

LEGISLATIVE COUNCIL.

Draft Bill.

No. S 141.—The following bill is published for general information:—

[No. 8:—21.3.33.—1.]

A BILL

INTITULED

An Ordinance to make provision for licensing, permitting, regulating and controlling the special services known as teleprinting, teletyping and telephotography.

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 Teleprinting Services Ordinance, 1933.

Regulations. 2.—(1) It shall be lawful for the Governor in Council to make regulations for the licensing, permitting, regulating and controlling of the following services within the Colony:—

- (a) teleprinting,
- (b) teletyping, and
- (c) telephotography.

(2) Such regulations may prescribe the fees to be payable in respect of licences and permits issued or granted under them and for prohibiting or restricting the use of any or all of the said services at such times, on such occasions and subject to such conditions as may seem expedient to the Governor in Council.

(3) 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held after such regulations have been laid on the table of the said Council resolving that any regulation shall be rescinded, or amended in any matter whatsoever, the said regulation shall, without prejudice to anything done thereunder, be deemed to be rescinded, or amended as the case may be, as from the date of the publication in the Gazette of the passing of such resolution.

Search. 3. If a magistrate is satisfied by information on oath that there is reasonable ground for believing that any service, for which a licence or permit is required under any regulation made under section 2, has been established, or is being maintained, or used, or is in the possession of any person, without a valid licence or permit covering the same, or in contravention of any condition of such licence or permit, he may grant a search warrant to any police officer to enter the place or ship (not being or having the status of a ship of war) where it is believed that the service has been established, or

is being maintained, or used, or is in the possession of any person, and to search such place or ship, and to seize any apparatus which appears to him to have been established, or maintained or used, or to be in the possession of any person in contravention of any such regulation.

4.—(1) Every person who contravenes any provision of this Ordinance or any regulation made thereunder, and every person who fails to comply with any condition of any licence or permit issued or granted thereunder, shall be liable, upon summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for any term not exceeding twelve months. Penalties.

(2) It shall be lawful for a magistrate to order to be forfeited to the Crown any apparatus with respect to which any offence against this Ordinance has been committed, whether any person shall have been charged with, or shall have been convicted of, such offence or not.

Objects and Reasons.

1. The object of this Ordinance is to enable the Governor in Council to make regulations for licensing, permitting, regulating and controlling teleprinting, teletyping and telephotography in the Colony.

2. These are modern developments of telegraphy of which use is being made or contemplated by different organizations in the Colony and it seems desirable to place such user under proper control, to regulate competition in what is now an open field and to prevent induction or other interference with Government or other services.

3. The Hong Kong Telephone Company Ltd. has under the Telephone Ordinances, 1925 and 1930, the sole right, subject to those Ordinances, to operate public telephonic communication within the Colony, including trunk line telephonic communication therein for communicating with places outside the Colony, and although the three services mentioned are capable of being operated over telephone lines they are essentially telegraphic services which are equally capable of being operated over telegraph lines and possibly also by wireless.

4. The Ordinance is drafted generally on the lines of the Wireless Telegraphy Ordinance, No. 11 of 1926.

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March, 1933.