedule to this Ordinance.

(3.) The number of passengers to be carried shall be inserted in the licence, and shall in no case exceed one passenger for every ten tons of the registered tonnage of such steamer.

Power to annex special conditions to grant of licence. **24.** The Governor may, if he thinks fit, annex any special conditions to the granting of any special licence applied for under this Ordinance, and may cause such special conditions to be specified in the licence: Provided that the same shall not be contrary to or inconsistent with the Act or with this Ordinance.

Cancellation of special licence. **25.** A special licence granted under this Ordinance may at any time be cancelled by the Governor in his discretion.

Specially licensed steamer relieved from other regulations. Fifth Schedule. **26.** Every steamer to which a special licence is granted under this Ordinance shall, during the continuance of such licence, be relieved from the regulations contained in the Fifth Schedule to this Ordinance, but nothing herein contained shall be deemed to relieve such steamer from the operation of any part of the Act, except the regulations contained in the said Schedule A thereto.

Modified regulations for voyages of not more than thirty days duration. Fifth Schedule. **27.** All emigrant ships and British emigrant ships clearing out or proceeding to sea on any short or long voyage shall be subject to the modified regulations contained in the Fifth Schedule to this Ordinance, which as regards such ship shall be substituted for those contained in Schedule A of the Act, but nothing in this section shall be deemed to relieve such ships from the operation of the Act, except so far as the same is by the said Schedule expressly modified.

PART III.

Provisions relating to Emigrants and their Passages.

Power to authorize labourers and servants to be engaged for person in British possession. **28.—(1.)** The Governor-in-Council may, subject to the approval of His Majesty's Principal Secretary of State for the Colonies, authorize any properly accredited agent of the Government of any British possession, or of any person resident in a British possession holding the authority and licence of the Governor thereof, to engage any specified number of Asiatic artisans, mechanics, labourers, or servants for any person resident in any British possession and to make contracts in writing in a form to be approved by the Governor-in-Council on behalf of such resident with the persons so engaged.

(2.) Every such contract shall be made in triplicate and one part shall be lodged in the office of the Registrar General; and such part shall be admissible in evidence without a stamp.

(3.) Any vessel provided with a general licence may carry any persons so engaged without thereby affecting her licence.

Passage Brokers.

29.—(1.) No person shall act as a passenger broker or in procuring passengers for, or in the sale or letting of passages in, any emigrant ship proceeding on any short, long or extended voyage unless he has, with two sufficient sureties, to be approved by the Registrar General, entered into a joint and several bond in the sum of five thousand dollars to His Majesty, his heirs and successors, according to the form in the Sixth Schedule to this Ordinance, which bond shall be renewed on each occasion of obtaining such licence as hereinafter mentioned, and shall be deposited with the Registrar General; nor unless such person has obtained a licence to let or sell passages; nor unless such licence is then in force.

Prohibition of person acting as passage broker without having entered into bond and obtained licence. Sixth Schedule.

(2.) Where different members of the same firm act as passage brokers, each person so acting shall comply with the terms of this section.

30. Any person wishing to obtain a licence to act as a passage broker shall make application for the same to the Registrar General who is hereby authorized, if he thinks fit, to grant such licence, according to the form in the Seventh Schedule to this Ordinance: Provided always that no such licence shall be granted unless such bond as is mentioned in the last preceding section has been first entered into: Provided, also, that any Magistrate who adjudicates on any offence committed by such broker against this Ordinance is hereby authorized to order the offender's licence to be forfeited, and the same shall thereupon be forfeited accordingly: and the said Magistrate making such order shall forthwith cause notice of such forfeiture, in the form in the Eighth Schedule to this Ordinance, to be transmitted to the Registrar General, and such forfeiture shall be exclusive and independent of any other punishment which may be inflicted upon such offender under the provisions of this Ordinance.

Mode of obtaining passage broker's licence, and forfeiture thereof. Seventh Schedule.

Eighth Schedule.

31. Every person obtaining such licence as aforesaid shall pay to the Registrar General a fee of two hundred dollars, or where the duration of the licence is short such reduced fee as the Governor-in-Council may authorise.

Fee to be paid for licence.

32. Such licence shall continue in force until the thirty-first day of December in the year in which such licence is granted, and for fourteen days afterwards, unless sooner forfeited as hereinbefore mentioned.

Duration of licence.

33.—(1.) Every passage broker who receives money from any person for or in respect of a passage in any emigrant ship proceeding on any short, long or extended voyage shall give to such person a contract passage ticket, under the hand of such passage broker and stamped with his seal or trade mark.

Giving of contract ticket for passage.

(2.) Every such ticket shall be printed in a plain and legible type, according to the form in the Ninth Schedule to this Ordinance, and shall be accompanied with a translation thereof in the Chinese language, in plain and legible characters.

Ninth Schedule.

34. Every passage broker, before he receives or takes any money on account of any passage or for the sale or letting of the whole or any part of the accommodation of or in any such ship proceeding from this Colony, shall produce to the Registrar General the certificate of the master or owner of the ship in respect of which a passage has been taken or the accommodation in which has been so sold or let, to the effect that such ship has been chartered for the purpose of carrying emigrants, and that such passage broker is authorized to receive payment for such passage or for the sale or letting of the accommodation in such ship; and such certificate shall be filed in the office of the Registrar General.

Production to Emigration Officer of certificate of chartering ship for carrying emigrants.

35. On every occasion of the delivery to any passenger of such contract passage ticket as aforesaid, the passage broker who has engaged to provide such passenger with a passage shall:—

Attendance before Registrar General or Officer for purpose of delivering contract passage tickets to passengers.

(1.) in the case of every male Asiatic passenger who is a contract or assisted emigrant or under the age of sixteen years and of every female passenger, attend, either personally or by his duly authorised representative, with him or her at the office of or other place appointed by the Registrar General, in whose presence the contract passage ticket shall be delivered to such

passenger, and who shall explain to such passenger the true intent and meaning of such contract passage ticket with the object of ascertaining that he or she understands where he or she is going and that he or she is not acting under compulsion or being influenced to emigrate by false representations ; and,

(2.) in the case of every other Asiatic passenger attend, either personally or by his duly authorised representative, with him at the medical inspection on board ship which inspection shall also be attended by the Registrar General in whose presence the true intent and meaning of the contract passage ticket shall be explained to such passenger with the object of ascertaining that he understands where he is going and that he is not acting under compulsion or being influenced to emigrate by false representations. Provided that whenever it may appear desirable the Governor-in-Council may direct that any of the provisions of this subsection may be dispensed with in the case of passengers travelling to any British possession.

Prohibition of alteration of contract passage ticket. 36. No person shall fraudulently alter or cause to be altered, rendered useless, or destroyed, after it is once issued, or shall fraudulently induce any person to part with, or render useless, or destroy, any such contract passage ticket, until the termination of the passage which it is intended to evidence.

Authority of passage broker to act as agent, etc. 37. No licensed passage broker shall, as agent for any person, whether a licensed broker or not, receive money for or on account of the passage of any passenger on board an emigrant ship, without having a written authority to act as such agent, or, on the demand of the Emigration Officer, refuse or fail to exhibit his licence and such written authority.

Giving of notice of contract with emigrant to Registrar General. 38. Every passage broker who contracts with any intending emigrant for a passage in any ship shall forthwith give notice in writing to the Registrar General of every such contract, specifying the name, age, and sex of such emigrant and the name of such ship.

Medical Inspection.

Fees of medical officer. 39. Any medical officer whose duty it may be to inspect intending emigrants and to supervise all matters and things in any way relating to the comfort and well-being of such emigrants before their departure and on their voyage, shall be entitled to charge such fees as may from time to time be prescribed by the Governor-in-Council. Such fees shall be paid by the medical officer into the General Revenue of the Colony.

Medical inspection of emigrants under contract of service. 40. The medical inspection of emigrants other than free Asiatic emigrants shall take place on shore before embarkation as well as on board the ship after embarkation, and the Emigration Officer shall not grant the certificate unless he is satisfied that such double inspection has been duly made or has been dispensed with by the sanction of the Governor.

Time for medical inspection after embarkation. 41. The medical inspection of emigrants required to be made after their embarkation in any Chinese passenger ship shall take place at such time as the Emigration Officer may appoint.

Right of Chinese medical practitioner to be surgeon of ship. 42. Any Chinese medical practitioner shall be eligible, with the approval of the Governor, for the office of surgeon of any ship for the purposes of the Act or of this Ordinance.

Misrepresentation and Fraud.

Misrepresentation. 43.—(1.) No person shall, by any fraud, or by false representation as to the size of the ship or otherwise, or by any false pretence whatsoever, induce any person to engage any passage as aforesaid.

(2.) No person shall falsely represent any contract or assisted emigrant to be a free Asiatic emigrant.

44.—(1.) It shall be lawful for the Registrar General or the Emigration Officer, at any time when he is satisfied that any emigrant who is unwilling to leave the port has been obtained by any fraud, violence, or other improper means, to laud such emigrant and procure him a passage back to his native place or that from which he was taken, and also to defray the cost of his maintenance whilst awaiting a return passage.

Power to land emigrant who is unwilling to leave port and who has been procured by fraud, etc

(2.) All such expenses, with all legal costs incurred, shall be recoverable by the Registrar General or Emigration Officer before any Magistrate from the emigration passage broker of the vessel in which such emigrant was shipped or intended to be shipped.

Emigration Boarding-houses.

45. No contract or assisted emigrant shall, without the sanction of the Registrar General, be permitted to embark in this Colony in any emigrant ship on any short, long or extended voyage unless he has been lodged in a hotel or boarding-house licensed under this Ordinance during a period of not less than forty-eight hours previous to the examination by the Registrar General.

Prohibition of Chinese emigrant embarking otherwise than from licensed boarding-house.

46.—(1.) It shall be lawful for the Registrar General to license a sufficient number of fit and proper persons to keep hotels and boarding-houses for contract and assisted emigrants.

Licensing of boarding-houses.

(2.) Every such licence shall be granted for such period, not exceeding twelve months, and on payment of such fee, and on such terms and conditions as may be prescribed by any rules to be made under the next succeeding section.

(3.) Every hotel or boarding-house keeper licensed under this Ordinance shall enter into a bond in the sum of one thousand dollars, with two sufficient sureties to be approved by the Registrar General, for the due observance of such terms and conditions.

47.—(1.) It shall be lawful for the Governor-in-Council to make rules for the licensing, regulation, and sanitary maintenance of such hotels or boarding-houses, and with regard to all emigrants residing therein, and by such rules to require such register or other books to be kept as he may deem expedient, with regard to all visitors to such hotels and boarding-houses and to contract or assisted emigrants.

Power to make rules for boarding-houses.

(2.) Every person who commits a breach of any rule made under this section shall, on summary conviction, be liable to a fine not exceeding one hundred dollars.

48.—(1.) The keeper of every such hotel or boarding-house shall supply the Registrar General with a return of all emigrants who are inmates of the house, giving their number, names, descriptions and such other particulars as the Registrar General may direct together with the name of the emigrant ship by which they intend to proceed.

Furnishing return of particulars of emigrants before embarkation.

(2.) Such return must be supplied at least twenty-four hours before the examination by the Registrar General and shall be in such form as he may direct.

Photographs.

49. The keeper of every licensed hotel or boarding-house from which any contract or assisted emigrant is to be shipped or in the case of every male emigrant under the age of sixteen years and of all female emigrants the passage broker who provides the passage shall attend at the Registrar General's Office or other place appointed for the examination to be held by the Registrar General, and shall then furnish the Registrar General with two copies of the photograph of every such emigrant, with the names, ages and number of the said emigrants, numbered to correspond with a list containing the names, ages, sex, destination, occupation and any other particulars which may be required by the Registrar General concerning each person entered thereon together with the name of the ship by which each person intends to sail and the date of departure.

Furnishing photographs of certain Chinese emigrants.

(2.) It shall be lawful for the Registrar General to employ a certain number of fit and respectable photographers to furnish the photographs required by this section.

Employment of photographers.

PART IV.

Miscellaneous Provisions.

Fraudulent use of certificate.

50. Every person who—

- (1.) makes or attempts to makes any fraudulent use of a certificate granted this Ordinance ; or
- (2.) forges, counterfeits, alters, or erases the whole or any part thereof ; or
- (3.) uses or attempts to use any spurious or fraudulent certificate, and every person aiding and abetting in such offence ; or
- (4.) commits any offence against the provisions of section 43,

shall be liable on indictment or on summary conviction to imprisonment for any term not exceeding one year and to a fine not exceeding one thousand dollars.

Punishment for improperly obtaining emigrant.

51. Every person who—

- (1.) unlawfully, either by force or fraud, takes away or detains against his will any emigrant with intent to put him on board any emigrant ship or British emigrant ship ; or,
- (2.) with any such intent, receives, harbours, or enters into any contract for foreign service with any such emigrant, knowing the same to have been by force or fraud taken and obtained as hereinbefore mentioned,

shall be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to imprisonment for any term not exceeding seven years.

Punishment for personation of emigrant.

52. Every person who falsely and deceitfully personates, or aids and abets in falsley and deceitfully personating, an emigrant or intending emigrant at any attendance before or examination by the Emigration Officer or the Registrar General, required by any enactment for the time being in force relating to Asiatic emigration shall be guilty of a misdemeanor, and shall, on summary conviction, be liable to a fine not exceeding two hundred and fifty dollars and to imprisonment for any term not exceeding six months.

Penalty for furnishing false return, fraudulent shipment, etc.

53.—(1.) The keeper of any hotel or boarding-house who knowingly furnishes any false or incorrect return or other particulars required of him, or who obtains or attempts to obtain by fraud, intimidation, or force, the shipment of any Asiatic emigrant or intending emigrant, and every person who aids or abets such keeper in so doing, shall, on summary conviction, be liable to a penalty not exceeding five hundred dollars or to imprisonment for a term not exceeding one year.

(2.) Any such keeper and his sureties shall also be liable to the enforcement of his and their bond, and the licence of such keeper may be suspended by the Registrar General.

General penalty.

54. The owners or charterers of any emigrant ship or British emigrant ship and any emigration passage broker, and any intending emigrant by any such ship, and any master or other person in charge of any such ship who fails to comply with or commits any breach of the provisions of this Ordinance so far as they may respectively be bound thereby, and any person granting or knowingly uttering any forged certificate, permit, notice, or other document under this Ordinance shall, without prejudice to any other proceeding, civil or criminal, be liable, on summary conviction, to a fine not exceeding five hundred dollars or imprisonment for any term not exceeding six months.

Use of forms. Schedules.

55. The forms in the Schedules to this Ordinance or forms to the like effect, with such variations and additions as circumstances may require, may be used for the purposes therein indicated and according to the directions therein contained, and instruments in those forms shall (as regards the form thereof) be valid and sufficient.

Repeal.

56. The following enactments are repealed :—

- Ordinance No. 1 of 1889.
" No. 34 of 1902.
" No. 13 of 1904.
" No. 4 of 1908.

Schedules.

THE FIRST SCHEDULE.

Sections 4
and 8.

FORM OF EMIGRATION OFFICER'S CERTIFICATE.

I, *A.B.*, Emigration Officer for
do hereby certify as follows:—

1. That the ship _____, *A.B.*, master, is specially
licensed under the provisions of the Asiatic Emigration
Ordinance, 1912.

2. That the said ship is licensed to carry _____ adults,
of whom none are to be under any contract of service
whatever.

Dated this _____ day of _____, 1 _____.

(Signed.)

Emigration Officer.

THE SECOND SCHEDULE.

Section 4.

FORM OF BOND TO BE GIVEN BY THE MASTER OF A SHIP HOLDING A SPECIAL LICENCE.

Know all men by these presents that we, *A.B.*, of
_____, and *C.D.*, of _____, are held and
firmly bound unto Our Sovereign Lord King George V
in the sum of one thousand pounds of good and lawful
money of Great Britain, to be paid unto Our said Sovereign
Lord the King, His Heirs and Successors; to which
payment well and truly to be made we bind ourselves and
every of us jointly and severally for and in the whole,
our heirs, executors, and administrators, and every of them,
firmly by these presents, sealed with our seals.

Dated this _____ day of _____, 1 _____.

Now the condition of this obligation is that if (in res-
pect of the Steamship _____ whereof
is master) all and every the requirements of the Chinese
Passengers Act, 1855, and of the Asiatic Emigration Ordinance,
1912, and of the regulations contained in the Schedules
to the said Ordinance shall be well and truly performed
[in like manner as the same ought to be observed and
performed in case the said Steamship were a British ship,
and the said _____ were a British subject]*
then this obligation to be void, otherwise to remain in
full force and effect.

Signed, sealed, and delivered by the above bounden
and _____ in the presence
of _____

THE THIRD SCHEDULE.

Sections 12
and 13.

PARTICULARS REQUIRED ON APPLICATION FOR A LICENCE FOR THE CONVEYANCE OF ASIATIC EMIGRANTS.

Name of Ship, Tonnage, How propelled..

Nationality of Ship

Destination of Ship

Whether it is intended that the Ship
should call or station at or near any
Port or Place between Hongkong
and “ ”

If so, at what Ports or Places

Whether it is intended that the Ship
should call or station at or near such
Port or Place with the object of
taking on Board any Cargo ^{and} Pas-
sengers

* The words within brackets to be inserted only in the case of
a non-British ship.

If not, then with what object

Proposed Date of Departure from
Hongkong

Name of Master.....

Names and Address of the Shipowners.

Names of Charterers

Names of Agents

Number of Asiatic Passengers to be conveyed { Free
Assisted
Under Contract of
Service*

I, the undersigned, hereby apply for a Licence under Section 9 of the Asiatic Emigration Ordinance, 1912, for †.....and I do solemnly swear that the above particulars are true.

The Surveyor's Certificate is herewith attached.

(Signed.)

Agent or Charterer of.....Ship.....

Sworn by the abovenamed
this day
of , 1 .

Before me,

(Signed.)

Justice of the Peace.

Section 23.

THE FOURTH SCHEDULE.

REGULATIONS FOR LICENSED PASSENGER STEAMERS.

Prohibition of licensed steamer clearing out without regulations, etc.
See Imperial Act. sec. 4.

1. No steamer licensed under this Ordinance shall clear out or proceed to sea until the master thereof has received from the Emigration Officer a copy of these Regulations, and a certificate in the form contained in the First Schedule to the Asiatic Emigration Ordinance, 1912, which copy and certificate, with any documents to be attached thereto, shall be signed by the Emigration Officer, nor until the master has, with two sufficient sureties to be approved by the Emigration Officer, entered into a joint and several bond in the sum of one thousand pounds to His Majesty, His Heirs and Successors, in the form contained in the Second Schedule to the Ordinance.

Accommodation of passengers.

2. The following conditions as to the accommodation of passengers shall be observed :—

- (1.) the space appropriated to the passengers between decks shall be properly ventilated and shall contain at the least nine superficial and fifty-four cubic feet of space for every adult on board, that is to say, for every passenger above twelve years of age and for every two passengers between the ages of one and twelve years; the height between decks shall be at least six feet;
- (2.) the accommodation for female passengers between decks shall be separate from that provided for male passengers;
- (3.) a space of four superficial feet per adult shall be left clear on the upper deck for the use of passengers; and
- (4.) a reasonable space shall be set apart as a sick bay, and sufficient latrines, both as to condition and number, shall be provided in suitable parts of the ship.

* If any, copy of each contract is to be attached.

† Insert here the words ".....months" or "the above-mentioned voyage", as the case may be.

3. Deck passengers may be carried, at seasons allowed by law, on such conditions as may from time to time be prescribed under instructions from one of His Majesty's Principal Secretaries of State, and, until and subject to such instructions, on the conditions following :—

Conditions as to carriage of deck passengers.

- (1.) a suitable awning with screens shall be provided on deck, sufficient for the protection of the passengers from the sun and from rain ;
- (2.) the space appropriated to such deck passengers shall contain at the least sixteen superficial feet for every adult, that is to say, for every passenger above twelve years of age and for every two passengers between the ages of one and twelve years ; and
- (3.) in case deck passengers are carried in addition to other passengers for whom accommodation between decks is provided, the space to be appropriated for deck passengers shall be reckoned exclusively of the space of four superficial feet per adult required to be left clear on the upper deck for the use of such other passengers.

4. The following conditions as to provisions shall be observed :—

Conditions as to provisions.

Provisions, fuel, and water shall be placed on board, of good quality, properly packed, and sufficient for the use and consumption of the passengers, over and above the victualling of the crew, during the intended voyage, according to the following scale :—

For every passenger per diem not less than—

Rice or bread stuffs,	1 $\frac{1}{3}$	lbs.
Dried ^{and} salt fish,	6 $\frac{1}{3}$	do.
Chinese condiments and curry stuff,	1	oz.
Fresh vegetables, which will keep for short voyages, such as sweet potatoes, turnips, carrots, and pumpkins,	1 $\frac{1}{3}$	lbs.
Firewood,	2	do.
Water, (to be carried in tanks or sweet casks),	1	gallon.

or according to a scale at least equivalent to the foregoing.

5.—(1.) The Emigration Officer may at any time enter and inspect the ship and the accommodation, provisions, and stores provided for the Asiatic passengers, and may require the master or any other person to produce the licence and the ship's papers for his inspection, and, if he thinks necessary after inspecting the ship's papers, he may muster and inspect the Asiatic passengers.

Powers of Emigration Officer.

(2.) If in any such case the Emigration Officer discovers that the number of passengers on board or intended to be carried upon that voyage exceeds the number authorized by the licence, or that any condition of the licence or any of these Regulations has been broken, he may detain the ship until the passengers in excess of the legal number are landed or until the condition of the licence or the regulation in question is fully complied with, and he shall forthwith report the circumstances to the Governor.

6. The master of every British ship shall, on demand, produce his emigration papers to the British Consul at any port to which the licence extends, or, in case such port is in His Majesty's Dominions, to any officer appointed or authorized by the local Government in that behalf.

Production of emigration papers at port of destination.

THE FIFTH SCHEDULE.

Sections 26 and 27.

REGULATIONS RESPECTING ASIATIC EMIGRANT SHIPS PROCEEDING ON VOYAGES OF NOT MORE THAN THIRTY DAYS DURATION.

1. No emigrant ship or British emigrant ship shall clear out or proceed to sea on any short or long voyage as defined by the Asiatic Emigration Ordinance, 1912, unless the master thereof has received from an Emigration Officer a copy of these Regulations and a certificate in the form in the Schedule to these Regulations, nor until the master has entered into the bond in the form set out in the Second Schedule to the said Ordinance.

Prohibition of ship departing without certificate.

Application for certificate and notice.

2. No Emigration Officer shall be bound to give such certificate until seven days after receiving from the owners or charterers of the ship, or, if absent, from their respective agents, an application in writing for the same and a notice that the ship is laid on for the conveyance of Asiatic emigrants.

Inspection of ship.

3. After receiving such application, the Emigration Officer, and any person authorized by him in that behalf, shall be at liberty at all times to enter and inspect the ship, and the fittings, provisions, and stores therein; and any person impeding such entry or inspection, or refusing to allow the same, shall be liable to a penalty not exceeding one hundred dollars for each offence.

Accommodation of passengers.

4. The following conditions as to the accommodation of passengers shall be observed to the satisfaction of the Emigration Officer:—

- (1.) that the ship is in a state of perfect cleanliness and if necessary has been disinfected;
- (2.) that the space appropriated to the passengers between decks is clean, properly lighted and ventilated, and contains at the least nine superficial and 54 cubic feet on the upper between decks and 18 superficial and 126 cubic feet of space on the lower between decks for every adult on board, that is to say, for every passenger above twelve years of age and for every two passengers between the ages of one and twelve years; and that the height between decks is at least six feet;
- (3.) that the accommodation for female passengers between decks is separate from that provided for male passengers;
- (4.) that a space of four superficial feet per adult is left clear on the upper deck for the use of the passengers; and
- (5.) that a reasonable space is set apart properly divided and fitted up as a sick-bay or hospital, and that sufficient latines, both as to condition and number, are provided in suitable parts of the ship.

Stowage of cargo, provisions, etc.

5. No part of the cargo or of the provisions, water, or stores shall be carried on the upper deck, or on the passenger decks, unless, in the opinion of the Emigration Officer, the same is so placed as not to impede light or ventilation or to interfere with the comfort of the passengers nor unless the same is stowed and secured to the satisfaction of the Emigration Officer; and the space thereby occupied or rendered unavailable for the accommodation of the passengers shall be deducted in calculating the space by which the number of passengers is regulated.

Conditions as to carriage of deck passengers.

6. The Emigration Officer may, in his discretion, permit deck passengers to be carried, on such conditions as may from time to time be prescribed under instructions from one of His Majesty's Principal Secretaries of State, and, until and subject to such instructions, on the conditions following:—

- (1.) a suitable awning with screen shall be provided on deck, sufficient for the protection of the passengers from the sun and from rain;
- (2.) the space appropriated to such deck passengers shall contain at the least 16 superficial feet for every adult, that is to say, for every passenger above twelve years of age and for every two passengers between the ages of one and twelve; and
- (3.) in case deck passengers are carried in addition to other passengers for whom accommodation between decks is provided, the space to be appropriated for deck passengers shall be reckoned exclusively of the space of four superficial feet per adult required to be left clear on the upper deck for the use of such other passengers.

7. The following conditions as to provisions shall be observed, to the satisfaction of the Emigration Officer :— Conditions as to provisions.

- (1.) provisions, fuel, and water shall be placed on board, of good quality, properly packed, and sufficient for the use and consumption of the passengers, over and above the victualling of the crew, during the intended voyage, according to the following scale :—

for every passenger per diem not less than—

Rice or bread stuffs 1½ lbs.

Dried ^{and} salt fish 0½ lbs.

Chinese condiment and curry stuffs 1 oz.

Fresh vegetables, which will keep for short voyages such as sweet potatoes, turnips carrots, and pumpkins } 1½ lbs.

Firewood 2 do.

Water (to be carried in tanks or sweet casks) 1 gallon.

- (2.) the last preceding condition as to provisions shall be deemed to have been complied with in any case where, by the special authority of the Emigration Officer, any other articles of food have been substituted for the articles enumerated in the foregoing scale, as being equivalent thereto ; and

- (3.) the passengers may supply their own provisions for the voyage, and proper accommodation for the stowage and sufficient cabooses for the cooking of such provisions must be allowed.

8. The Emigration Officer shall not give his certificate unless he is satisfied :— Conditions precedent to grant of certificate.

- (1.) that the ship is seaworthy, clean, and properly manned, equipped, fitted, lighted, and ventilated, and has not on board any cargo likely, from its quality, or mode of stowage, to prejudice the health or safety of the passengers :

- (2.) that suitable medicines and medical stores, provisions, fuel, and water have been placed on board, of good quality, properly packed, and sufficient in quantity to supply the passengers on board during the intended voyage ;

- (3.) that all the requirements of the Asiatic Emigration Ordinance, 1912, have been complied with ; and

- (4.) that the intending passengers who are males under the age of sixteen years or females have been passed by the Registrar General.

9. The Emigration Officer may at any time enter and inspect the ship and the accommodation, provisions, and stores provided for the Asiatic passengers, and may require the master or any other person to produce the licence and the ship's papers for his inspection, and, if he thinks necessary after inspecting the ship's papers, he may muster and inspect the Asiatic passengers. Power of Emigration Officer.

10. Where the intended passengers or any of them are under contract of service, the Emigration Officer shall take care that a copy of the form of any such contracts, or an abstract of their substance, signed by himself, is appended to the said certificate, and in all cases if any of the passengers are in bad health or insufficiently provided with clothing, or if there is reason to suspect that fraud or violence has been practised in their collection or embarkation, he may detain the ship, and, if he thinks fit, order all or any of the passengers to be re-landed. Contract or abstract to be appended to certificate.

11. The Emigration Officer may, if he thinks fit, before granting his certificate, employ any duly qualified medical practitioner, muster mariner, marine surveyor, or other person whose professional assistance and advice he may require for the purpose of ascertaining whether the requirements of the Asiatic Emigration Ordinance, 1912, have been duly complied with, and the costs and charges of obtaining such assistance and advice shall be defrayed by the owners or charterers of the ship, whether the Emigration Officer grants his certificate or not. Power to employ medical men, marine surveyors, and others.

Fees of professional persons employed.

12. The Emigration Officer shall from time to time fix a reasonable scale of fees and charges, to be approved by one of His Majesty's Principal Secretaries of State, for the remuneration of any professional persons who may be employed by him under the last preceding Regulation, and, pending the approval or disapproval of such scale, the fees and charges therein specified shall be payable, as if the same had been approved in manner aforesaid.

Fees of Emigration Officer

13. The owners or charterers of every ship shall pay such fees for the remuneration of the Emigration Officer as may, from time to time, be ordered under instructions from one of His Majesty's Principal Secretaries of State, and, until and subject to such instructions, the following fees shall be payable in addition to all fees and charges payable under the last preceding Regulation:—

1. upon every application for a certificate\$25: Provided that for an Emigration Officer's certificate delivered at a second port on the same voyage for a ship which has already received a certificate at the first port the fee shall be only \$12.50: Provided, also, always that no fees shall be payable to the Emigration Officer of this Colony, but in lieu thereof the following stamp duties are hereby imposed: that is to say,—

- 1. upon every application for a certificate under Regulation 2, a stamp duty of.....\$ 1
- 2. upon every certificate granted under Regulation 1, a stamp duty of.....\$ 1

See Ordinance No. 16 of 1901.

and any Ordinance for the time being in force relating to stamps shall be read as if the stamp duties hereby imposed were inserted in the schedule thereof.

Power to detain ship for non-payment of fees, etc.

14. In case default is made by the owners or charterers of the ship in the payment of any fees, costs, or charges to which they may be liable under the Asiatic Emigration Ordinance, 1912, and these Regulations the ship may be detained by the British Consul, or if in this Colony by the Governor, until such fees, costs and charges shall have been paid.

Withholding of certificate, etc., in case of false particulars furnished.

15. The Emigration Officer may withhold his certificate or revoke the same at any time before the departure of the ship, if it appears, to his satisfaction, that any particulars contained in the application in writing which has been made for the same, or any other particulars which may have been furnished to him by or on behalf of the owners, charterers, or master of the ship in relation thereto, are untrue, or that the requirements of the Asiatic Emigration Ordinance, 1912, have not been complied with: and in every such case it shall be lawful for the British Consul, or if in this Colony for the Governor, to seize and detain the ship until the certificate, if already granted, has been delivered up to be cancelled.

Treatment of passengers at sea.

16. The master of every such British emigrant ship as defined by the said Ordinance shall, during the whole of the intended voyage, make issues of provisions, fuel, and water, according to the aforesaid dietary scale, to all the passengers except such as have supplied themselves therewith, and shall not make any alteration, except for the manifest advantage of the passengers, in respect of the space allotted to them as aforesaid or in respect of the means of ventilation, and shall not ill-use the passengers or require them (except in case of necessity) to help in working the ship; and shall, in cases where a Medical Officer is not carried, issue medicines and medical comforts, as may be requisite, to the best of his judgment; and shall call at such ports as may be mentioned in the Emigration Officer's clearing certificate for fresh water and other necessaries; and shall carry the passengers without unnecessary delay to the destination to which they have contracted to proceed.

Mustering of passengers by master.

17. Before the arrival of any such British ship at the port for which the passengers have embarked, the master shall cause the passengers to be mustered for the purpose of ascertaining that there are none on board who are not in possession of an emigration contract ticket and included in the Emigration Officer's certificate and detailed list of passengers; if any such are found, it shall be duty of the master to hand them over to the proper authority to be dealt with according to law.

18.—(1) The master of every such British ship shall, within twenty-four hours after his arrival at the port of destination and at any port of call, produce his emigration papers to the British Consul, if any, at such port, or if such port is in His Majesty's dominions, then the master of such ship shall produce the said papers to any officer appointed or authorized by the local Government in that behalf.

Production of emigration papers at port of destination.

(2.) It shall be lawful for such Consul or other officer to enter and inspect such ship, and in case the master obstructs or refuses to assist him in the discharge of such duty, or without reasonable cause fail, to produce his emigration papers as aforesaid, he shall be liable to a fine of five hundred dollars, and the ship may be detained by the British Consul, or, if in His Majesty's dominions, by the local Government, until such fine has been paid and the emigration papers have been given up.

19. In all ports and places where no Emigration Officer has been appointed, the British Consul shall, until such appointment and at all times during the vacancy of such office, be deemed to be the Emigration Officer for the purposes of these Regulations.

British Consul deemed Emigration Officer where no such Officer is appointed.

SCHEDULE.

Form of Emigration Officer's Certificate.

Regulation No. 1.

I, A. B., Emigration Officer at the Port of do hereby certify as follows:—

- (1.) that the ship, C. D., Master, of the port of is within the provisions of an Ordinance of the Legislature of Hongkong, entitled the Asiatic Emigration Ordinance, 1912, and that the said ship is authorized to proceed to sea from the port of for the port of ;
- (2.) that the ship is authorized to carry adults and that there are on board passengers [if any are deck passengers, add: of whom are deck passengers], making in all adults, namely, men, women, male children, and female children, such children being between the ages of one and twelve years;
- (3.) that the ship is in a state of perfect cleanliness [and has been disinfected];
- (4.) that the space set apart and to be kept clear for the use of such passengers is as follows:—on the upper deck superficial feet, being [describe space] and in the between deck superficial feet, being [describe space];
- (5.) that the ship is seaworthy, and properly manned, equipped, fitted, lighted, and ventilated, and has not on board any cargo likely, from its quality, quantity, or mode of stowage, to prejudice the health or safety of the passengers. The means of ventilating the passengers' accommodation between decks are as follows:— [describe space];
- (6.) that suitable medicines and stores, provisions, fuel, and water have been placed on board, of good quality, properly packed, and sufficient in quantity to supply the passengers on board during the intended voyage;
- (7.) that all the conditions and requirements of the said Ordinance have been duly complied with;
- (8.) that the aforesaid passengers [or, in case of a part only, state the number,] are emigrants under contracts of service, and that I have inspected the contracts between them and their intended employers (the terms of which are annexed to this certificate) and consider them reasonable; and that no fraud appears to have been practised in collecting such emigrants;
- (9.) that the intending passengers who are females or males under the age of sixteen years have been passed by the Registrar General; and
- (10.) that the master of the ship is to put into for water and fresh vegetables.

Dated the day of , 19

(Signed.) A. B.,

Emigration Officer at the Port of

N.B.—Where none of the passengers are emigrants under contracts of service, the following paragraph shall be substituted for paragraph 8:—

8. That the whole of the said passengers are free passengers, under no contract of service whatever.

Section 29.

THE SIXTH SCHEDULE.

FORM OF EMIGRATION PASSAGE BROKER'S ANNUAL BOND, WITH TWO SURETIES TO BE APPROVED BY THE REGISTRAR GENERAL.

Know all men by these presents, that we, A.B.,* of , C.D., of , and E.F., of , are held and firmly bound unto Our Sovereign Lord King George V in the sum of five thousand dollars, to be paid to Our said Sovereign Lord the King, His Heirs and Successors ; to which payment well and truly to be made we bind ourselves, and every of us jointly and severally, our heirs, executors and administrators, and the heirs, executors, and administrators of each of us, and each and every of them, firmly by these presents, sealed with our seals.

Dated this day of , 1 .

Whereas by the Asiatic Emigration Ordinance, 1912, it is amongst other things enacted that no person shall carry on the business of a passage broker in Hongkong, in respect of any emigrant ship, or shall be in anywise concerned in the sale or letting of passages in any such ship, unless such person has, with two good and sufficient sureties to be approved of by the Registrar General, previously entered into a joint and several bond to His Majesty, His Heirs and Successors, in the sum of five thousand dollars ; and whereas the said C.D. and E.F. have been approved of by the Registrar General as sureties for the said A.B. :

Now the condition of this obligation is that if the above-bounden A.B. shall well and truly observe and comply with all the requirements of the said recited Ordinance, so far as the same relate to passage brokers, and further, shall well and truly pay all fines, forfeitures, and penalties, and also all sums of money, by way of subsistence money, or of return passage money, and compensation to any passenger, or on his account, and also all costs which the above-bounden A.B. may at any time be adjudged to pay under or by virtue of any of the provisions of the said recited Ordinance or of the Chinese Passengers Act, 1855, of the Imperial Parliament, then and in such case this obligation to be void, otherwise to remain in full force.

Signed, sealed, and delivered, by the above-bounden A.B., C.D, and E.F., in the presence of †

* Insert personal and family names in full, with the occupation and address of each of the parties.

† Insert the names and addresses in full of the witnesses.

Section 30.

THE SEVENTH SCHEDULE.

FORM OF EMIGRATION PASSAGE BROKER'S LICENCE.

A.B.,* of having shown, to the satisfaction of me, the undersigned, that he has given bond to His Majesty, as by the Asiatic Emigration Ordinance, 1912, is required : I, the undersigned, do hereby license and authorize the said A.B. to carry on the business of a Passage Broker in Hongkong, in respect of passengers on board emigrant ships proceeding from Hongkong, until the end of the present year and fourteen days afterwards, unless this licence is sooner determined by forfeiture for misconduct on the part of the said A.B. as in the aforesaid Ordinance is provided.

Given under my hand and seal this day of , 1 .

(Signed)

[L.S.]

Registrar General.

* The personal and family names in full of the person applying for the licence, with his address and trade or occupation, must be correctly inserted.

Section 5.

THE TENTH SCHEDULE.

FORM OF VOYAGES OF NOT MORE THAN THIRTY
DAYS DURATION.

Voyages from Hongkong, Swatow, Amoy, Foochow,
Chifu, Ningpo, Shanghai, and any port in Formosa to—

Bombay,	British North Borneo,
Celebes,	Borneo,
Ceylon,	Brunei,
Madras,	Sarawak,
Port Darwin,	Calcutta,
Queensland,	Pegu,
Siam,	Sumatra,
Western Australia,	Java,
Vladivostock,	The Straits Settlements,
Ocean Island,	Labuan,
Banka,	Sarawak,
Billiton,	Japan.

A BILL

ENTITLED

An Ordinance to prohibit the importation and
circulation of foreign copper and bronze coins.

BE it enacted by the Governor of Hongkong, with the
advice and consent of the Legislative Council thereof, as
follows :—

Short title. 1. This Ordinance may be cited as the Foreign
Copper Coin Ordinance, 1912.

Prohibition of importation and circulation of foreign copper and bronze coins. 2. The importation and circulation of all kinds of copper or bronze coins, other than those specified in Her Majesty's Order-in-Council dated the second day of February, 1895, and published in the *Gazette* of the thirtieth day of March, 1895, and other than Chinese cash, are prohibited.

Penalty for importing without or in contravention of licence. 3.—(1.) If any person imports or attempts to import any coin the importation of which is prohibited by this Ordinance he shall be liable on summary conviction if the coin be of the amount of five dollars in nominal value or upwards, to a fine not exceeding one thousand dollars, and in any event, unless the Magistrate is satisfied that the coin imported was not intended for use in the Colony, the coin so imported or attempted to be imported shall be forfeited.

(2.) The provisions of this section shall not apply to any coin imported under a licence in writing under the hand of the Colonial Secretary. Every such licence shall specify the terms on which such coin may be imported.

(3.) If any person importing coin under any such licence fail to comply with any of the terms of such licence he shall be liable on summary conviction to the fine and forfeiture to which he would have been liable if the licence had not been granted.

Penalty for circulation. 4.—(1.) If any person circulates or attempts to circulate any coin the circulation of which is prohibited by this Ordinance, he shall be liable on summary conviction to a fine not exceeding twenty-five dollars and the coin so circulated or attempted to be circulated shall be forfeited.

(2.) For the purposes of this section a person shall be deemed to circulate coin if he tenders, utters, buys, sells, receives, or pays it, or puts it off, provided always that a person shall not be deemed to circulate coin if he gives such coin to a *bonâ fide* banker or to a licensed money-changer either in exchange for other coins or notes or for any other purpose and provided also that the provisions of this section shall not apply to any *bonâ fide* banker or to any licensed money-changer.

Definition
and
exemption.

5. This Ordinance shall come into operation on the day of 1912.

Commence-
ment.

Objects and Reasons.

Up to recently Hongkong copper coin was at a very large discount but recent measures for redemption has reduced it to a figure which it is considered cannot be further reduced without legislation on account of the free circulation of foreign coins.

As the discount causes great hardship to many businesses in the Colony and as the amount of Hongkong coin in circulation and in stock at the present time is estimated to be no more than is required for the needs of the Colony, opportunity is now taken to prohibit the circulation of foreign coins.

It is believed that, with the successful operation of this Bill, the coin in question will rise, almost if not quite, to par. The principle of the Bill has been approved by residents representing all sections of the business community.

C. G. ALABASTER,
Attorney General.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 68.—Returns of the Average Amount of BANK NOTES in Circulation and of Specie in Reserve in Hongkong, during the month ended 29th February, 1912, as certified by the Managers of the respective Banks:—

BANKS.	AVERAGE AMOUNT.	SPECIE IN RESERVE.
	\$	\$
Chartered Bank of India, Australia and China,	6,707,560	4,000,000
Hongkong and Shanghai Banking Corporation,	25,215,948	15,000,000
TOTAL,.....\$	31,923,508	19,000,000