

LEGISLATIVE COUNCIL.

Draft Bills.

No S. 365.—The following bills are published for general information:—

[No. 25 :—20.9.33.—2.]

(C S.O. 982/25/III.)

A BILL

INTITULED

An Ordinance to amend the law relating to the jurisdiction of Magistrates in Bankruptcy offences.

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 Bankruptcy and Magistrates Amendment Ordinance, 1933.

Amendment of Ordinance No. 10 of 1931, s. 144. 2. Section 144 of the Bankruptcy Ordinance, 1931, is amended by the deletion of the words "under the Magistrates Ordinance, 1890"

Amendment of Ordinance No. 41 of 1932, Third Schedule. 3. The Third Schedule to the Magistrates Ordinance, 1932, is amended by the repeal of paragraph 9 therein.

Objects and Reasons.

1. The 9th paragraph of the Magistrates Ordinance No. 3 of 1890 as amended by section 26 of Ordinance No. 23 of 1927 excluded from summary jurisdiction any offence against any provision of the laws relating to bankrupts other than the offence of obtaining credit under false pretences or by means of any other fraud under section 82 (5) (a) of the Bankruptcy Ordinance, No. 7 of 1891.

2. By the Larceny Amendment Ordinance No. 8 of 1931 paragraph (a) of section 82 (5) of the Bankruptcy Ordinance, 1891, was repealed and transferred to the Larceny Ordinance No. 5 of 1865 as section 78A thereof.

3. By section 146 and the Third Schedule of the Bankruptcy Ordinance, No. 10 of 1931, paragraph 9 of the Magistrates Ordinance 1890 (as amended in 1927) was repealed, and section 144 of the Bankruptcy Ordinance, No. 10 of 1931, provided that any offence under it or under the 1891 Ordinance might be dealt with summarily by a Magistrate under the Magistrates Ordinance, 1890.

4. The Magistrates Ordinance 1890 was repealed and replaced by the Magistrates Ordinance, No. 41 of 1932, but through an oversight paragraph 9 of the Third Schedule was re-enacted instead of being omitted.

5. Paragraph 2 of this amending Ordinance deletes from section 144 of Ordinance No. 10 of 1931 the reference to the Magistrates Ordinance, 1890 which has been repealed.

6. Paragraph 3 of this amending Ordinance repeals paragraph 9 in the Third Schedule to Ordinance No. 41 of 1932.

7. The effect of these amendments is to carry out the intention of section 144 of the Bankruptcy Ordinance, 1931, which was to enable Magistrates to exercise their summary jurisdiction in Bankruptcy offences.

C. G. ALABASTER,
Attorney General.

August, 1933.

[No. 31 :—21.9.33.—1.]

(C.S.O. 1/5994/29).

A BILL

INTITULED

An Ordinance for the establishment and administration of a Mercantile Marine Assistance Fund in Hong Kong.

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

1. This Ordinance may be cited as the Mercantile Marine Assistance Fund Ordinance, 1933. Short title.

2. A Fund to be known as "The Mercantile Marine Assistance Fund of Hong Kong" shall be established and kept at the Treasury. Establishment of the Fund.

3.—(1) The said Fund shall be maintained by an appropriation thereto on the first day of January in each year from the general revenue of the Colony of such a sum as may be deemed by the Legislative Council sufficient for the requirements of the Fund during that year. Maintenance of the Fund.

(2) Any sum standing to the credit of the said Fund on the 31st day of December in any year shall be re-appropriated by the Treasurer to the general revenue of the Colony.

Administra-
tion of
the Fund.

4.—(1) The said Fund shall be administered by a Committee, the Chairman of which shall be the Harbour Master, and the other members of which shall be appointed by the Governor.

Regulations.
Schedule.

(2) The administration by the Committee shall be controlled by the Regulations in the Schedule or by any Regulations made by the Governor in Council who shall have power to amend the Schedule in any manner whatsoever.

SCHEDULE. (s. 4 (2)).

Mercantile Marine Assistance Fund Regulations.

1. The persons qualified to receive assistance from the Mercantile Marine Assistance Fund of Hong Kong shall be or shall have been officers or seamen of the Mercantile Marine or their dependants who are in the opinion of the Committee both deserving of and in need of such assistance.

2. Any qualified person desiring such assistance shall send his application, with full particulars as to his circumstances, to the Harbour Master, who, after making such enquiry, if any, as he deem necessary, shall convene a meeting of the members of the Committee in the Colony to consider the case.

3. At any such meeting four members shall be deemed a quorum, the decisions of the Committee shall be determined by a majority of votes and the Chairman shall have an original vote and also, if the votes be equal, a casting vote.

4. The grant or refusal of assistance shall be in the absolute discretion of the Committee.

5. Assistance shall be of three descriptions.

(a) The payment, in whole or in part, of passages from the Colony.

(b) Regular assistance in the Colony.

(c) Temporary assistance in the Colony.

6. Assistance may be reduced, suspended or discontinued at any time by the Committee. In no case shall it be granted to a person who has received a passage, or an assisted passage from the Colony and has returned thereto.

7. Regular assistance may be granted only to qualified persons who are British subjects and who reside, or whose families reside in the Colony.

8. Notwithstanding anything hereinbefore contained the Harbour Master may at any time grant temporary assistance as a charge on the Fund to an amount of or in value not exceeding \$20 in respect of any one qualified applicant, on his own responsibility and without consulting the other members of the Committee, who however shall be informed thereof at their next meeting.

9. The Committee shall, not later than the 1st March, in each year, furnish to the Governor a report on their administration of the Fund for the previous year.

Objects and Reasons.

1. The object of this Ordinance is to establish in the Colony a Mercantile Marine Assistance Fund to be administered by a Committee financed by the revenues of the Colony.

2. Similar Funds have been established in Singapore and Penang, under Straits Settlements Ordinance No. 125, s. 417 (as amended by No. 28 of 1926); but there the financing is done by debiting the expenses of the Fund against a particular section of the revenue, the fees paid in respect of Sunday Cargo Working exemptions. In Calcutta a proportion of the Sunday working fees is allocated to the Seamen's Welfare Committee there. In England similar service is performed by the Mercantile Marine Masters and Officers Relief Fund which receives contributions from the National Relief Fund, King George's Fund and other sources.

C. G. ALABASTER,
Attorney General.

September, 1933.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 366.—Statement of Sanitary Measures adopted against Hong Kong.

Place or Port.	Nature of Measures.	Date.	Reference to Government Notification.
Philippine Ports.	Inspections outside Manila harbour from 20th April. Third class passengers and new crew must comply with the vaccination requirements.	16th April, 1924.	—
All ports in the United States of America, including the Hawaiian Islands.	Inspections outside the ports from 1st April. Steerage passengers must comply with the vaccination requirements.	30th April, 1926.	—
Bangkok.	Vessels detained at river mouth and passengers and crew vaccinated unless they can produce evidence of successful recent vaccination.	29th October, 1926.	No. S. 301.

D. W. TRATMAN,
Colonial Secretary.

22nd September, 1933.