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STRAITS SETTLEMENTS.

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No. 1 of 1916.

I assent,

(L. S.)

ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th April, 1916.

AN Ordinance to amend "The Arms and Explosives Ordinance 1913."

[*5th April*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Arms and Explosives (Amendment) Ordinance 1916. Short title.

2. The power of the Governor in Council under section 5 of the Arms and Explosives Ordinance 1913, as amended by the Arms and Explosives (Amendment) Ordinance 1915, by proclamation to prohibit the exportation of articles from the Colony shall, during the continuance of the present war, include the power to prohibit the conveyance of any article brought within any port of the Colony, but not landed in the Colony, from such port, unless the conveyance of such article is permitted by such person as may be authorized by or under the proclamation to give such permission. Power to prohibit exportation of articles brought into port in transit.

3.—(1) If any article to which such proclamation applies is found on board of any vessel in any port of the Colony, and permission for the conveyance of such article from such port has not been granted by any authorized person, such article may be removed from such vessel, and such vessel may be detained till such article has been removed. Removal from ship and forfeiture of prohibited articles.

(2) Such article may be forfeited and may be destroyed or otherwise disposed of as the Governor in Council directs.

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Penalty on master and owner of ship conveying prohibited articles from port.

4.—(1) If any article to which such proclamation applies is conveyed from such port without the permission of such authorized person, the master and owner of the vessel in which it was conveyed shall be liable to a fine of double the value of the article, or five thousand dollars, at the election of such authorized person.

(2) Such vessel, if found within two years in any port of the Colony, may be seized and detained by the Port Officer until the fine has been paid.

Passed this 31st day of March, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 2 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.
4th April, 1916.

AN Ordinance to provide for the Extension of the Restrictions relating to Trading with the Enemy to Persons to whom, though not resident or carrying on business in Enemy territory, it is by reason of their Enemy Nationality or Enemy Associations expedient to extend such Restrictions.

[*5th April*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Trading with the Enemy (Extension of Powers) Ordinance 1916. Short title.

2.—(1) The Governor in Council may by Proclamation prohibit all persons or bodies of persons incorporated or unincorporated resident, carrying on business, or being in the Colony from trading with any persons or bodies of persons incorporated or unincorporated not resident or carrying on business in enemy territory or in territory in the occupation of the enemy (other than persons or bodies of persons incorporated or unincorporated residing or carrying on business solely within His Majesty's Dominions) wherever by reason of the enemy nationality or enemy association of such persons or bodies of persons, it appears to the Governor in Council expedient to do so. Power to prohibit trading with persons of enemy nationality, etc.

(2) Any person who acts in contravention of any such Proclamation shall be guilty of an offence triable and punishable in the manner as the offence of trading with the enemy.

(3) Any list of persons and bodies of persons incorporated or unincorporated with whom such trading is prohibited by a Proclamation under this Ordinance may be varied or added to by the Governor.

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Ordinance XXV of 1914.
Ordinance IV of 1915.
Ordinance X of 1915.
Ordinance XXX of 1915.
Ordinance XXXII of 1915.

(4) The provisions of the "Trading with the Enemy Ordinances, 1914 and 1915," and of the "Registrar of Imports and Exports (War Powers) Ordinance, 1915," and all other enactments relating to trading with the enemy, shall, subject to such exceptions and adaptations as are prescribed by the Governor in Council, apply in respect of such persons and bodies of persons as aforesaid as if for references therein to trading with the enemy there were substituted references to trading with such persons and bodies of persons as aforesaid, and for references to enemies there were substituted references to such persons and bodies of persons as aforesaid, and for references to offences under the Trading with the Enemy Ordinances, 1914 and 1915, or any of those Ordinances, there were substituted references to offences under this Ordinance.

(5) For the purposes of this Ordinance a person shall be deemed to have traded with a person or body of persons incorporated or unincorporated to whom a Proclamation issued under this Ordinance applies, if he enters into any transaction or does any act with, to, on behalf of, or for the benefit of, such a person or body of persons which if entered into or done with, to, or behalf of, or for the benefit of, an enemy would be trading with the enemy.

Passed this 31st day of March, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 3 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.
4th April, 1916.

AN Ordinance to amend the Registrar of Imports and Exports (War Powers) Ordinance 1915.

[*5th April*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Registrar of Imports and Exports (War Powers) Amendment Ordinance 1916. Short title.

2. The following section shall be inserted after section 1 of the Registrar of Imports and Exports (War Powers) Ordinance 1915 hereinafter referred to as the principal Ordinance:— Addition of new section to principal Ordinance. Ordinance No. XXXII of 1915.

1A. In this Ordinance "Registrar" means the officer for the time being lawfully performing the duties of the office of Registrar of Imports and Exports and includes the Assistant Registrar of Imports and Exports. Interpretation.

3. Sections 3, 5, 6, 7, 8 of the principal Ordinance are amended by repealing the words "of Imports and Exports" wherever occurring therein after the word "Registrar". Amendment of certain sections of the principal Ordinance.

4. Subsection (1) of section 2 of the principal Ordinance is amended— Amendment of section 2 of principal Ordinance.

(*a*) by inserting after the words "goods imported from" occurring in paragraph (*a*) the words "all foreign places or";

(*b*) by repealing paragraph (*b*) and substituting therefor the following paragraphs:—

(*b*) prescribing the form of declaration to be delivered to the Registrar and the particulars to be set out therein;

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(c) prescribing the form of export manifest and import manifest and the particulars to be set out therein, and also the time within which such manifests shall be furnished to the Registrar.

(c) by relettering paragraph (c) as paragraph (d).

Addition of new sections to principal Ordinance.

5. The following sections shall be added after section 2 of the principal Ordinance:—

Exportation of goods not subject to any prohibition or restriction.

2A.—(1) Goods, not being subject to any prohibition or restriction outwards, shall not be exported from the Colony to any port or place other than a port or place in the United Kingdom, the British Possessions, and the British Protectorates and Protected States, unless the permission of the Registrar has been obtained before the shipment of such goods.

(2) Such permission, if obtained, may be subject to such conditions as in the circumstances appear to the Registrar to be desirable.

(3) Every applicant for such permission shall deliver to the Registrar a declaration in the prescribed form.

(4) Any person by whom or by whose orders or means any such goods are shipped before the permission of the Registrar has been obtained shall be liable to a fine not exceeding five thousand dollars.

(5) If any such goods are taken on board ship before the permission of the Registrar has been obtained, the master, owner or agent shall be liable to a fine not exceeding five thousand dollars.

Exportation of prohibited or restricted goods.

2B.—(1) Where a licence to export any goods, being goods subject to any prohibition or restriction outwards, has been granted, the licencee shall produce or cause to be produced to the Registrar such licence before the shipment of such goods, and the Registrar shall thereupon, if satisfied with the genuineness of the licence, authorize in writing thereon the exportation of such goods.

(2) Any person by whom or by whose orders or means any such goods are shipped before the authority of the Registrar has been written on such licence shall be liable to a fine not exceeding five thousand dollars.

(3) If any such goods are taken on board ship before the authority of the Registrar has been obtained, the master, owner or agent shall be liable to a fine not exceeding five thousand dollars.

Export manifest.

2C.—(1) The owners, charterers and agents of every ship, which leaves the waters of the Colony on any voyage having cargo for any port or place other than a port or place

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in the United Kingdom, the British Possessions, and the British Protectorates and Protected States, shall within such time as may be appointed by any rule made under section 2, and in the absence of any such rule within forty-eight hours after the time of sailing of such ship, furnish to the Registrar a true and complete export manifest signed by such owners, charterers or agents and containing the prescribed particulars.

(2) If a manifest is not furnished within the time hereinbefore mentioned, or if the particulars or any of them contained in any manifest are or is false, the owners, charterers or agents shall be liable to a fine not exceeding five thousand dollars.

Manifest to be evidence of exportation.

2D. If any cargo appears on any export manifest signed by the owners, charterers or agents of any ship and furnished before or after the time of sailing of such ship, it shall, as against any person who may be proceeded against under this or any other Ordinance for any offence whatever relating to the said cargo or any part thereof, be presumed that such cargo was exported from the Colony on board such ship, unless such person shall prove affirmatively that the said cargo was not exported from the Colony on board such ship.

Amendment of section 6 (1) of principal Ordinance.

6. Subsection (1) of section 6 of the principal Ordinance is amended by repealing the words "in pursuance of any rule under section 2" occurring in the first line thereof.

Insertion of new subsection in section 6 of principal Ordinance.

7. The following subsection shall be inserted after subsection (1) of section 6 of the principal Ordinance:—

(2) In the case of proceedings taken under subsection (1) an averment in the information that the defendant has failed to produce evidence to the satisfaction of the Registrar that the goods in question have not reached a person who is an enemy or treated as an enemy, or a country which is enemy or treated as enemy under the law for the time being in force relating to trading with the enemy, shall be sufficient unless the defendant proves to the contrary.

New sections inserted in principal Ordinance.

8. The following sections shall be inserted after section 6 of the principal Ordinance:—

Import manifest.

6A.—(1) The owners, charterers and agents of every ship which arrives in the waters of the Colony shall within such time as may be appointed by any rule made under section 2, and in the absence of any such rule within forty-eight hours after such arrival, furnish to the Registrar a true and complete manifest signed by such owners, charterers or agents of all the cargo brought within the waters of the Colony on board such ship.

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(2) If a manifest is not furnished within the time hereinbefore mentioned, or if the manifest furnished is not a true and complete manifest of all the cargo brought within the waters of the Colony on board such ship, the owners, charterers or agents shall be liable to a fine not exceeding five thousand dollars.

Manifest to be evidence of importation.

6B. Any cargo appearing on any import manifest, signed by the master, charterers or agents of any ship and furnished at any time before or after the arrival of such ship in the waters of the Colony shall, as against any person who may be proceeded against for breach of any of the provisions of this Ordinance, be deemed to have been imported into the Colony on board such ship unless such person shall prove affirmatively that such cargo was not in fact brought into the Colony on board such ship.

New sections added to principal Ordinance.

9. The following sections shall be inserted after section 8 of the principal Ordinance:—

Imported goods forfeited without legal proceedings, if importer is not known, etc.

8A. Where in pursuance of the powers conferred by sections 7 and 8 goods imported into the Colony have been seized by the Registrar, and the importer of such goods is not known or cannot be found and by reason thereof or for any other cause proceedings cannot be taken, the goods shall be deemed to have been declared to be forfeited and may be destroyed or otherwise disposed of in such manner as the Governor in Council directs.

Penalty for exportation.

8B. If any goods

(*a*) not being subject to any prohibition or restriction outwards, are exported from the Colony to any port or place other than a port or place in the United Kingdom, the British Possessions and the British Protectorates and Protected States without the permission of the Registrar or contrary to the conditions on which the permission of the Registrar has been obtained;

(*b*) being goods subject to any prohibition or restriction outwards, for the exportation of which a licence has been obtained, are exported from the Colony without the written authority of the Registrar

the exporter, master, owner or agent shall be liable to a fine of treble the value of such goods or five thousand dollars, at the election of the Registrar.

Amendment of section 10 of principal Ordinance.

10. Section 10 of the principal Ordinance is amended by repealing the word "Civil" and substituting therefor the word "Criminal".

Passed this 31st day of March, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 4 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.
4th April, 1916.

AN Ordinance to amend the Reserve Force and Civil Guard Ordinance 1915.

[*5th April*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title. Commencement of Ordinance.

1. This Ordinance may be cited as the Reserve Force and Civil Guard (Amendment) Ordinance 1916 and shall come into force within such Settlements or areas thereof and on such days as the Governor by notification in the *Gazette* directs and appoints.

Transfer of Reserves, etc., to Volunteer Force.

2.—(1) Every person who at the date of the commencement of this Ordinance is a member of a Reserve Force or is undergoing military training under the Reserve Force and Civil Guard Ordinance 1915 shall be deemed as from that date to have been duly enrolled as a member of the Volunteer Corps of the Settlement in which he has been serving as a member of the Reserve Force or has been undergoing military training.

(2) Every person who after the commencement of this Ordinance is a member of such Reserve Force or is undergoing such military training shall be deemed as from such date as the Governor appoints by notification in the *Gazette* to be duly enrolled in such Volunteer Corps.

(3) Every such person shall serve in such unit of the Volunteer Corps as the Officer Commanding the Troops in the Colony directs.

(4) The provisions of section 6 of the Volunteer Ordinance 1888 shall not apply to any such person.

Passed this 31st day of March, 1916.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 5 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

2nd May, 1916.

AN Ordinance to amend the Trading with the Enemy Ordinances 1914 and 1915.

[*5th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Trading with the Enemy (Amendment) Ordinance, 1916, and shall be construed as one with the Trading with the Enemy Ordinances, 1914 and 1915, and those Ordinances and this Ordinance may be cited together as the Trading with the Enemy Ordinances, 1914 to 1916. Short title.

2. In this Ordinance—

"Enemy subject" means a subject of a State for the time being at war with His Majesty, and includes a body corporate constituted according to the laws of such State. Definition. S. 15 of 5 & 6 Geo. V. c. 105.

3. Subsection (2) of section 11 of the Trading with the Enemy (Amendment) Ordinance, 1915, is amended by substituting the word "thereof" for the words "by whose order any "property belonging to an enemy was vested in the custodian "under this Ordinance or of any Court in which judgment has "been recovered against an enemy". Amendment of section 11 of Ordinance IV of 1915. S. 12 of 5 & 6 Geo. V. c. 105.

4. Section 2 (1) of the Trading with the Enemy Amendment Ordinance (No. 3) 1915 is amended by inserting between the word "Government" and the words "of any of His Majesty's Dominions" in paragraph (*a*) the words "of the United Kingdom or". Amendment of section 2 of Ordinance XXX of 1915.

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Power of Governor in Council to vest enemy property in custodian.

S. 4 of 5 & 6 Geo. V. c. 105.

5.—(1) The Governor in Council, in any case where it appears to him to be expedient to do so, may by order vest in the custodian under the Trading with the Enemy (Amendment) Ordinance, 1915, any property, real or personal (including any rights whether legal or equitable, in or arising out of property, real or personal), belonging to or held or managed for and on behalf of an enemy or enemy subject, or the right to transfer that property, and may by any such order, or any subsequent order, confer on the custodian such powers of selling, managing and otherwise dealing with the property as to the Governor seem proper.

(2) A vesting order under this section as respects property of any description shall be of the like purport and effect as a vesting order as respects property of the same description made by the Supreme Court under the Trustee Ordinance, 1914, and shall be sufficient to vest in the custodian any property, or the right to transfer any property as provided by the order, without the necessity of any further conveyance, assurance or document.

(3) Where in exercise of the powers conferred on him by the Governor in Council or by the Court under this Ordinance or by virtue of the Trading with the Enemy (Amendment) Ordinance, 1915, the custodian proposes to sell any shares or stock forming part of the capital of any company or any securities issued by the company in respect of which a vesting order under either of the said Ordinances has been made, the company may, with the consent of the Governor in Council, purchase the shares, stock, or securities, any law or any regulation of the company to the contrary notwithstanding, and any shares, stock, or securities so purchased may from time to time be re-issued by the company.

(4) The transfer on sale by the custodian of any property shall be conclusive evidence in favour of the purchaser and of the custodian that the requirements of this section have been complied with.

(5) All property vested in the custodian under this section, and the proceeds of the sale of, or money arising from, any such property shall be dealt with by him in like manner as money paid to and property vested in him under the Trading with the Enemy (Amendment) Ordinance 1915, and section 11 of that Ordinance as amended by this Ordinance shall apply accordingly.

Duration of restrictions on dealings with enemy property.

S. 7 of 5 & 6 Geo. V. c. 105.

6. Any restrictions imposed by any Ordinance or Proclamation on dealings with enemy property shall continue to apply to property particulars whereof are or are liable to be notified to the custodian in pursuance of section 9 of the Trading with the Enemy Amendment Ordinance 1915 as extended by any subsequent enactment, not only during the continuance of the present war, but thereafter until such time as they may be removed by Order of the Governor in Council, and Orders in Council may

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be made removing all or any of those restrictions either simultaneously as respects all such property or at different times as respects different classes or items of property.

Registration of transfer without production of certificates, etc.

S. 8 of 5 & 6 Geo. V. c. 105.

7.—(1) Where the custodian executes a transfer of any shares, stock, or securities which he is empowered to transfer by a vesting order made under section 10 of the Trading with the Enemy (Amendment) Ordinance, 1915, or under this Ordinance, the company or other body in whose books the shares, stock, or securities are registered shall, upon the receipt of the transfer so executed by the custodian, and upon being required by him so to do, register the shares, stock, or securities in the name of the custodian or other transferee, notwithstanding any regulation or stipulation of the company or other body, and notwithstanding that the custodian is not in possession of the certificate, scrip, or other document of title relating to the shares, stock, or securities transferred, but such registration shall be without prejudice to any lien or charge in favour of the company or other body or to any other lien or charge of which the custodian has notice.

(2) If any question arises as to the existence or amount of any lien or charge the question may, on application being made for the purpose, be determined by the Supreme Court or a Judge thereof.

Validity of vesting orders.

S. 9 of 5 & 6 Geo. V. c. 105.

8. Where a vesting order has been made under section 10 of the Trading with the Enemy (Amendment) Ordinance, 1915, or under this Ordinance as respects any property belonging to or held or managed for and on behalf of a person who appeared to the Court or Governor in Council making the order to be an enemy or enemy subject, the order shall not nor shall any proceedings thereunder or in consequence thereof be invalidated or affected by reason only of such person having prior to the date of the order died or ceased to be an enemy or enemy subject or subsequently dying or ceasing to be an enemy or enemy subject, or by reason of its being subsequently ascertained that he was not an enemy or an enemy subject as the case may be.

Fees payable to custodian.

S. 13 of 5 & 6 Geo. V. c. 105.

9. The custodian under the Trading with the Enemy Ordinances, 1914 and 1915, has and shall be deemed always to have had power to charge such fees in respect of his duties under those Ordinances and this Ordinance, whether by way of percentage or otherwise as the Governor in Council may fix, and such fees shall be paid to such account as the Governor in Council directs, and the incidence of the fees as between capital and income shall be determined by the custodian.

Power to refuse registration of companies in certain cases, etc.

S. 10 of 5 & 6 Geo. V. c. 105.

10.—(1) Where on an application for the registration of a company it appears to the Registrar of Companies that any subscriber of the memorandum of association or any proposed director of the company is an enemy subject, he may refuse to register the company.

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(2) No allotment or transfer of any share, stock, debenture, or other security issued by a company made after the passing of this Ordinance to or for the benefit of an enemy subject, shall, unless made with the consent of the Governor in Council, confer on the allottee or transferee any rights or remedies in respect thereof, and the company by whom the security was issued shall not take any cognizance of or otherwise act upon any notice of any such transfer except by leave of a court of competent jurisdiction or of the Governor in Council.

(3) If any company contravenes the provisions of this section the company shall be liable to a fine not exceeding one thousand dollars, and every director, manager, secretary, or other officer of the company who is knowingly a party to the default shall be liable to a fine for a like amount or to imprisonment of either description for a term which may extend to six months.

Passed this 28th day of April, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 6 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

18*th May*, 1916.

AN Ordinance to amend the Poisons Ordinance 1905.

[19*th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Poisons (Amendment) Ordinance 1916. Short title.

2. Section 5 of the Poisons Ordinance 1905, hereinafter called the principal Ordinance, is hereby amended Amendment of section 5 of the principal Ordinance [No. X of 1905].

(*a*) by repealing the word "declared" in the fourth line thereof and substituting therefor the word "deemed";

(*b*) by inserting after subsection (1) thereof the following subsection:—

(2) On and after the first day of July, 1916, no person shall without a licence from the Licensing Officer of the Settlement at which he resides or carries on business import any article deemed to be a poison under the provisions of this Ordinance; and

(*c*) by re-numbering subsection (2) as subsection (3).

3. Section 6 of the principal Ordinance is amended by inserting the words "to import poisons or" after the word "licences" in line two thereof. Amendment of section 6.

4. Section 12 of the principal Ordinance shall be read and construed as extending and applying to any person importing after the first day of July, 1916, poison contrary to the provisions of the principal Ordinance or failing to conform after such date with any rule or regulation as to the importation of poisons made in pursuance of the principal Ordinance. Extension of section 12 to importation of poisons.

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Amendment of section 13.

5. Section 13 of the principal Ordinance is amended by inserting the word "importation" after the words "regulating the" in line three thereof.

Amendment of section 14.

6. Section 14 of the principal Ordinance is amended—

(*a*) by substituting (*a*[1]) for (*a*) in the third line thereof; and

(*b*) by inserting after the second line thereof and before paragraph (*a*[1]) the following paragraph:—

"(*a*) for regulating the importation of poisons."

(*c*) by inserting the word "importation" after the words "regulating the" in line two of paragraph (*h*).

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 7 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

18*th May*, 1916.

AN Ordinance to amend "The Sale of Food and Drugs Ordinance 1914."

[19*th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Sale of Food and Drugs (Amendment) Ordinance 1916. Short title.

2. Section 1 of "The Sale of Food and Drugs Ordinance" is amended by inserting at the end thereof the words "and shall be made applicable either to foods and drugs generally or to such specified foods and drugs as the Governor shall by notification in the *Gazette* direct". Amendment of section 1 of principal Ordinance XV of 1914.

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 8 of 1916.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

18th May, 1916.

AN Ordinance to amend the Companies Ordinance 1915.

[*19th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Companies (Amendment) Ordinance 1916 and shall be read and construed as one with the Companies Ordinance 1915 (hereinafter called "the principal Ordinance"). Short title and construction. Ordinance XXV of 1915.

2. Section 23 of the principal Ordinance is amended by the addition at the end of subsection (3) of the following words:— Amendment of section 23 of principal Ordinance.

"but shall within three weeks of its first or only ordinary "general meeting in the year file with the Registrar "a Receipts and Disbursement Account, or a Balance "Sheet, audited by auditors approved by the Governor "in Council."

3. Section 41 of the principal Ordinance is amended by deleting the word "five" in subsection (4) and by substituting the word "ten" therefor. Amendment of section 41.

4. Section 272 of the principal Ordinance is amended by deleting the words "this section" in clauses (*c*) and (*d*) thereof, and by substituting therefor the words "section 274". Amendment of section 272.

5. Section 287 of the principal Ordinance is amended by adding after the words "registration office" in line 5 of subsection (7) the words "and every company having an agent in the "Colony which obtains credit in the Colony or in the name of "which contracts are entered into in the Colony shall be deemed "to have a place of business in the Colony". Amendment of section 287.

6. Schedule *D* of the principal Ordinance is amended by deleting the figures "293" and by substituting therefor the figures "292". Amendment of Schedule *D*.

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Registration of secured debts created before the 10th of December, 1915.

S. 12 of 7 Edw. VII c. 50.

7.—(1) Every company

(*a*) which on the 10th day of December, 1915, owed any money secured by any mortgage or charge which under the provisions of section 93 of the principal Ordinance would have required registration had it been created after that date; or

(*b*) which has since that date and before the commencement of this Ordinance owed, or shall hereafter for the first time owe, any money on any such mortgage or charge created before that date on which no debt was outstanding on that date

shall within three months after the commencement of this Ordinance, or within 21 days after the debt has been incurred thereon, as the case may be, send to the Registrar for registration the particulars of every such mortgage or charge in the appropriate form contained in the Schedule hereto, and the Registrar shall, on payment of the fee prescribed under section 93 of the principal Ordinance for registering any mortgage or charge or any series of debentures, enter those particulars on his register of mortgages and charges.

(2) Where a series of debentures containing, or giving by reference to any other instrument, any charge to the benefit of which the debenture holders of that series are entitled *pari passu* has been registered, the company shall send to the Registrar for entry in the register particulars of the date and amount of each issue of debentures of the series made after the date of the registration of the series.

(3) The neglect of the company to comply with the provisions of this subsection shall not prejudice the rights under any such mortgage or charge of any person on whose favour the mortgage or charge was made.

(4) If the company fails to comply with the requirements of this section the company and every director, manager, secretary or other person who is knowingly a party to the default, shall be liable to a fine not exceeding five hundred dollars for every day during which the default continues.

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

Schedule.

FORM 1.

THE COMPANIES (AMENDMENT) ORDINANCE 1916.

PARTICULARS TO BE SUPPLIED TO THE REGISTRAR PURSUANT TO SECTION , OF A MORTGAGE OR CHARGE CREATED BY THE LIMITED, AND BEING—

(*a*) a mortgage or charge for the purpose of securing any issue of debentures; or

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(*b*) a mortgage or charge on uncalled share capital of the company; or

(*c*) a mortgage or charge created or evidenced by an instrument which, if executed by an individual, would require registration as a bill of sale; or

(*d*) a mortgage or charge on any land wherever situate or any interest therein; or

(*e*) a mortgage or charge on any book debts of the company; or

(*f*) a floating charge on the undertaking or property of the company.

Strike out the sub-heads (*a*), (*b*), (*c*), (*d*), (*e*) *or* (*f*), *which do not apply.*

Presented for filing by

Particulars of a mortgage or charge created by the Limited.

(1) Date of the instrument creating or evidencing the Mortgage or Charge and description thereof.*	(2) Amount secured by the Mortgage or Charge.	(3) Short particulars of the Property Mortgaged or Charged.	(4) Names (with addresses and Descriptions) of the Mortgagees or Persons entitled to the Charge.	(5) Amount of the debt outstanding on 10th December, 1915.

Signature

Designation of position in relation to the company.

Date.

Note:—The fees payable on registration of mortgages and charges are as follows:—

Where the amount of the mortgage or charge does not exceed $2,000 ... ... $5

Where the amount of the mortgage or charge exceeds $2,000 ... ... $10

* A description of the instrument, *e.g.*, trust, deed, mortgage, debenture, etc., as the case may be, should be given.

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FORM 2.

THE COMPANIES (AMENDMENT) ORDINANCE 1916.

PARTICULARS TO BE DELIVERED TO THE REGISTRAR PURSUANT TO SECTION 7, RELATING TO A SERIES OF DEBENTURES CONTAINING, OR GIVING BY REFERENCE TO ANY OTHER INSTRUMENT, ANY CHARGE, TO THE BENEFIT OF WHICH THE DEBENTURE HOLDERS OF THE SAID SERIES ARE ENTITLED *pari passu* CREATED BY THE LIMITED.

Presented for filing by

Particulars to be delivered to the Registrar pursuant to section 6 of the Companies (Amendment) Ordinance, 1916, of a series of debentures created by Limited.

(1) Total amount secured by the whole series.	(2) Amount of the issues of the series, up to December 10th, 1915.	(3) Dates of Resolutions authorizing the issue of the series.	(4) Date of the Covering Deed (if any) by which the security is created or defined; or, if there is no such deed, the date of the first execution of Debentures of the series.	(5) General Description of the Property charged.	(6) Names of the Trustees (if any) for the Debenture holders.	(7) Amount outstanding on the 10th December, 1915.

Signature

Designation of position in relation to the company.

Date.

Note:—The fees payable on registration of a series of debentures are as follows:—

Where the total amount secured by the whole series does not exceed $2,000	...	...	$5
Where it does exceed $2,000	...	...	$10

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STRAITS SETTLEMENTS.

No. 9 of 1916.

I assent,

(L. S.)

ARTHUR YOUNG,
Governor and Commander-in-Chief.

18*th May*, 1916.

AN Ordinance to amend the Municipal Ordinance 1913.

[19*th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Municipal (Amendment) Ordinance 1916. Short title.

2.—(1) The period of three years mentioned in section 269 of the Municipal Ordinance 1913 may be extended for such further period as the Governor by notification in the *Gazette* directs, and during such extended period no licence shall be granted for any jinrikisha the body of which exceeds an inside width of two feet and which has not been licensed at any time during the said period of three years. Amendment of section 269 of Ordinance VIII of 1913.

(2) On and after the expiration of such extended period no licence shall be granted for any jinrikisha exceeding the said width.

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

[*Price*: 5 *cents.*]

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STRAITS SETTLEMENTS.

No. 10 of 1916.

I assent,

(L. S.)

ARTHUR YOUNG,
Governor and Commander-in-Chief.

18*th May*, 1916.

AN Ordinance to amend "The Volunteer Ordinance 1888."

[19*th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Volunteer (Amendment) Ordinance 1916. Short title.

2. Section 4 of the Volunteer Ordinance 1888 is amended by adding at the end thereof the following subsections:— Amendment of section 4 of Ordinance VII of 1888.

(3) The Governor may also accept the services, but without enrolment as members of a Volunteer Corps, of youths of twelve years of age and upwards, whom he may deem qualified, as cadets, to be formed into a Cadet Corps.

(4) Such Corps may, at the discretion of the General Officer Commanding the Troops and with the concurrence of the Governor, be attached to a Volunteer Corps.

(5) The General Officer Commanding the Troops may make regulations, to be approved by the Governor, for the general government, management and discipline of the Cadet Corps, and the conditions under which the same may be disbanded or the services of any members thereof dispensed with.

3. Section 5 of the Volunteer Ordinance 1888 is amended by inserting after the word "Corps" in the first line the words "and of a Cadet Corps". Amendment of section 5.

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 11 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

18th May, 1916.

AN Ordinance to amend "The Life Assurance Companies' Ordinance 1914."

[*19th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as "The Life Assurance Companies (Amendment) Ordinance 1915." Short title.

2. Subsection (4) of section 4 of "The Life Assurance Companies Ordinance 1914" (hereinafter called the principal Ordinance) is amended by adding at the end thereof the words "and all interest accruing due on any such deposit shall be carried by the company to that fund." Amendment of section 4 of principal Ordinance. Ord. XXXIII of 1914.

3. Section 5 of the principal Ordinance is repealed and the following section is substituted therefor:— Repeal of section 5 and substitution of new section.

"5.—(1) In the case of a life assurance company transacting other business besides that of life assurance, a separate account shall be kept of all receipts in respect of the life assurance business, and the said receipts shall be carried to and form a separate fund to be called the life assurance fund. Separation of funds.

(2) The life assurance fund shall be invested in separate investments from any other fund and a separate balance sheet shall be kept in respect of the life assurance fund." Separate investments and separate balance sheets.

4. Section 18 of the principal Ordinance is amended by deleting the words "Governor in Council" and substituting therefor the word "Registrar". Amendment of section 18.

5. Section 28 of the principal Ordinance is amended by deleting the words "Governor in Council" in line 6 and substituting therefor the word "Registrar". Amendment of section 28.

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Insertion of new section 28A.

6. The following section is inserted after section 28 of the principal Ordinance:—

Exemption of Companies registered in British Possessions.

28A.—(1) A Life Assurance Company registered in any British Possession other than this Colony which has deposited securities with the Accountant-General under section 4 may be exempted by the Governor in Council by notification in the *Gazette* from compliance with the provisions of sections 5, 7 to 10, 12, 17 and 18 or any of them.

(2) Such company when so exempted shall deposit with the Registrar in the manner prescribed in section 10 all such documents as may be required to be deposited by the Governor in Council.

(3) If the Governor in Council cancels such notification as aforesaid, such company shall cease to have the privilege conferred by such exemption.

Amendment of section 31.

7. Paragraph (*c*) of subsection (2) of section 31 of the principal Ordinance is amended by deleting the words "the Sixth Schedule" and by substituting therefor the words "schedule *F*".

Amendment of form (*A*) of schedule *A*.

8. Form (*A*) of schedule *A* of the principal Ordinance is amended by adding the words "(form (*A*))" after the words "schedule *C*" at the end of the form.

Amendment of form (*B*) of schedule *A*.

9. Form (*B*) of schedule *A* of the principal Ordinance is amended—

(*a*) by deleting the words "Balance Sheet" and by substituting therefor the words "schedule *C* (form (*A*))"; and

(*b*) by inserting the figure 1 immediately after the word "Note" at the foot of the form and by adding at the end thereof the following note:—

"NOTE 2.—If any sum has been deducted from the expenses of management account, and taken credit for in the balance sheet as an asset, the sum so deducted to be separately shown in the above account."

Amendment of form (*C*) of schedule *A*.

10. Form (*C*) of schedule *A* of the principal Ordinance is amended—

(*a*) by deleting the words "Profits (accounts to be specified)" and the words "Losses (accounts to be specified)";

(*b*) by deleting the words "Balance Sheet" and substituting therefor the words "schedule *C* (form (*B*))"; and

(*c*) by adding at the end thereof the following note:—

"NOTE 3.—If any sum has been deducted from the expenses of management account, and taken credit for in the balance sheet as an asset, the sum so deducted to be separately shown in the above account."

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11. Form (*D*) of schedule *A* of the principal Ordinance is repealed and the following new form is substituted therefor:— Repeal of form (*D*) of schedule *A* and substitution of new form.

(*D*).—Statement to be submitted along with the Revenue Account by all life assurance companies.

Class of Policy.	Total new life assurances during the year 19 .			
	Number of policies issued.	Sum assured.	Annual Premium.	Single Premium.
		$	$	$
Whole life				
Whole life by limited payments				
Endowment assurances ...				
Pure endowments ...				
Term assurances... ...				
Other classes				
Total ...				

Items in this statement to be net after deduction of sums reassured and corresponding premiums. State also:—

New annuities (state number and annual amount).

Largest sum for which the company has granted an assurance on any one life during the year after deduction of any portion reassured.

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Amendment of schedule *B*.

12. Schedule *B* of the principal Ordinance is amended by adding the words "(form (*B*))" after the words "as per schedule *C*".

Repeal of schedule *C* and substitution of new schedule.

13. Schedule *C* of the principal Ordinance is repealed and the following schedule is substituted therefor :—

SCHEDULE *C*.

(*Section 7.*)

(*A*).—BALANCE SHEET OF THE.....ON THE.....19.....

LIABILITIES.	$	ASSETS.	$
Shareholders' capital paid up, if any		Mortgages on property within the Straits Settlements ...	
(This statement of capital should be included in this Form when the company carries on only Life Assurance business).		Mortgages on property out of the Straits Settlements ...	
		Loans on public rates ...	
		Do. life interests and reversions	
Life Assurance Fund ...		Do. stocks and shares ...	
Annuity Fund (if any) * ...		Do. company's policies within their surrender values	
Other funds (if any) to be specified		Do. personal security ...	
Claims admitted or intimated but not paid †		Investments.—	
		Deposit with the Acct.-General (securities to be specified) ...	
		British Government Securities	
		Colonial Government Securities	
		Foreign Government Securities	
		British and Colonial Municipal and Provincial Securities ...	
		Foreign Municipal and Provincial Securities ...	
		Railway debentures and debenture stocks	
		Railway preference and guaranteed stocks	
		Railway ordinary stocks ...	
		Other debentures and debenture stocks	
		Other preference and guaranteed stocks	
		Other ordinary stocks ...	
		Rent charges and ground rents	
		House Property	
		Life Interests and Reversions	
		Other Investments (to be specified)	
Annuities due and unpaid † ...		Agents Balances	
Other sums owing by the Company †		Outstanding premiums † ...	
		Do. interest, dividends † and rents	
		Interest accrued but not payable †	
		Bills receivable	
		Cash	
		on deposit	
		in hand, or transit, and ...	
		on current account	
		Other assets (to be specified) ...	
Total ...		Total ...	

* A Balance Sheet in the above form must be rendered in respect of the Annuity Fund in cases where separate investments are made in respect of that Fund.

† These items are or have been included in the corresponding items in Schedule *A*.

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(*B*).—GENERAL BALANCE SHEET OF THE.....ON THE .. ..19.....

LIABILITIES.	$	ASSETS.	$
Shareholders' capital paid up (if any)		Mortgages on property within the Straits Settlements ...	
Funds contained in General Revenue Account		Mortgages on property out of the Straits Settlements ...	
Profit and Loss Account ...		Loans on public rates ...	
Other Funds (if any) to be specified		Do. life interests and reversions	
Claims admitted or intimated but not paid *		Do. stocks and shares ...	
(Classes of Assurance business to be specified)		Do. company's policies within their surrender values	
Other sums owing by the Company * (to be stated separately under each class of business) ...		Do. personal security ...	
Life Department (as per separate Balance Sheet under Form (*A*).)		Investments.—	
Annuity Department (as per separate Balance Sheet under Form (*A*))		British Government Securities...	
		Colonial Government Securities	
		Foreign Government Securities	
		British and Colonial Municipal and Provincial Securities ...	
		Foreign Municipal and Provincial Securities ...	
		Railway debentures and debenture stocks	
		Railway preference and guaranteed stocks	
		Railway ordinary stocks ...	
		Other debentures and debenture stocks	
		Other preference and guaranteed stocks	
		Other ordinary stocks ...	
		Rent charges and ground rents	
		House property	
		Life interests and reversions ...	
		Other investments (to be specified)	
		Agents Balances	
		Outstanding premiums * ...	
		Do. interest, dividends * and rents	
		Interest accrued but not payable *	
		Bills receivable	
		Cash	
		on deposit	
		in hand, or transit, and ...	
		on current account ...	
		Other assets (to be specified) ...	
		Life Department (as per separate Balance Sheet under Form (*A*).)	
		Annuity Department (as per separate Balance Sheet under Form (*A*))	
Total ...		Total ..	

* These items are or have been included in the corresponding items in Schedule *A*.

NOTE 1.—When part of the assets of the company are specifically deposited under local laws, in various places out of the Straits Settlements as security to holders of life assurance policies there issued, each such place, and the amount compulsorily lodged therein must be specified.

NOTE 2.—The balance sheet must state how the values of the Stock exchange securities are arrived at, and on the occasions when a statement respecting valuation under Schedule *D* is made, a certificate must be appended, signed by the same persons as signed the balance sheet, to the effect that in their belief the assets set forth in the balance sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account.

NOTE 3.—In the case of a company required to keep a separate Life Assurance Fund under section 5 of this Ordinance, a certificate must be appended, signed by the same persons as signed the balance sheet and by the Auditor, to the effect that no part of any such Fund has been applied, directly or indirectly, for any purpose other than the Life Assurance business.

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Amendment of first form in schedule *D*.

14. The first form contained in schedule *D* of the principal Ordinance, being "Consolidated Revenue Account" form, is amended by adding the words "(form (*A*))" after the words "as per schedule *C*" at the end of the form.

Amendment of last form in schedule *D*.

15. The last form contained in schedule *D* of the principal Ordinance, being "Valuation Balance Sheet" form, is amended by adding the words "(form (*A*))" after the words "under schedule *C*".

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 12 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

18th May, 1916.

AN Ordinance to amend "The Medical Registration Ordinance 1907."

[*19th May*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Medical Registration (Amendment) Ordinance 1916. Short title.

2. Subsection (1) of section 11 of the Medical Registration Ordinance 1907 is amended by repealing paragraphs (*b*) and (*c*) thereof and substituting therefor the following paragraphs :— Amendment of section 11 of Ordinance XI of 1907.

(*b*) The holder of any of the British, Indian, Colonial or Foreign degrees, diplomas or licences specified by an Order of the Governor in Council subject to such conditions and restrictions as may be prescribed by such Order;

(*c*) The holder of any degree, diploma or licence in medicine of any Medical School of the United Kingdom, Europe, the British Possessions, the United States of America, or the Empire of Japan, the degrees, diplomas and licences of which are recognized as entitling to registration by the General Council of Medical Education and Registration of the United Kingdom.

3. Subsection (2) of section 14 of the Medical Registration Ordinance 1907 is hereby repealed. Amendment of section 14 of Ordinance XI of 1907.

Passed this 12th day of May, 1916.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 13 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

16th June, 1916.

AN Ordinance to amend the Liquors Revenue Ordinance 1909 and the Liquors Revenue Ordinance 1909 Amendment Ordinance 1912.

[*16th June*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Liquors Revenue (Amendment) Ordinance 1916. Short title.

2. Subsection (1) of section 4 of the Liquors Revenue Ordinance 1909 is hereby repealed and the following subsection is substituted therefor:— Duties.

(1) The following duties shall be paid on intoxicating Liquors:—

INTOXICATING LIQUORS.

	$ c.
(*a*) Containing not less than 85 per centum of proof spirit ...	4.80 per proof gallon
(*b*) Containing less than 85 per centum but not less than 70 per centum of proof spirit ...	3.84 per gallon.
(*c*) Containing less than 70 per centum but not less than 40 per centum of proof spirit ...	2.40 per gallon.

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(*d*) Containing less than 40 per centum of proof spirit—

	$ c.	
(i) All sparkling wines ...	2.40	per gallon.
(ii) All still wines excepting claret containing less than 26 per centum of proof spirit ...	1.60	per gallon.
(iii) Claret containing less than 26 per centum of proof spirit and ale, beer, stout, porter, cider and perry	0.48	per gallon.
(iv) All other intoxicating liquors	1.60	per gallon.

Provided that the duty payable upon intoxicating liquors distilled or fermented in any place licensed under this Ordinance for the distillation or manufacture of intoxicating liquors shall be nine-tenths of the amount of the duty payable under this subsection.

Duty payable on liquors removed on 16th June 1916.

3. The duty to be paid on all intoxicating liquors liable to duties removed on or after the sixteenth day of June 1916 from the vessel in which they are imported, or from the bonded or licensed warehouse in which they are deposited, shall be the duty payable under section 2, and, if any sum less than the amount of such duty has been paid, the difference between such sum and the duty payable under section 2 shall be paid.

Addition of the increase of duty to contract price.

4. Where any intoxicating liquors, in respect of which duty is payable under this Ordinance, are delivered on or after the sixteenth day of June 1916 in pursuance of a contract made on or before that day, the seller of such intoxicating liquors may, in the absence of agreement to the contrary, recover as an addition to the contract price a sum equal to any amount paid by him in respect of such liquors on account of the increase of duty.

Repeal of proviso to section 5 of Ordinance VII of 1912.

5. Section 5 of the Liquors Revenue Ordinance 1909 Amendment Ordinance 1912 is hereby amended by repealing the proviso thereto.

Passed this 16th day of June, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 13 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

16th June, 1916.

AN Ordinance to amend the Liquors Revenue Ordinance 1909 and the Liquors Revenue Ordinance 1909 Amendment Ordinance 1912.

[*16th June*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Liquors Revenue (Amendment) Ordinance 1916. Short title.

2. Subsection (1) of section 4 of the Liquors Revenue Ordinance 1909 is hereby repealed and the following subsection is substituted therefor:— Duties.

(1) The following duties shall be paid on intoxicating Liquors:—

INTOXICATING LIQUORS.

	$ c.
(*a*) Containing not less than 85 per centum of proof spirit ...	4.80 per proof gallon
(*b*) Containing less than 85 per centum but not less than 70 per centum of proof spirit ...	3.84 per gallon.
(*c*) Containing less than 70 per centum but not less than 40 per centum of proof spirit ...	2.40 per gallon.

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(*d*) Containing less than 40 per centum of proof spirit— $ *c.*

(i) All sparkling wines ...	2.40	per gallon.
(ii) All still wines excepting claret containing less than 26 per centum of proof spirit ...	1.60	per gallon.
(iii) Claret containing less than 26 per centum of proof spirit and ale, beer, stout, porter, cider and perry	0.48	per gallon.
(iv) All other intoxicating liquors	1.60	per gallon.

Provided that the duty payable upon intoxicating liquors distilled or fermented in any place licensed under this Ordinance for the distillation or manufacture of intoxicating liquors shall be nine-tenths of the amount of the duty payable under this subsection.

Duty payable on liquors removed on 16th June 1916.

3. The duty to be paid on all intoxicating liquors liable to duties removed on or after the sixteenth day of June 1916 from the vessel in which they are imported, or from the bonded or licensed warehouse in which they are deposited, shall be the duty payable under section 2, and, if any sum less than the amount of such duty has been paid, the difference between such sum and the duty payable under section 2 shall be paid.

Addition of the increase of duty to contract price.

4. Where any intoxicating liquors, in respect of which duty is payable under this Ordinance, are delivered on or after the sixteenth day of June 1916 in pursuance of a contract made on or before that day, the seller of such intoxicating liquors may, in the absence of agreement to the contrary, recover as an addition to the contract price a sum equal to any amount paid by him in respect of such liquors on account of the increase of duty.

Repeal of proviso to section 5 of Ordinance VII of 1912.

5. Section 5 of the Liquors Revenue Ordinance 1909 Amendment Ordinance 1912 is hereby amended by repealing the proviso thereto.

Passed this 16th day of June, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 14 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

16th June, 1916.

AN Ordinance to provide for raising additional revenue by imposing duties on Tobacco imported into the Settlements of Singapore, Penang and Malacca for the purpose of making an annual contribution to the Imperial Government towards War Expenditure.

[*16th June*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Tobacco Duties Ordinance 1916. Short title.

2. This Ordinance shall extend only to the Settlements of Singapore (exclusive of Christmas Island and the Cocos Islands) Penang and Malacca, and shall continue in force until the thirty-first day of December, 1926, and shall then expire unless further continued. Extent of operation and duration.

3. In this Ordinance unless there is something repugnant in the subject or context— Interpretation.

"The Superintendent" means the Superintendent of Tobacco Revenue and includes any Assistant Superintendent;

"Superintendent's Office" means the head office or any branch office of the Superintendent;

"Tobacco" includes all tobacco other than growing tobacco, whether manufactured or not;

"Dutiable tobacco" means tobacco on which the duty has not been paid;

"Duty" means the duty from time to time payable by law upon any tobacco;

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"Bonded warehouse" means a warehouse or place of security approved and appointed by the Governor in Council for the warehousing of dutiable tobacco;

"Native tobacco" means Chinese, Java, and Indian tobacco;

"Pound" means a pound avoirdupois weight;

"Kati" means one and one-third pounds;

"Import", with its grammatical variations and cognate expressions, means to bring or cause to be brought into the Settlements mentioned in section 2 either by land or sea;

"Export", with its grammatical variations and cognate expressions, means to take or cause to be taken out of the Settlements mentioned in section 2 either by land or sea;

"Port" shall have the meaning given to the expression in section 4 of the Merchant Shipping Ordinance 1910;

"Wharf" includes any warehouse or place adjoining a wharf and used in connexion therewith;

"Vessel" includes any ship or boat or any other description of vessel used in navigation;

"Steam vessel" includes any vessel propelled by steam, electricity or other mechanical power;

"Master" includes every person except a pilot, having command or charge of any vessel.

PART I.

DUTY.

Duties.

4.—(1) The following duties shall

(*a*) as from the sixteenth day of June, 1916, be charged, levied and paid on all tobacco imported on or before that day, which on that day is in the possession of any importer for sale, manufacturer, or seller of tobacco;

(*b*) be charged, levied and paid on all tobacco imported after the sixteenth day of June, 1916:—

Cigars valued at not less than $2 per pound, and snuff of whatever value	Per pound. $ 1.50
Cigars valued at less than $2 per pound and not less than $1.40 per pound	Per pound. $ 0.75
Tobacco and cigarettes valued at not less than $1.40 per pound and Egyptian, Russian and Turkish cigarettes of whatever value ...	Per pound. $ 0.75

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	Per pikul.
Javanese, Chinese and Indian tobaccos other than cigars and cigarettes	$10.00
	Per pound.
Tobaccos, cigars and cigarettes of any kind not herein otherwise provided for	$ 0.40

(2) The valuation hereinbefore referred to is that contained in the invoice relating to the imported tobacco, unless there is no such valuation or the propriety of such valuation is questioned, in which cases the valuation hereinbefore referred to is that which may be put upon the tobacco by the Superintendent.

(3) Every importer for sale, manufacturer, or seller of tobacco, who on the sixteenth day of June, 1916, has in his possession any tobacco exceeding in quantity one hundred pounds, shall

(*a*) within seven days from such date furnish to the Superintendent a return

(i) of the quantity, description and value of the tobacco in his possession; and

(ii) of the quantity of such tobacco disposed of on that day, whether by sale or otherwise, with the names of the purchasers or persons concerned; and

(*b*) pay the duty thereon; and

(*c*) permit the Superintendent at any time after the sixteenth day of June, 1916 to cause such examination of such tobacco and of any books, documents, invoices or papers concerning the same as may be reasonably necessary to ascertain the correctness of the return.

(4) Every such importer, manufacturer or seller may, upon written request to the Superintendent within seven days from the sixteenth day of June, 1916, deposit without the payment of duty thereon in a bonded warehouse any portion of the quantity returned under subsection (3).

(5) Tobacco

(*a*) brought into the waters of the Settlements mentioned in section 2 as through cargo or carried as sea stores; and

(*b*) to the extent of one hundred pounds in the possession of any of the persons mentioned in subsection (3) on the sixteenth day of June, 1916;

shall be exempted from all duties chargeable under this Ordinance.

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When and where payable.

(6) The duty on tobacco imported by sea after the sixteenth day of June, 1916, shall be payable

(*a*) if it is not forthwith removed into a bonded warehouse or into another vessel for export, before removal from the vessel in which it is imported;

(*b*) if it is forthwith removed into a bonded warehouse, then before removal from such bonded warehouse unless such removal is for export or into another bonded warehouse, and in the latter case the quantity removed is not less than fifty katis in the case of native tobacco or twenty-five pounds in the case of tobacco other than native tobacco.

(7) The duty on tobacco imported by land shall be payable at such time and place as are prescribed by rules made under this Ordinance.

(8) The duty imposed by subsection (1) may be varied by a resolution of the Legislative Council.

PART II.

THE SUPERINTENDENT.

Superintendent and Assistant Superintendents, etc.

5.—(1) The Superintendent of Chandu and Liquors Revenue shall collect the duties prescribed in section 4, and shall carry out the provisions of this Ordinance, and shall be called the Superintendent of Tobacco Revenue.

(2) All Assistant Superintendents appointed under the Chandu Revenue Ordinance 1909 and the Liquors Revenue Ordinance 1909 shall be deemed to be Assistant Superintendents under this Ordinance.

(3) The Governor may, in addition to the Assistant Superintendents referred to in subsection (2), appoint such number of Assistant Superintendents as he thinks fit.

(4) An Assistant Superintendent shall have all the powers conferred on the Superintendent by this Ordinance or any rules made thereunder.

(5) The Governor may appoint a deputy or deputies to the Superintendent either generally or for the purposes of particular sections of this Ordinance or for the purposes of particular rules made under this Ordinance.

Revenue Officers.

6.—(1) All revenue officers appointed under the Chandu Revenue Ordinance 1909 and the Liquors Revenue Ordinance 1909 shall be deemed to be revenue officers under this Ordinance.

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(2) The Superintendent may in addition to the revenue officers referred to in subsection (1), appoint such persons as he thinks fit to act as revenue officers under this Ordinance, and appoint certain of their number as senior revenue officers. Appointment of Revenue Officers.

(3) The Superintendent may cancel any appointments made by him of persons to act as revenue officers or senior revenue officers.

(4) Every revenue officer shall be supplied by the Superintendent with a suitable badge of office.

(5) Every revenue officer shall, on demand, return to the Superintendent his badge of office, and any revenue officer, who refuses or neglects so to return any such badge, shall be liable to a fine not exceeding fifty dollars or to imprisonment for a term which may extend to three months.

(6) Every revenue officer when acting against any person under this Ordinance shall, on demand, declare his office and produce his badge of office to the person against whom he is acting.

7.—(1) All police officers shall for the purpose of this Ordinance be deemed to be revenue officers. Police officers to have powers of revenue officers.

(2) All Inspectors of Police and all other police officers not below the rank of a sergeant shall for the purposes of this Ordinance be deemed to be senior revenue officers.

(3) Every police officer when acting against any person under this Ordinance shall, if not in uniform, on demand declare his office and produce to the person against whom he is acting such part of his public equipment as the Inspector-General of Police may direct to be carried by police officers when employed on secret or special service.

8. The Governor in Council may appoint examination stations where persons, landing from any vessel, and any goods and baggage which they may bring with them, may be examined for dutiable tobacco. Examination stations.

PART III.

IMPORT AND EXPORT OF TOBACCO.

9. No person shall import or export dutiable tobacco except into or from a port. Dutiable tobacco not to be imported or exported except to or from a port.

10.—(1) No tobacco shall, on importation, be removed from the vessel wherein the same was imported to any other place than a bonded warehouse, unless the duty thereon shall have been paid; provided that this subsection shall not apply to Restrictions on removal of tobacco from the importing vessel.

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tobacco in respect whereof a permit for transhipment shall have been issued under section 13.

(2) In the case of tobacco on which the duty is to be paid before such removal, the Import and Export Officer shall issue a permit in form *B* in the schedule *A* authorizing the removal of such tobacco on the conditions stated in such permit, upon receiving a requisition therefor in form *A* in the said schedule and the production of a receipt from the Superintendent for the duties payable in respect of such tobacco.

Receipt by Superintendent for duty paid.

11. The Superintendent shall grant a receipt in form *C* in the schedule *A* for any sum received by him in respect of any tobacco on which duty is payable.

Removal of dutiable tobacco for exportation.

12.—(1) No person intending to export dutiable tobacco shall remove the same for exportation from any bonded warehouse without a permit in form *E* in the schedule *A* and except in accordance with the conditions in such permit contained.

(2) Such permit shall be issued by the Superintendent upon receipt of a requisition in form *D* in the said schedule and shall be furnished in duplicate, and one copy thereof shall be delivered to the keeper of such bonded warehouse, and the exporter shall, on shipping such tobacco, procure a receipt for the same signed by the master or mate of the vessel, in which the tobacco is to be exported, to be endorsed on the duplicate copy of such permit, and shall forthwith deliver such duplicate copy and receipt to the Superintendent.

(3) The Superintendent may, in his discretion, instead of handing the duplicate copy of the permit issued by him to the exporter deliver the same to a revenue officer, who shall thereupon accompany the tobacco mentioned in the permit from such bonded warehouse to the vessel on board of which the same is to be exported.

(4) The Superintendent may refuse to issue any permit to export dutiable tobacco by any vessel until a reasonable time before such vessel may be intending to leave the port.

(5) The Superintendent shall refuse to issue any permit to export dutiable tobacco reasonably required for use as sea stores of any vessel, unless the requisition in form *D* is endorsed by the master or agent certifying that such tobacco is for ship's use.

(6) Dutiable tobacco reasonably required for use as sea stores of a vessel shall during the whole period of the vessel's presence in a port be kept in a place of safety under the sole custody and control of the master, who shall not part with the custody of any portion thereof to any person other than the Superintendent or a person authorized in writing by him to receive the same.

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(7) The Superintendent and any person authorized in writing either generally or in any particular instance by the Superintendent shall be permitted to inspect such dutiable tobacco at any time and to place seals thereon or on any place or package in which the same may be.

(8) No such dutiable tobacco shall be made use of within the waters of the Colony except with the written permission of the Superintendent.

Transhipment of dutiable tobacco.

13.—(1) No dutiable tobacco, intended for transhipment, shall be removed from any vessel or bonded warehouse or placed on board any vessel except under a permit in form *G* in the schedule *A* and in accordance with the conditions contained in such permit.

(2) Such permit shall be issued by the Import and Export Officer upon receipt of a requisition in form *F* in the said schedule.

Dutiable tobacco not to be removed for exportation except in closed cases.

14. No dutiable tobacco shall be removed for export from the bonded warehouse in which it may be stored, except in closed cases or packages bearing the office seal of the Superintendent and marked "For Export", and each containing a quantity of tobacco not less than is prescribed.

Owners and agents of vessel to deliver particulars to the Superintendent.

15. The owners or agents of any vessel by which dutiable tobacco may be exported shall, within twenty-four hours of the time of the departure of such vessel, furnish to the Superintendent a true and correct statement of all dutiable tobacco exported thereon which may have been entered on the vessel's manifest, or for the receipt of which for export such owners or agents, or any person acting on their behalf, may have issued a receipt to any person.

Particulars of imported dutiable tobacco to be furnished by masters of vessels.

16.—(1) The master or agent of every vessel by which dutiable tobacco is imported shall, immediately on the arrival of such tobacco in any of the Settlements mentioned in section 2, furnish to the Superintendent a true and correct statement of all dutiable tobacco so imported which may have been entered on the ship's manifest, or for the receipt of which for importation the master owner or agents of such vessel, or other person acting on behalf of any of them, may have issued a receipt to any person, or which may be claimed by the master as part of the sea stores of such vessel.

(2) Dutiable tobacco brought to a port in a vessel and claimed by the master as part of the sea stores of such vessel may be so used during the ship's stay in such port, unless the Superintendent has placed seals on such tobacco or any place or package in which the same may be or has forbidden in writing the master to use or to permit the use of such tobacco.

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Permit not used to be returned in 24 hours.

17. Any person who has obtained a permit to remove any tobacco from any vessel or bonded warehouse or to remove any tobacco for exportation, and has not availed himself thereof on the date stated therein, shall, within twenty-four hours from such date or as soon thereafter as the office of the Superintendent may be open for business, return such permit to the office of the Superintendent.

Tobacco shipped under a permit not to be re-landed.

18. No person shall re-land or permit the re-landing of any tobacco shipped under any permit, or knowingly neglect or omit to cause such tobacco to be exported in terms of such permit.

No fees for permit.

19. No fees shall be charged for any permit required by this Part to be granted by the Import and Export Officer or the Superintendent, or for the signature thereto of the Superintendent or his agent.

PART IV.

STORAGE AND SALE OF DUTIABLE TOBACCO.

Bonded warehouses to be appointed by the Governor in Council.

20. The Governor in Council may approve and appoint warehouses or places of security to be bonded warehouses for the warehousing of dutiable tobacco and the manufacture of tobacco, and may revoke such approval, and thereupon all dutiable tobacco warehoused in a bonded warehouse, the approval of which has been revoked, shall be removed as the Governor in Council directs.

No person to keep dutiable tobacco except in a bonded warehouse.

21.—(1) No person shall after the twenty-third day of June, 1916, store or keep or have in his possession or control any dutiable tobacco except in a bonded warehouse.

(2) No person shall after the twenty-third day of June, 1916, sell or offer for sale, and no person shall buy, any dutiable tobacco stored elsewhere than in a bonded warehouse.

Office of Superintendent to be deemed a bonded warehouse.

22. The office of the Superintendent and any other place, approved on that behalf by the Governor, shall be deemed to be a bonded warehouse.

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23.—(1) No person shall remove any dutiable tobacco from any bonded warehouse without a permit from the Superintendent in form *I* in the schedule *A* and except in accordance with the conditions in such permit contained.

Permit for removal of dutiable tobacco from bonded warehouse.

(2) Such permit shall be issued by the Superintendent upon receipt of a requisition in form *H* in the said schedule.

(3) The Superintendent shall not issue a permit for the removal of any such dutiable tobacco—

(*a*) if the quantity of such tobacco is less than such as is prescribed; or

(*b*) if such tobacco is to be removed to any place other than a bonded warehouse except upon payment to him of the duty thereon.

(4) The Superintendent shall give a receipt in form *C* in the schedule *A* for any sum of money so received by him as duty.

(5) No person shall remove any tobacco on which duty has been paid from any place, not being a vessel or a bonded warehouse, to another place in quantities of over three pounds except under and in accordance with a permit from the Superintendent in form *K* in schedule *A* specifying the places from and to which the tobacco may be removed.

(6) Such permit shall be issued by the Superintendent upon the receipt of a requisition in form *J* in the said schedule.

PART V.

MANUFACTURE.

24.—(1) No person shall, after the twenty-third day of June, 1916, manufacture tobacco except under and in accordance with a licence issued by the Colonial Secretary and in a factory, bonded warehouse or place to be mentioned in the licence.

Restriction on manufacturing tobacco.

(2) Such licence shall be issuable at the discretion of the Colonial Secretary upon payment of the prescribed fee, and shall be for such period and subject to such conditions as to the Colonial Secretary seem fit.

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PART VI.

IMPORTATION AND SALE OF TOBACCO.

Importer of tobacco for sale to be licensed

25.—(1) No person shall after the twenty-third day of June, 1916, import tobacco for sale except under and in accordance with a licence issued under this Ordinance.

(2) In proceedings against any person charged with importing tobacco without licence, the burden of proof that tobacco imported by such person was duly authorized by licence under this Ordinance to be imported shall be upon such person.

Licences to import for sale how issuable.

26. Licences to import tobacco for sale—

(*a*) shall be issuable by the Superintendent on payment of the prescribed fee and be subject to such conditions as he sees fit by endorsement on the licence to impose;

(*b*) shall be substantially in the form set out in schedule *B* or in such other form as is prescribed;

(*c*) shall not be transferable without the consent of the Superintendent and payment of the prescribed fee.

Licensee to render account, etc., to Superintendent.

27. Every person licensed under section 26 shall—

(*a*) on demand by the Superintendent, render an account in writing, extending over such period as the Superintendent requires, of the quantity, value and description of tobacco imported by him and of the quantity, value and description sold or otherwise disposed of;

(*b*) on demand by the Superintendent, render an account in writing of the quantity, value and description of tobacco in his possession, custody or control;

(*c*) permit the Superintendent or any senior revenue officer to enter the premises in which tobacco is stored at any time between the hours of six in the morning and six in the evening and inspect the same;

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(*d*) exhibit his licence at all times in a conspicuous place on the licensed premises.

(*e*) produce for the inspection of the Superintendent all books of account kept by him in connectio with the licensed business.

28. No person, licensed as aforesaid, shall store or keep on his licensed premises any dutiable tobacco, and, in the absence of proof to the contrary, any dutiable tobacco found on such premises shall be presumed to be stored or kept by such licensee.

Licensed person not to keep dutiable tobacco on the premises.

29. In the case of the death or bankruptcy of any licensee, the Superintendent may, by endorsement on the licence, authorize any other person to exercise the rights conferred by the licence until the expiration of the term for which it was originally granted or for any shorter term and subject to all the conditions originally imposed by such licence and such further conditions as the Superintendent thinks fit to impose.

Provisions in case of death or bankruptcy of licensee.

30. No tobacco shall be supplied in or from any licensed premises in exchange for any article whatever except money.

Tobacco not to be supplied except for money.

31. No person, except a person holding a licence as aforesaid, shall exhibit or keep up any sign, writing, painting or other mark which may imply or give reasonable cause to believe that his premises are so licensed or that any tobacco is so sold therein.

No person except a licensee to exhibit any sign implying that premises are licensed.

PART VII.

PROTECTION OF REVENUE.

32.—(1) Any person landing, or being about to land, or having recently landed, from any vessel or leaving any vessel in the waters of the Settlements mentioned in section 2 whether for the purpose of landing or otherwise shall—

Persons landing to permit search.

(*a*) on demand by any revenue officer, either permit his person and goods and baggage to be searched by such officer, or together with such goods and baggage accompany such officer to a police station or

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an examination station, and there permit his person goods and baggage to be searched by any revenue officer in the presence and under the supervision of a senior revenue officer ;

(*b*) on demand by any senior revenue officer, permit his person and goods and baggage to be searched by him or by some other revenue officer in his presence and under his supervision.

(2) Any person, who claims that his person shall be searched in the presence of an European officer, shall not be searched except in the presence of and under the supervision of such officer, but may be detained until the arrival of such officer, or taken to any police station or other place where such officer may be found.

(3) The goods and baggage of any person, who claims to be present when they are searched, shall not be searched except in his presence.

(4) No female shall be searched except by a female.

(5) Any person, who refuses to comply with any lawful demand made under this section, may be arrested by the officer making the demand without warrant.

Boxes, etc., may be searched without warrant.

33.—(1) Any revenue officer may examine and search without warrant any box, chest, package or other article, which he may reasonably suspect to contain any tobacco subject to forfeiture under this Ordinance or the rules made thereunder.

(2) Any such box, chest, package or other article may be detained until any person in charge thereof shall have opened the same to admit of such examination and search, and, in default of such opening, may be removed by such officer to a police station or an examination station.

(3) Any such box, chest, package or other article may be broken open by order of any senior revenue officer to facilitate such examination and search, provided that any person in charge or possession of such box, chest, package or other article shall be afforded every reasonable facility for being present at such breaking open, examination and search, and provided further that, if the person in charge or in possession of such box, chest, package or other article is present, the examination and search shall take place forthwith in the presence of any senior revenue officer.

Any revenue officer may board and remain on board a vessel.

34. Any revenue officer may board any vessel, not being or having the status of a ship of war, and remain on board as long as such vessel remains in the Settlement.

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35.—(1) Any revenue officer may arrest without warrant—

Cases in which revenue officers may arrest without warrant.

(*a*) any person found committing, or attempting to commit, or employing, aiding, or assisting any person to commit, an offence against this Ordinance;

(*b*) any person whom he may reasonably suspect to have in his possession any tobacco subject to forfeiture under this Ordinance.

(2) Every person so arrested shall, together with any such tobacco found in his possession, be taken to a police station.

36.—(1) Whenever it appears to any Justice of the Peace upon the oath of any person that there is probable cause to believe that in any dwelling-house, shop or other building or place, or on board any vessel, not being or having the status of a ship of war, there is concealed or deposited any tobacco subject to forfeiture under this Ordinance or under any rules made thereunder, or as to which an offence under this Ordinance has been committed, such Justice of the Peace may by his warrant directed to any senior revenue officer empower such officer by day or by night—

Search warrant may be issued by Justice of the Peace in certain circumstances.

(*a*) to enter such dwelling-house, shop or other building or place or such vessel and there to search for and take possession of any such tobacco in such place or vessel; and

(*b*) to arrest any person or persons being in such dwelling-house, shop or other building or place, or on board such vessel, in whose possession such tobacco may be found, or whom such officer may reasonably suspect to have concealed or deposited such tobacco.

(2) Such officer may if it is necessary so to do—

(*a*) break open any outer or inner door of such dwelling-house, shop or other building or place and enter thereinto;

(*b*) forcibly enter such place and every part thereof;

(*c*) remove by force any obstruction to such entry, search, seizure and removal as he is empowered to effect;

(*d*) detain every person found in such place or vessel until such place or vessel has been searched.

37. Whenever it appears to any senior revenue officer that there is probable cause to believe that in any dwelling-house, shop or other building or place, or on board any vessel, not being or having the status of a ship of war, there is concealed or deposited any tobacco subject to forfeiture under this Ordinance, or as to which an offence under this Ordinance has been committed, and he shall have good grounds for believing that by reason of the

When search may be made without warrant.

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delay in obtaining a search warrant the tobacco is likely to be removed, the said officer in virtue of his office may exercise in upon and in respect of such dwelling-house shop or other building or place or on such vessel all the powers in section 36 mentioned in as full and ample a manner as if he were empowered to do so by warrant issued under the said section.

Senior revenue officer to exercise certain of the powers given by section 36.

38. Every senior revenue officer may exercise in upon and in respect of any vessel, islet, landing place or wharf all the powers in section 36 mentioned in as full and ample manner as if he were empowered to do so by warrant issued under the said section, and may take possession of tobacco claimed by the master of any vessel to be the sea stores of such vessel or of any person thereon, which may appear to him to be in excess of the amount reasonably required as such sea stores, and remove the same from the vessel to a police station.

Obstruction of inspection or search.

39. Any person who

(*a*) refuses any officer access to any place or vessel, or

(*b*) otherwise obstructs or hinders him in effecting any entrance which he is entitled to effect under the provisions of this Ordinance, or in making any inspection or search authorized by this Ordinance or in the execution of any duty imposed or power conferred by this Ordinance; or

(*c*) refuses or neglects to give any information, which may reasonably be required of him and which he has it in his power to give,

shall be liable to a fine not exceeding five hundred dollars.

Legal obligation to give information.

40. Every person required by a revenue officer to give any information on any subject which it is the officer's duty to enquire into under this Ordinance, and which it is in his power to give, shall be legally bound to give such information.

PART VIII.

PROVISIONS AS TO TRIALS AND PROCEEDINGS.

Recovery of fines and penalties.

41.—(1) All convictions, fines, forfeitures and penalties under this Ordinance or any rule made thereunder may be had and recovered before a District Court or Police Court.

(2) Any such Court may, notwithstanding anything in the Criminal Procedure Code contained, impose the full punishment prescribed by this Ordinance, excepting that a Police Court shall not impose a sentence of imprisonment for a term exceeding twelve months.

(3) All fines and forfeitures under this Ordinance or any rule made thereunder shall go to the Superintendent, and shall be disposed of in such manner as is prescribed.

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42. No Court shall take cognizance of any offence under this Ordinance except with the sanction of the Superintendent. Charges.

43.—(1) The imprisonment imposed by any Court in respect of the non-payment of any fine under this Ordinance, or in respect of the default of a sufficient distress to satisfy any such fine, shall be for such period and of such description as in the opinion of the Court will satisfy the justice of the case, but shall not exceed in any case the maximum fixed by the following scale :— Imprisonment on non-payment of fine.

Where the fine	*The period may extend to*
does not exceed twenty-five dollars ...	two months
exceeds twenty-five dollars but does not exceed fifty dollars	four months
exceeds fifty dollars but does not exceed one hundred dollars	six months

with an additional two months for every one hundred dollars after the first one hundred dollars of the fine until a maximum period of two years is reached.

(2) If before the expiration of such period of imprisonment such a proportion of the fine be paid or levied as is not less than proportional to the unexpired portion of such period the imprisonment shall terminate.

(3) Where a person is sentenced to both fine and imprisonment, and the fine not being paid is commuted into imprisonment, such imprisonment shall be in addition to the imprisonment ordered by the original sentence.

44. On any trial before any District Court or Police Court, and in any proceeding on appeal in the Supreme Court relating in any of the above cases to the seizure of articles subject to forfeiture under this Ordinance, the said Court shall proceed to such trials and to the hearing of such appeals on the merits of the case only, without reference to matters of form, and without enquiring into the manner or form of making any seizure, excepting in so far as the manner and form of seizure may be evidence on such merits. Manner of seizure not to be enquired into on a trial before the Police Court or on appeal to the Supreme Court.

45.—(1) Except as hereinafter mentioned, no complaint as to an offence alleged to have been committed against the provisions of this Ordinance or of any rules made under it shall be admitted in evidence in any civil or criminal proceeding whatsoever, and no witness shall be obliged or permitted to disclose the name or address of any informer or state any matter which might lead to his discovery Protection of informers from discovery.

(2) If any books, documents or papers, which are in evidence or liable to inspection in any civil or criminal proceeding whatsoever, contain any entry in which any informer is named or described or which might lead to his discovery, the Court shall

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cause all such passages to be concealed from view or to be obliterated so far as may be necessary to protect the informer from discovery, but no further.

(3) If on the trial for any offence under this Ordinance the Court, after full inquiry into the case, believes that the informer wilfully made in his complaint a material statement which he knew or believed to be false or did not believe to be true, or if in any other proceeding the Court is of opinion that justice cannot be fully done between the parties thereto without the discovery of the informer, the Court may require the production of the original complaint if in writing, and permit inquiry and require full disclosure concerning the informer.

Examination of offenders.

46.—(1) Whenever two or more persons are charged with with any offence under this Ordinance the Court may require one or more of them to give evidence as a witness or witnesses for the prosecution.

(2) Any such person, who refuses to be sworn or to answer any lawful question, shall be dealt with in the same manner as witnesses so refusing may by law be dealt with by a Police Court.

(3) Any person so required to give evidence, who in the opinion of the Court makes true and full discovery of all things as to which he is lawfully examined, shall be entitled to receive a certificate of indemnity under the hand of the District Judge or Police Magistrate, stating that he has made a true and full discovery of all things as to which he was examined, and such certificate shall be a bar to all legal proceedings against him in respect of all such things as aforesaid.

Finger impressions of offenders.

47.—(1) Any person lawfully arrested under this Ordinance shall, on demand by a senior revenue officer, allow impressions of his fingers to be taken.

(2) Any Court by whom a person is convicted of an offence under this Ordinance and sentenced to pay a fine may order that the finger impressions of such person shall be taken in the presence of such officer of the Court as may be prescribed.

(3) A statement in any certificate, purporting to be signed by any officer of the Court and sealed with the seal of the Court, that a person has been convicted and that the finger impressions which appear on such certificate are those of the person so convicted shall be evidence of the facts so stated.

PENALTIES AND FORFEITURES.

Penalties.

48. Every omission or neglect to comply with and every act done or attempted to be done contrary to the provisions of this Ordinance or of any rule made thereunder, or in breach of the restrictions and conditions subject to or upon which any licence has been issued, shall be deemed to be an offence against this Ordinance, and for every such offence not otherwise specially

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provided for the offender shall in addition to any forfeiture of the articles seized as hereinafter provided for be liable on conviction to the following penalties:—

(*a*) for every first offence a fine not exceeding five hundred dollars;

(*b*) for every subsequent offence a fine not exceeding one thousand dollars or imprisonment of either description for a term which may extend to two years or both fine and imprisonment.

Penalty for making false requisition, return, etc.

49. Any person who

(*a*) tampers with or obliterates any mark or seal placed on bonded tobacco by the Superintendent, his deputies or any revenue officer; or

(*b*) under the provisions of this Ordinance delivers any requisition or supplies any particulars, return or account or other written statement required by this Ordinance or by any rule made thereunder if such requisition, particulars, return, account or written statement is false or incorrect, either in whole or in part, to the knowledge of the person so making, delivering or supplying the same, whether the same be signed by him or not

shall be liable for the first offence to a fine not exceeding one thousand dollars or to imprisonment of either description for a term which may extend to three months or to both fine and imprisonment, and for every subsequent offence to a fine not exceeding two thousand dollars or to imprisonment of either description for a term which may extend to twelve months or to both fine and imprisonment.

Penalty for refusing to sign receipt.

50. Any master or mate of a vessel who refuses to sign a receipt on the duplicate copy of a permit for removal for exportation for tobacco shipped on board his vessel, when requested to do so by the exporter or his agent, shall be liable to a fine not exceeding one hundred dollars.

Forfeitures.

51.—(1) All tobacco in respect of which any offence under this Ordinance, or any breach of the restrictions and conditions subject to or upon which any licence has been granted, has been or is being committed may, together with the packages, carts, carriages, vessels and conveyances in which the same may be found, be seized by any revenue officer, and all such tobacco, packages, carts, carriages, vessels and conveyances shall be forfeited.

(2) All tobacco together with the packages, carts, carriages, vessels and conveyances containing the same which may be found without an apparent owner, and for which no owner may appear after such notice given as to a Police Court seems fit, shall be forfeited.

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PART IX.

GENERAL.

Government, Army and Navy exempted.

52. Tobacco imported, landed, removed in or exported from any part of the Settlements mentioned in section 2 on account of His Majesty's Government or on account of officers and men of His Majesty's Army or Navy serving on full pay in the Colony shall be exempted from the operation of this Ordinance; provided that no tobacco shall be deemed to be so exempt in the absence of proof furnished in accordance with any rules made under this Ordinance in that behalf that the said tobacco is imported, landed, removed in or exported from the Colony on account of His Majesty's Government or on account of officers and men of His Majesty's Army or Navy serving on full pay in the Colony.

Power of Superintendent to take samples.

53.—(1) Every person applying to the Superintendent for a permit to remove on payment of duty any dutiable tobacco, either from a vessel or from a bonded warehouse, shall allow the Superintendent or any person authorized by him in writing either generally or for a particular occasion to take samples of such dutiable tobacco.

(2) Every person licensed under the provisions of this Ordinance to sell tobacco shall allow the Superintendent or any person authorized by him in writing either generally or for a particular occasion to take samples of any tobacco in his possession or under his control.

(3) The Superintendent or the person authorized by him as hereinbefore provided may select the actual case, or other receptacle in which such tobacco is contained from which the sample he requires shall be taken.

(4) Any person, who without reasonable excuse fails to comply with the provisions of this section, shall be liable to a fine not exceeding one thousand dollars.

Liability of licensed employer for act of servant.

54.—(1) Whenever any person licensed under this Ordinance would be liable under the provisions of this Ordinance or of any rules made thereunder to any punishment, penalty or forfeiture for any act omission, neglect or default, he shall be liable to the same punishment, penalty or forfeiture for every similar act, omission, neglect or default of any agent or servant employed by him in the course of his business as such licensed person, or employed by the firm or body corporate, in respect of whose business the licence is issued, in the course of their business.

(2) Any agent or servant employed by a person, licensed under this Ordinance, in the course of his business as such licensed person, or employed by such firm or body corporate as aforesaid, shall also be liable to every punishment, penalty or forfeiture prescribed for such acts, omissions, neglects or default

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contrary to the provisions of this Ordinance or of any rules made thereunder as fully and effectually as if such agent or servant had been the person to whom the licence had been granted.

55. Nothing done by any officer of the Government in the course of his duties shall be deemed to be an offence under this Ordinance. Action of officers no offence.

56. The Superintendent and his deputies and all revenue officers shall be deemed to be public servants within the meaning of the Penal Code. Officers to be deemed public servants.

57. Where any tobacco, in respect of which duty is payable under this Ordinance, is delivered on or after the sixteenth day of June, 1916, in pursuance of a contract made on or before that day, the seller of the tobacco may, in the absence of agreement to the contrary, recover as an addition to the contract price a sum equal to any amount paid by him in respect of the tobacco on account of such duty. Addition of duty to contract price.

58.—(1) The Governor in Council may make rules for any of the following purposes:— Power to make Rules.

(*a*) to regulate the manner in which duty shall be paid;

(*b*) to regulate the duties of the Superintendent and of his deputies;

(*c*) to regulate the organization, classification and discipline of the revenue officers, and the manner of conducting the several duties to be performed by them;

(*d*) to regulate the import and export of tobacco;

(*e*) to regulate the quantity of tobacco to be contained in any case or package referred to in section 14;

(*f*) to regulate the management of bonded warehouses;

(*g*) to regulate the management of factories and places for making and preparing tobacco, and the safeguarding of the revenue to be derived from the duty upon tobacco made or prepared therein;

(*h*) to prescribe the books to be kept and the returns to be made by every person holding a licence under this Ordinance;

(*i*) to regulate the issue of licences by the Superintendent;

(*j*) to regulate the examination of the person and baggage of persons landing at any port of the Settlements mentioned in section 2, and the management of examination stations;

(*k*) to fix fees for licences issuable under this Ordinance;

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(*l*) to alter, add to or rescind any of the forms contained in the schedules and to substitute others therefor;

(*m*) to prescribe the manner in which fines and forfeitures under this Ordinance shall be disposed of;

(*n*) generally to give effect to the provisions of this Ordinance.

(2) Any rules made by the Governor in Council under this Ordinance shall be published in the *Gazette*.

(3) Such rules shall be laid before the Legislative Council at the first meeting after such publication.

(4) Such rules shall remain in force until disapproved or altered by a resolution of the Legislative Council.

(5) Any rule altered by a resolution of the Legislative Council shall come into force, as altered, from the date of the passing of such resolution, and shall have the same force and effect as if enacted in this Ordinance.

Passed this 16th day of June, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE A.

FORM A.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Requisition to land tobacco on payment of duty under section 10.

To the Import and Export Officer.

Sir,

Please issue a permit to land on the day of , 19 , between the hours of A.M. and P.M. the tobacco described hereunder from the steamship which arrived on the

from

DESCRIPTION OF TOBACCO:

Nature of Tobacco	*Marks on Cases, etc.*	*Quantity of Tobacco.*	*Value per pound or pikul.*

(Date.) *Importers.*

FORM B.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Permit to land tobacco on which duty has been paid under section 10.

Permission is hereby given to to land on the day of , 19 , between the hours of A.M. and P.M. from the steamship the tobacco described below, upon which duties have been duly paid, provided that before the said tobacco is landed the signature of the Superintendent shall have been obtained to this permit and a copy thereof furnished to the Superintendent.

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DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Quantity of Tobacco.*	*Value per pound or pikul.*

(Date.) *Import and Export Officer.*

Permit noted and copy received.

Superintendent.

Note.—If this permit is not made use of on the day in respect of which it is issued, it must be returned within 24 hours to the Office of the Superintendent under a penalty not exceeding $500.

FORM C.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Form of receipt of duty under sections 11 and 23.

I hereby acknowledge the receipt from of the sum of dollars and cents being the amount payable as duty on the tobacco described below which is now stored at

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*	*Duty per*	*Total Duty.*
				$	$

Superintendent.

(Date.)

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FORM D.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Requisition to export under section 12.

To the Superintendent.

Sir,

Please issue a permit to move from bonded warehouse No.

at on the day of , 19 , between the hours of A.M. and P.M. the dutiable tobacco described below for export to by steamship .
The said tobacco is being consigned to

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.) *Exporters.*

FORM E.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Permit to move for export under section 12.

Permission is hereby given to to move from bonded warehouse No. at on the day of , 19 , between the hours of A.M. and P.M. the dutiable tobacco described below for export to by steamship, provided that before the said tobacco is moved this permit shall have been produced to the Superintendent and signed by him.

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DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.) *Superintendent.*

Note.—If this permit is not made use of on the day in respect of which it is issued, it must be returned within 24 hours to the Office of the Superintendent under a penalty not exceeding $500.

FORM F.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Requisition to tranship dutiable tobacco (section 13).

To the Import and Export Officer.

Sir,

Please issue a permit to remove on the day of , 19 , between the hours of A.M. and P.M. the tobacco hereunder described from the $\frac{\text{steamship}}{\text{bonded warehouse}}$ to the steamship .

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.) *Shippers.*

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A copy of this permit has been seved on me.
Superintendent.

FORM G.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Permit to tranship dutiable tobacco (section 13).

Permission is hereby given to to remove on the day of , 19 , between the hours of A.M. and P.M. the tobacco hereunder described from the $\frac{\text{steamship}}{\text{bonded warehouse}}$ to the steamship

DESCRIPTION OF TOBACCO:

Nature of Tobacco	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

Import and Export Officer.

(Date.)

Note.—If this permit is not made use of on the day in respect of which it is issued, it must within 24 hours be handed in at the Office of the Superintendent under a penalty not exceeding $500.

FORM H.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Requisition to move under section 23.

To the Superintendent of Tobacco Revenue.

Sir,

Please issue a permit to move from bonded warehouse No. at on the day of , 19 , between the hours of A.M. and P.M. the tobacco described below.

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(Add "to bonded warehouse No. at " or "Duty will be paid on the said tobacco before removal" as the circumstances may require.)

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.) *Owners or Importers.*

FORM I.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Permit to move under section 23.

Permission is hereby given to to move from bonded warehouse No. at on the day of , 19 , between the hours of A.M. and P.M. the tobacco described below.

(Add if so required "on condition that the said tobacco shall be immediately placed in bonded warehouse No. at ").

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.) *Superintendent.*

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FORM J.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Requisition to remove under section 23.

To the Superintendent of Tobacco Revenue.

Sir,

Please issue a permit to remove from at on the day of , 19 , between the hours of A.M. and P.M. the tobacco described below.

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.)

Owners or Importers.

FORM K.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Permit to remove under section 23.

Permission is hereby given to to move from at on the day of , 19 , between the hours of A.M. and P.M. the tobacco described below.

DESCRIPTION OF TOBACCO:

Nature of Tobacco.	*Marks on Cases, etc.*	*Weight.*	*Value per pound or pikul.*

(Date.)

Superintendent.

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SCHEDULE B.

SETTLEMENT OF (SINGAPORE *or* PENANG *or* MALACCA).

THE TOBACCO DUTIES ORDINANCE 1916.

Import licence under section 26.

Authority is hereby granted to trading under the style of to import tobacco for sale into the Settlement of and to sell tobacco at

This licence is subject to the following special conditions:—

This licence commences on the day of , 19 , and will expire on the day of , 19 .

Fee received $

(Date of issue.)

Superintendent.

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(*Vide Notification No.* 754 *in Gazette Extraordinary No.* 66 *of* 16*th June*, 1916.)

RULES MADE BY THE GOVERNOR IN COUNCIL UNDER SECTION 58 OF "THE TOBACCO DUTIES ORDINANCE 1916."

IMPORTERS FOR SALE.

1. Every person licensed to import tobacco for sale shall keep a stock book in which shall be entered day by day the quantity, description and value of all tobacco imported by him, the date of importation and the manner of disposal thereof, whether by sale or otherwise, with the names of the purchasers or persons concerned.

2. Every licensee shall at all times exhibit in a conspicuous position on his licensed premises a board to be obtained from the Superintendent, giving the number and nature of his licence.

FEES FOR LICENCES.

3. The following fees are chargeable under this Ordinance:—

For a licence to manufacture tobacco in bond (Section 24)	$120 per annum.
For a licence to import for sale (Section 26)	144 ,, ,,

4. Fees for licences in respect of a portion of a year only may be received at the rate of one-twelfth of the full fee for each month in respect of any part of which the licence may be issued.

5. A fee of one dollar shall be payable upon the transfer of any licence for the unexpired period thereof or in respect of an endorsement of any licence under section 29 of the Ordinance.

6. A fee of fifty cents may be charged for any notice board supplied to a licensee by the Superintendent.

MANAGEMENT OF THE GOVERNMENT BONDED WAREHOUSES, SINGAPORE, PENANG AND MALACCA.

7. Dutiable tobacco will be received into these warehouses upon the written request of the person who has the possession or control of such tobacco and upon production of the permit (to land and store). Such request must contain full particulars of the nature of the tobacco, of the marks on the cases or packages, and of the weight and value of each package.

8. A receipt for such tobacco shall be given under the hand of the store-keeper, who shall first satisfy himself as to the correctness of the particulars furnished in accordance with Rule 7.

9. No tobacco shall be removed from any bonded warehouse except upon the production of a receipt from the Superintendent or Assistant Superintendent for the duties payable upon it, or of a removal or export permit under the Ordinance.

10. Particulars of all tobacco received into and removed from a bonded warehouse shall immediately upon such receipt or removal be entered in a stock book to be kept in such warehouse.

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11. The bonded warehouses will be open for the delivery of tobacco on production of a permit during the following hours:—

IN SINGAPORE AND MALACCA.

Week-days (except Saturdays)	7 A.M. to 1 P.M. and 2 P.M. to 4 P.M.
Saturdays	7 A.M. to 1 P.M.
Sundays and Chinese New Year Holidays	The Warehouses will be closed.

IN PENANG.

Week-days (except Saturdays)	7 A.M. to 11 A.M. and 1 P.M. to 5 P.M.
Saturdays	7 A.M. to 11 A.M. and 1 P.M. to 4 P.M.
Sundays and Chinese New Year's Day	The Warehouse will be closed.

12. The minimum weight prescribed for a case or package for export under section 14 shall be a fifth of a pikul for native tobacco and 20 lbs. for tobacco other than native tobacco.

13. The minimum quantity prescribed under section 23 (3) (*a*) shall be a fifth of a pikul for native tobacco and 20 lbs. for tobacco other than native tobacco.

14. Consignees will, on application to the Superintendent, or Assistant Superintendent as the case may be, receive passes for their employés to enter the bonded warehouses to make up consignments for delivery.

15. The Superintendent, or Assistant Superintendent as the case may be, will not be held responsible for any shrinkage, or damage by fire.

16. The warehouses which have been notified in accordance with the provisions of section 21 of "The Liquors Revenue Ordinance 1909" as having been appointed by the Governor in Council to be bonded warehouses for the warehousing of dutiable liquors shall be bonded warehouses also for the purposes of this Ordinance.

DISPOSAL OF FINES AND FORFEITURES.

17. All fines and forfeitures payable to or receivable by the Superintendent under section 41 shall be disposed of by the Superintendent in such manner as may from time to time be directed by the Governor in Council.

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PROOF WHICH MAY BE REQUIRED BY THE SUPERINTENDENT THAT TOBACCO IS EXEMPTED FROM THE OPERATION OF THE ORDINANCE.

18. Proof that any tobacco is exempted from the operation of the Ordinance by the provisions of section 52 thereof shall be furnished in the case of tobacco imported, landed, removed in or exported from the Colony:—

(i) on account of His Majesty's Government

by a certificate to that effect under the hand of the Colonial Secretary, the Resident Councillor, Penang, or the Resident, Maiacca;

(ii) on account of officers and men of His Majesty's Army or Navy serving on full pay in the Colony

by a certificate to that effect under the hand of

(*a*) either of the two Senior Officers of any unit of His Majesty's Army,

(*b*) the Senior Naval Officer or the Naval Intelligence Officer.

Such certificate may be in the form set out below:—

"TOBACCO DUTIES ORDINANCE 1916."

Certificate under section 52.

I hereby certify that Messrs. are authorized to supply to under my command the following tobacco:—

And I further certify that the said tobacco is solely for the use of the officers and men under my command.

Officer Commanding.

Place.

Date.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 16*th June*, 1916.

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STRAITS SETTLEMENTS.

No. 15 of 1916.

I assent,

(L. S.)

ARTHUR YOUNG,
Governor and Commander-in-Chief.

21st *June*, 1916.

AN Ordinance to amend the Trading with the Enemy Ordinances 1914 to 1916.

[23rd *June*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Trading with the Enemy (Further Amendment) Ordinance 1916, and shall be construed as one with the Trading with the Enemy Ordinances 1914 to 1916.

Short title and construction.

2. No order shall be made by any Court authorizing the Custodian to pay out of property paid to or vested in him in respect of an enemy or enemy subject any part of any debts due by that enemy or enemy subject to persons of enemy nationality resident or carrying on business outside the British dominions.

Order of Court authorizing Payment by Custodian of debts due to enemy subjects outside British dominions prohibited.

3. The Governor may permit payments to be made by the Custodian to enemy subjects not resident or carrying on business in enemy territory.

Payment by Custodian to enemy subjects outside enemy territory on Governor's licence.

Passed this 16th day of June, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 16 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21st June, 1916.

AN Ordinance to amend the Alien Enemies (Winding-up) Ordinance 1914.

[*23rd June*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title.

1. This Ordinance may be cited as the Alien Enemies Winding-up (Amendment) Ordinance 1916.

Amendment of section 2 of principal Ordinance.

Ordinance XXIX of 1914.

2. Section 2 of the Alien Enemies (Winding-up) Ordinance 1914 hereinafter referred to as the principal Ordinance is amended

(*a*) by adding at the end of the definition of "alien enemy" the words "and any person or body of persons of whatever nationality resident or carrying on business in an enemy country":

(*b*) by adding at the end of the definition of "enemy company" the words "and includes any company or body of persons incorporated in an enemy country and any incorporated company or body of persons, wherever incorporated, carrying on business in an enemy country or in any territory for the time being in hostile occupation".

Repeal of subsection (6) of section 4 and substitution of a new subsection.

3. Subsection (6) of section 4 of the principal Ordinance is repealed and the following subsection is substituted therefor:—

(6) Any such liquidator shall for all purposes whatever have as full rights—

(*a*) as if

(i) the whole of the trade previously carried on in the Colony by such alien enemy or enemy company together with the goodwill of such trade and every part thereof; and

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(ii) all the property of every description previously employed in or in connection with such trade; and

(iii) all debts, stock, shares, securities and other choses in action wherever situate due to or purchased or otherwise acquired by or on behalf of such alien enemy or enemy company; and

(iv) all the property in the Colony of such alien enemy or enemy company or standing in his or its name,

had been absolutely assigned to such liquidator for valuable consideration; and

(*b*) as if all the contracts of such trade had originally been entered into with such liquidator.

New subsection 6A.

4. The following subsection shall be inserted after subsection (6) of section 4 of the principal Ordinance:—

(6A) On any sale of the goodwill of any trade by the liquidator the purchaser shall not acquire the right to use and shall not use

(*a*) the name under which the trade had been carried on in the Colony without the consent of the Governor; or

(*b*) any registered or unregistered trade mark used in the trade carried on in the Colony without the consent of any British subject who is jointly interested in such trade mark.

Amendment of section 4 (9).

5. Subsection (9) of section 4 of the principal Ordinance is amended by repealing all the words after the word and figures "subsections (11)" and substituting therefor the words and figures "(12) and (12Z) shall be paid to the Custodian of enemy property "to hold subject to such provisions of the Trading with the "Enemy Ordinances 1914 to 1916 as are applicable to moneys "paid to the Custodian under those Ordinances".

New subsection (12Z).

6. The following subsection shall be inserted between subsection (12) and subsection (12A) of section 4 of the principal Ordinance:—

(12Z) Any liability incurred

(*a*) by any branch or the head office or any other branch of the head office, not in enemy territory, of the trade which is being wound up under this Ordinance; or

(*b*) where such trade is a branch of a head office in enemy territory, by

(i) such head office, or

(ii) any other branch of such head office in any territory, enemy or otherwise;

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may with the consent of the Governor be paid out of the assets of such trade remaining after provision has been made for the matters referred to in subsection (12):

Provided that the person or company to whom such liability is due is not an alien enemy or enemy company:

Provided further that, if such person or company resides or carries on business in a neutral country, such person or company shall only be allowed to claim in respect of any balance of such liability as remains after every remedy under the law of the enemy country or of any other country in which such branch or head office is situate has been exhausted.

7. Subsection (12A) of section 4 of the principal Ordinance is amended by adding at the end thereof the words "provided that, where the secured creditor is an alien enemy or enemy company, the liquidator shall realize the security and pay whatever is due to such secured creditor to the Custodian of enemy property". Amendment of section 4 (12A).

8. The following subsection shall be inserted after subsection (16A) of section 4 of the principal Ordinance:— New subsection (16B).

(16B) Every winding-up under this Ordinance shall continue in force notwithstanding the termination of the present war until all proceedings in relation to such winding-up are stayed by order of the Governor.

9. Section 6 of the principal Ordinance is hereby repealed and the following section is substituted therefor:— New section substituted for section 6.

6.—(1) When any trade of an alien enemy or enemy company has been wound up and the balance of the assets has been paid to the Custodian in accordance with section 4 (9) After winding up and payment of assets to Custodian—

(*a*) the books, papers, accounts and documents of such alien enemy or enemy company and of the liquidator shall be dealt with in such manner as the Governor directs; Books and documents may be disposed of.

(*b*) the Governor may make an order that such enemy company, if registered in the Colony, shall be dissolved from the date of the order, and the company shall be dissolved accordingly. Company may be dissolved.

(2) The order of dissolution made by the Governor shall be reported to the Registrar of Companies, who shall make in his books a minute of the dissolution of the company.

Passed this 16th day of June, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 17 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

3rd November, 1916.

AN Ordinance to provide for raising money for the present war.

[*4th November*, 1916.]

WHEREAS it is desirable that an opportunity be afforded for the local investment of moneys with the Government by way of loan in order that such moneys may be available for the purposes of the present war. Preamble.

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the War Loan Ordinance 1916. Short title.

2. The Governor may raise any sum which he thinks fit by the issue in the Colony of bonds and the sum so raised shall be lent to His Majesty's Government for the prosecution of the war. Authority to raise loan.

3. The principal moneys and interest represented by the bonds issued under the provisions of this Ordinance are hereby charged upon and shall be payable out of the general revenues and assets of the Colony. Loan to be a charge on general revenue.

4. The bonds shall be issued by the Treasurer upon the terms approved by the Governor and shall be authenticated either by the signatures of the Colonial Secretary and Treasurer or by a facsimile of such signatures or in such manner as is approved by the Governor. Issue of bonds.

5. The bonds shall be issued in denominations of one hundred, five hundred and five thousand dollars and such other denominations as the Governor thinks fit and shall bear interest at the rate of six per centum per annum. Sums for which bonds may be issued

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Redemption.

6. The bonds shall be redeemable at par on the fifteenth day of November, 1919, from and after which date all interest on the principal money represented thereby shall cease and determine whether payment of the principal shall have been demanded or not.

Interest coupons.

7. Coupons shall be attached to every bond for the payment of the interest to become due in each half-year upon the principal represented by the bond.

Form of bond and coupons.

8. The bonds and the coupons thereto shall be in such form as the Governor or the Crown Agents for the Colonies in England acting on his behalf may approve.

Transfer by delivery.

9. Every bond and coupon and the right to receive the principal and interest represented thereby shall be transferable by delivery.

Registry of bond.

10. Every bond shall, before being issued, be registered in a register book to be kept for that purpose at the Treasury.

Payment of interest.

11. The interest upon the principal represented by each bond shall run from the day named in that behalf in the bond and shall be paid half-yearly on the days named in that behalf in the coupons at the Treasury.

Provision for payment of interest.

12. The Governor shall in each half-year ending with the day on which the interest on the bonds falls due appropriate out of the general revenues and assets of the Colony a sum equal to the interest due for each half-year in order that such interest may be paid therefrom.

Delivery up of bond on payment.

13. Upon the repayment of the principal moneys represented by any bond the bond shall be delivered up to the Treasurer.

Exemption from duties and taxes.

14. The issue of bonds authorized by this Ordinance shall be exempt from all duties other than estate duty and all taxes levied or leviable or which may hereafter be levied or leviable in the Colony.

Payment of estate duty in bonds.

15. The bonds shall be accepted at par in payment of estate duty due to the Government.

Rules.

16. The Governor in Council may make rules to carry out generally the purposes of this Ordinance.

Passed this 3rd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 18 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th November, 1916.

AN Ordinance to amend "The Traction Engines and Motor Cars Ordinance 1911."

[*10th November*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Traction Engines and Motor Cars (Amendment) Ordinance 1916. Short title.

2. Sections 12 and 13 of the Traction Engines and Motor Cars Ordinance 1911 are amended by inserting the words "or any Malay State specified by the Governor in a notification in the *Gazette*" after the words "Federated Malay States" wherever occurring therein. Amendment of sections 12 and 13 of Ordinance XIX of 1911.

Passed this 3rd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 19 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th November, 1916.

AN Ordinance for making Final Provision for the Public Service for the year 1915.

[*10th November*, 1916.]

WHEREAS by Ordinance No. XXVII of 1914 a sum not exceeding eight million three hundred and seventy-six thousand eight hundred and twenty-seven dollars was charged upon the Revenues and other funds of this Colony for the service of the year 1915 in addition to the sums to which such Revenues and other funds were liable under the provisions of The Widows' and Orphans' Pensions Ordinance and The Defence Contribution Ordinance to be appropriated for each service as detailed in that Ordinance: Preamble.

AND WHEREAS the expenditure in respect of certain of such services during the year 1915 exceeded the amount so charged upon the Revenue of this Colony by three hundred and thirty-six thousand three hundred and sixty-three dollars and fifty-eight cents in the proportions as hereinafter specified:

IT is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Final Supply Ordinance of 1916. Short title.

2. The further sum of three hundred and thirty-six thousand three hundred and sixty-three dollars and fifty-eight cents shall be charged upon the Revenues and other funds of this Colony for certain Public Services for the year 1915 to be appropriated in the proportions detailed in the schedule hereto annexed. Supply $336,363.58.

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SCHEDULE.

	$	c.
2. Pensions, Retired Allowances, Gratuities, etc. ...	5,578	75
5. Colonial Secretary, Resident Councillor and Residents	22,253	63
6. Government Printing Office	475	99
7. Land and District Offices	792	26
9. Chinese and Indian Immigrants Protection ...	1,674	71
10. Treasury	464	00
11. Audit	83	35
12. Marine	1,571	59
13. Legal	1,987	82
14. Police	9,778	89
15. Prisons	69	14
16. Medical	2,030	92
17. Hospitals and Dispensaries	463	75
18. Veterinary	57	21
19. Education	422	55
20. Ecclesiastical	3,111	34
22. Military Expenditure	755,078	75
23. Miscellaneous Services	59,403	63
24. Post Office	87,936	17
26. Botanical Gardens and Museum	869	47
27. Public Works and Survey Department ...	6,714	80
28. Public Works, Recurrent Expenditure ...	3,591	65
29. Public Works, Extraordinary	64,028	90
War Expenditure	49,143	25
Total ...	$ 1,077,582	52

Deduct sums paid in accordance with Law:—

	$	c.		
Head 2 (Pensions, etc.) ...	2,837	41		
,, 22 (Defence Contribution) ...	738,381	53		
			741,218	94
			$336,363	58

Passed this 3rd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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17.4.16

STRAITS SETTLEMENTS.

No. 20 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th November, 1916.

An Ordinance to amend the Midwives Ordinance 1915.

[*10th November*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as "The Midwives (Amendment) Ordinance 1916." Short title.

2. Section 6 of the Midwives Ordinance 1915, hereinafter called the principal Ordinance, is amended Amendment of section 6 of principal Ordinance. (No. IX of 1915.)

(*a*) by repealing the words "any recognized training school in midwifery" occurring in paragraph (*a*) thereof and substituting therefor the words "a training school in midwifery recognized by the Governor in Council".

(*b*) by inserting after paragraph (*a*) thereof the following paragraph:—

(a^1) that she holds a diploma to practise as a midwife under this Ordinance or such other diploma as may be approved by the Registrar.

3. The words "nurses" and "nurse" wherever occurring in the principal Ordinance are repealed, and the words "midwives" and "midwife" are substituted therefor respectively. Substitution of word "midwife" for word "nurse" in principal Ordinance.

4. Section 7 of the principal Ordinance is amended by repealing the words "during and immediately after child-birth" occurring at the end thereof and substituting therefor the words "before and during child-birth and during the lying-in period". Amendment of section 7.

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Amendment of section 9.

5. Section 9 of the principal Ordinance is amended by inserting after the words "entitled to" occurring in the third line thereof the words "be granted a diploma or".

Amendment of section 10.

6. Section 10 of the principal Ordinance is amended by deleting the figure (1) occurring immediately before the first word thereof.

Amendment of section 13.

7. Section 13 of the principal Ordinance is amended by adding at the end thereof the following subsection :—

(3) A certificate under the hand of the Registrar that the name of a woman, whose name appears in such copy of the *Gazette*, has been removed from the register and of the date of such removal shall be evidence that she is not registered under this Ordinance and of the date as from which she ceased to be so registered.

New section 13A.

8. The following section shall be inserted after section 13 of the principal Ordinance :—

Notification of practice in district in which midwife is not registered.

13A.—(1) Every woman registered under this Ordinance shall, before holding herself out as a practising midwife or commencing to practise as a midwife in any district in which she is not registered, give notice in writing of her intention to do so and of the address at which she resides to the Registrar of such district.

(2) Every such notice shall contain such particulars as are required by the rules under this Ordinance to secure the identification of the person giving it.

(3) On being satisfied as to the identity of the woman giving such notice, the Registrar shall enter her name in the Register.

(4) Any woman who omits to give such notice, or knowingly or wilfully makes, or causes or procures any other person to make, any false statement in such notice shall be liable to a fine not exceeding fifty dollars.

Amendment of section 15.

9. Section 15 of the principal Ordinance is amended by inserting after the word "procure" in the first line of paragraph (*a*) thereof the words "a diploma or".

Amendment of section 17.

10. Section 17 of the principal Ordinance is amended by inserting after paragraph (*e*) the following paragraph :—

(*e*[1]) defining the particulars required to be given in any notice under section 13A.

Passed this 3rd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 21 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

18th November, 1916.

AN Ordinance for making provision for the Public Service for the year 1917.

[*24th November*, 1916.]

WHEREAS the expenditure for the service of the Government of the Straits Settlements for the year 1917 has been estimated at the sum of nine million nine hundred and fifty-one thousand seven hundred and fifty-four dollars:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Supply Ordinance 1916. Short title.

2. A sum not exceeding nine million nine hundred and fifty-one thousand seven hundred and fifty-four dollars shall be and the same is hereby charged upon the revenues and other funds of this Colony for the service of the year 1917 in addition to the sums to which such revenues and other funds are liable under the provisions of The Widows' and Orphans' Pensions Ordinance, and The Defence Contribution Ordinance; and the said sums so charged may be expended as hereinafter specified, that is to say:— Supply, $9,951,754. Ord. xix of 1904. Ord. vi of 1899.

		$
1. Charge on account of the Public Debt	...	37,106
2. Pensions, Retired Allowances, and Gratuities	...	582,539
3. Charitable Allowances	...	13,281
4. Governor	...	85,525
5. Colonial Secretary, Resident Councillor, and Residents	...	227,633
6. Printing Office	...	80,130
7. Land and District Offices	...	273,035
Carried forward ...		1,299,249

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		$
	Brought forward ...	1,299,249
8.	Forests	41,446
9.	Chinese and Indian Immigrants' Protection ...	80,051
10.	Treasury	115,459
11.	Audit	70,285
12.	Marine	425,767
13.	Legal	443,027
14.	Police	1,071,078
15.	Prisons	258,698
16.	Medical	318,698
17.	Hospitals and Dispensaries	574,996
18.	Veterinary	32,434
19.	Education	362,967
20.	Ecclesiastical	19,917
21.	Transport	24,700
22.	Military Expenditure	2,125,236
23.	Miscellaneous Services	2,171,276
24.	Post Office	779,362
25.	Government Monopolies	475,016
26.	Botanical Gardens and Museum	59,913
27.	Public Works Department	356,905
28.	Public Works, Annually Recurrent	306,350
29.	Public Works, Extraordinary	630,013
	Total ...	$12,042,843

Deduct sums provided in accordance with Law :—

	$	
Head 1	37,106	
Head 2	17,344	
Head 22	2,036,639	
		2,091,089
Balance ...		$9,951,754

Passed this 10th day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 22 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th November, 1916.

AN Ordinance to amend the Companies Ordinance 1915.

[*1st December*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Companies (Further Amendment) Ordinance 1916 and shall be read and construed as one with the Companies Ordinance 1915 (hereinafter called "the principal Ordinance"). Short title.

2. Subsection (3) of section 29 of the principal Ordinance is amended by inserting the words "where it is made after the statutory meeting or" after the word "except" in the first line thereof. Amendment of section 29 of principal Ordinance.

3. Subsection (1) of section 64 of the principal Ordinance is repealed and the following subsection is substituted therefor:— Repeal of subsection (1) of section 64 of principal Ordinance and substitution of a new subsection.

(1) An ordinary general meeting shall be held once in every calendar year and not more than fifteen months after the holding of the last preceding ordinary general meeting, and at such meeting not being the statutory meeting a balance-sheet made out as at a date not more than six months before such meeting shall be laid before the company, and, if such meeting is not so held or if such balance-sheet is not so laid before the company, the company and every director, manager, secretary and other officer of the company, who is knowingly a party to the default, shall be liable to a fine not exceeding five hundred dollars.

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Amendment of section 65 of principal Ordinance.

4. Section 65 of the principal Ordinance is amended—

(*a*) by adding at the end of subsection (1) the words "and shall be deemed to be the first ordinary general meeting";

(*b*) by repealing the words "if any" occurring after the word "auditors" in paragraph (*d*) of subsection (3).

Amendment of section 100 of principal Ordinance.

5. Subsection (1) of section 100 of the principal Ordinance is amended by inserting the words "at its registered office" after the words "shall keep" occurring in the first line thereof.

Amendment of section 236 of principal Ordinance.

6. Section 236 of the principal Ordinance is amended by inserting the word "only" after the word "sounding" in clause (ii) of subsection (1) thereof.

Amendment of section 246 of principal Ordinance.

7. Section 246 of the principal Ordinance is amended—

(*a*) by repealing the words "at the Treasury" in the sixth line of subsection (5);

(*b*) by repealing the words "the prescribed certificate of receipt" in the seventh line of subsection (5) and by substituting therefor the words "a receipt";

(*c*) by repealing the word "certificate" in the eighth line of subsection (5) and by substituting therefor the word "receipt";

(*d*) by repealing the words "into the Treasury" in subsections (6) and (7) and by substituting therefor the words "to the Companies' Liquidation account";

(*e*) by adding at the end thereof the following subsection:—

(9) This section shall apply whether the winding-up of the company has commenced before or after the commencement of this Ordinance.

Amendment of section 292 of principal Ordinance.

8. Section 292 of the principal Ordinance is amended by repealing the words "specified in Schedule *D*" occurring in the third line thereof.

Amendment of section 295 of principal Ordinance.

9. Subsection (1) of section 295 of the principal Ordinance is amended by inserting after the words "shall not" in line two the words "except where they are expressed to have a more extended meaning".

Repeal of Schedule *D*.

10. Schedule *D* of the principal Ordinance is repealed.

Payment to Official Receiver of unclaimed assets of dissolved company.

11.—(1) In the case of a company which has been dissolved, every person, who at the commencement of this Ordinance or subsequently has in his hands or under his control any money representing unclaimed or undistributed assets of such company, shall, within one month from the commencement of this Ordinance or from the date on which such money has come into his hands or under his control, send to the Official Receiver a statement of particulars of such money and such further information as the Official Receiver may reasonably require, and shall pay over such

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money to the Official Receiver who shall give him a receipt therefor which shall be an effectual discharge in respect thereof, and the Official Receiver shall pay such money to the Companies' Liquidation account.

(2) Such money shall include all sums deposited by the liquidator in Court or in any bank or elsewhere, whether in the name or names of any officer of the Court or of the liquidator or of creditors or contributories or of trustees for the benefit of creditors or contributories, and whether any cheques, dividend warrants or other instruments are outstanding against such money or not.

Passed this 22nd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 23 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th November, 1916.

AN Ordinance to repeal certain Ordinances.

[*1st December*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Repeal Ordinance 1916. Short title.

2. The Cavenagh Bridge Traffic Ordinance 1897 and Ordinance No. XI of 1911 entitled "An Ordinance for giving to a Foreign Company called the Deutsche Asiatische Bank certain facilities for carrying on its business in the Colony" and cited as "The Deutsche Asiatische Bank Ordinance 1910" are hereby repealed. Repeal of Ordinances X of 1897 and XI of 1911.

Passed this 22nd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 24 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th November, 1916.

AN Ordinance to amend the Sale of Food and Drugs Ordinance 1914.

[*1st December*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Sale of Food and Drugs (Further Amendment) Ordinance 1916. Short title.

2. Section 2 of the Sale of Food and Drugs Ordinance 1914 is amended by inserting after the definition of "Food" the following definitions:— Amendment of section 2 of principal Ordinance. (Ordinance XV of 1914).

"Import" means to bring or cause to be brought into the Colony either by land or sea;

"Importer" includes any person who, whether as owner, consignee, agent or broker, is in possession of, or in anywise entitled to the custody or control of, the article.

3. Section 10 of the Sale of Food and Drugs Ordinance 1914 is amended by inserting after subsection (1) the following subsection:— Amendment of section 10 of principal Ordinance.

(1A) Every person commits an offence who imports into the Colony separated or skimmed milk.

Passed this 22nd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 25 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th November, 1916.

AN Ordinance to amend the Post Office Ordinance 1904.

[*1st December*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Post Office (Amendment) Ordinance 1916. Short title.

2. Section 34 of the Post Office Ordinance 1904 is amended Amendment of section 34 of Post Office Ordinance (No. V of 1904).

(*a*) by inserting after the words "sent by post" in line 1 of subsection (1) the words "which is suspected by the Postmaster-General to be sent";

(*b*) by inserting after the words "detained and" in line 3 of subsection (1) the words "opened in the Post Office in the presence of the Postmaster-General and shall be".

Passed this 22nd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 26 of 1916.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th November, 1916.

AN Ordinance to make provision for the maintenance of discipline on board Admiralty transports.

[*1st December*, 1916.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Admiralty Transports (Maintenance of Discipline) Ordinance 1916. Short title.

2.—(1) If whilst within the jurisdiction a seaman lawfully engaged in accordance with the Merchant Shipping Acts, 1894 to 1914, to serve on board any British ship belonging to or chartered or requisitioned by the Admiralty:— Misconduct of seaman on board ship requisitioned or chartered by Admiralty.

(*a*) neglects or refuses without reasonable cause to join his ship or to proceed to sea in his ship, or is absent without leave from his ship or from his duty at any time; or

(*b*) joins his ship or is whilst on board his ship in a state of drunkenness so that the performance of his duties or the navigation of his ship is thereby impeded,

he shall be guilty of an offence.

(2) The master mate or owner of the ship or his agent or any commissioned naval or military officer may with or without the assistance of the local police officers or constables convey on board his ship any seaman whom he has reason to believe to be guilty of an offence under this section, and may also arrest him without first procuring a warrant, and police officers or constables are hereby directed to give assistance if required.

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(3) No commissioned naval or military officer acting in pursuance of the powers aforesaid shall be liable to any penalty nor to any action for damages for false imprisonment.

Penalty.

(4) If such seaman is brought before a Court on charge of having committed an offence under this section, he shall, if the offence comes within the provisions of paragraph (*a*) of subsection (1), be liable to the penalties prescribed for such offences in section 221 of the Merchant Shipping Act, 1894, and if the offence comes within the provisions of paragraph (*b*) of subsection (1) he shall be liable to a fine not exceeding fifty dollars.

Passed this 22nd day of November, 1916.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 1 of 1917.

I assent,

(L.S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th January, 1917.

AN Ordinance to amend the Tobacco Duties Ordinance 1916.

[*8th January*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title.

1. This Ordinance shall be construed with the Tobacco Duties Ordinance, 1916, hereinafter called the principal Ordinance, and may be cited as the Tobacco Duties (Amendment) Ordinance 1917.

Amendment of section 3 of Ordinance 14 of 1916.

2. Section 3 of the principal Ordinance is amended

(*a*) by inserting between the eighth and ninth lines thereof the following words:—

"Manufacture" includes the processes of converting any raw or leaf-tobacco into tobacco fit for smoking snuffing or chewing but does not include the making of cigarettes from manufactured tobacco;

(*b*) by repealing the words "Chinese, Java and Indian" in the sixteenth line thereof and substituting therefor the words "Chinese, Javanese, Sumatran, Siamese and Indian".

Amendment of section 4

3. Section 4 of the principal Ordinance is amended

(*a*) by repealing the words "Javanese, Chinese, and Indian" in the fifteenth line of subsection (1) and substituting therefor the word "Native";

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(*b*) by inserting immediately after the words "by sea" in the first line of subsection (6) the words "otherwise than through the post" and immediately after the word "forthwith" in the third line of the same subsection the words "exported or", and by deleting the words "or into another vessel for export" in the fourth line of the same subsection;

(*c*) by inserting between subsection (6) and subsection (7) the following subsection:—

(6A) The duty on tobacco imported by rail, otherwise than through the post, shall be payable

(*a*) if it is not forthwith exported or removed into a bonded warehouse, before removal from the railway station to which it is imported;

(*b*) if it is forthwith removed into a bonded warehouse, then before removal from such bonded warehouse unless such removal is for export or into another bonded warehouse, and in the latter case the quantity removed is not less than fifty katis in the case of native tobacco or twenty-five pounds in the case of tobacco other than native tobacco; and

(*c*) by deleting the word "land" in the first line of subsection (7) thereof and substituting the word "post".

Additional duty on tobacco.

4. In addition to the duties payable on tobacco under section 4 of the principal Ordinance there shall be charged, levied and paid the following additional duties:—

	Per pound.
Cigars valued at not less than $2 per pound and snuff of whatever value...	$0.75
Cigars valued at less than $2 per pound and not less than $1.40 per pound...	$0.35
Tobacco and cigarettes valued at not less than $1.40 per pound and Egyptian, Russian and Turkish cigarettes of whatever value	$0.35

Duty payable on tobacco removed on 8th January, 1917.

5. The duty to be paid on all tobacco liable to duties removed on or after the eighth day of January, 1917, from the vessel in which it is imported, or from the bonded or licensed warehouse in which it is deposited, shall be the duty payable under section 4 of the principal Ordinance together with the additional duty imposed by section 4 of this Ordinance, and, if any sum less than the total amount of such duties has been paid, the difference between such sum and the total amount of such duties shall be paid.

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6. Where any tobacco, in respect of which duty is payable under this Ordinance, is delivered on or after the eighth day of January, 1917, in pursuance of a contract made on or before that day, the seller of such tobacco may, in the absence of agreement to the contrary, recover as an addition to the contract price a sum equal to any amount paid by him in respect of such tobacco on account of the increase of duty. Addition of the increase of duty to contract price.

7. Section 8 of the principal Ordinance is amended by inserting after the word "vessel" in the second line the words "or entering any of the Settlements mentioned in section 2". Amendment of section 8.

8. Section 9 of the principal Ordinance is repealed and the following section substituted therefor:— Amendment of section 9.

9.—(1) No person shall import or export dutiable tobacco by sea except into or from a port.

(2) No person shall import or export dutiable tobacco by land except by rail or post.

9. Subsection (1) of section 10 of the principal Ordinance is amended by inserting after the word "vessel" in the second line thereof the words "or railway train". Amendment of section 10.

10. Section 12 of the principal Ordinance is amended Amendment of section 12.

(*a*) by inserting after the word "shipping" in the fifth line of subsection (2) the words "or exporting by railway" and after the word "exported" in the seventh line of the same subsection the words "or by the station-master of the railway station from which the tobacco is to be forwarded, as the case may be";

(*b*) by inserting after the word "which" in the fifth line of subsection (3) the words "or the railway station from which".

11. Section 13 of the principal Ordinance is amended Amendment of section 13.

(*a*) by inserting the words "railway station" after the word "vessel" in the second line of subsection (1) and by inserting the words "or railway train" after the word "vessel" in the third line of the said subsection; and

(*b*) by the addition of the following words at the end of subsection (2):—

"and the person to whom such permit is issued shall, "on shipping or forwarding by rail such "tobacco, procure a receipt for the same "signed by the master or mate of the vessel in which or by the station master of the

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"railway station from which the tobacco is to "be forwarded to be endorsed on such permit, "and shall forthwith deliver such permit and "receipt to the Superintendent".

Amendment of section 15.

12. Section 15 of the principal Ordinance is amended

(*a*) by inserting after the word "exported" in the second line the words "or the station master of the station from which dutiable tobacco may be exported";

(*b*) by inserting the words "or the train conveying such tobacco" after the word "vessel" in the third line; and

(*c*) by inserting the words "or station master" after the word "Agents" in the sixth line.

Repeal of section 16 (1) and substitution of new subsection.

13. Subsection (1) of section 16 of the principal Ordinance is repealed and the following subsection is substituted therefor:—

Particulars of imported dutiable tobacco to be furnished by masters of vessels and by station masters.

10.—(1) The master or agent of every vessel by which dutiable tobacco is imported and the station master at the delivery station in the case of dutiable tobacco imported by rail shall, immediately on the arrival of such dutiable tobacco in any of the Settlements mentioned in section 2 at which it is to be landed or at the said railway station, as the case may be, furnish to the Superintendent a true and correct statement of all dutiable tobacco so imported which may have been entered on the ship's manifest or in the railway records, as the case may be, or for the receipt of which for importation the master, owner or agents of such vessel, or a station master or other railway authority or a person acting on behalf of any of them may have issued a receipt to any person, provided that it shall not be incumbent upon the master of a ferry to furnish the particulars required by this section in respect of dutiable tobacco imported by his vessel and delivered to the railway authority in pursuance of any contract of carriage beginning by rail and ending by sea or beginning by sea and ending by rail.

Amendment of section 17.

14. Section 17 of the principal Ordinance is amended by inserting the words "or railway station" after the word "vessel" in the second line.

Repeal of section 18 and substitution of new section.

15. Section 18 of the principal Ordinance is repealed and the following section is substituted therefor:—

18. Wherever a permit for transhipment or for export whether by sea or by land has been granted, no person shall re-land or permit the re-landing of any tobacco shipped

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under such permit or knowingly neglect or omit to cause such tobacco to be transhipped or exported in terms of such permit.

16. Section 22 of the principal Ordinance is amended by repealing the words "on that behalf" and substituting therefor the words "as such office". Amendment of section 22.

17. Section 23 of the principal Ordinance is amended by repealing subsections (5) and (6). Amendment of section 23.

18. Section 24 of the principal Ordinance is amended by inserting Amendment of section 24.

(*a*) after the word "tobacco" in subsection (1) the words "in any of the Settlements mentioned in section 2" and after the words "Colonial Secretary" in the said subsection the words "in the case of the Settlement of Singapore, and by the officers in administrative charge of the Settlements of Penang and Malacca, in the case of those Settlements";

(*b*) after the words "Colonial Secretary" in line 2 of subsection 2 the words "and of the officers in administrative charge of the Settlements of Penang and Malacca" and after the words "Colonial Secretary" in line 4 of the said subsection the words "and such officers".

19. The heading of Part VI of the principal Ordinance is repealed and the heading "Importation of Tobacco for Sale" is substituted therefor. Amendment of heading to Part VI.

20. Section 27 of the principal Ordinance is amended by inserting after the words "books of account" in paragraph (*e*) thereof the words "invoices and other documents". Amendment of section 27.

21. Section 32 of the principal Ordinance is amended by inserting the words "arriving by train" after the word "person" in the first line of subsection (1). Amendment of section 32.

22. Section 34 of the principal Ordinance is amended by repealing the words "the Settlement" and substituting therefor the words "any of the Settlements mentioned in section 2". Amendment of section 34.

23. Section 36 of the principal Ordinance is amended Amendment of section 36.

(*a*) by inserting the words "or railway train" after the word "place" in the fourth, twelfth, thirteenth and sixteenth lines of subsection (1); and

(*b*) by inserting the words "or train" after the word "place" in the first and second lines of subsection (2) (*d*).

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Amendment of section 37.

24. Section 37 of the principal Ordinance is amended by inserting the words "or any railway train" after the word "place" in the third line and the words "or such railway train" after the word "place" in the eleventh line.

Amendment of section 38.

25. Section 38 of the principal Ordinance is amended by inserting the words "railway train" after the word "any" in the second line.

Amendment of section 39.

26. Section 39 of the principal Ordinance is amended by inserting the words "or railway train" after the word "place" in the second line.

Insertion of new section after section 40.

27. The following section is inserted after section 40 of the principal Ordinance:—

Onus of proof of payment of duty, etc., to be on defendant.

40A. If in any prosecution in respect of goods seized for non-payment of duties or any other cause of forfeiture or for the recovering of any penalty, any dispute shall arise whether the duties have been paid in respect of such goods or whether the same have been lawfully removed, then and in every such case the proof thereof shall be on the defendant in such prosecution.

Amendment of section 48.

28. Section 48 of the principal Ordinance is amended by inserting the words "or permit" after the word "licence" in the fourth line.

Amendment of section 49.

29. Section 49 of the principal Ordinance is amended by repealing the word "bonded" and substituting therefor the word "any".

Repeal of section 50 and substitution of a new section.

30. Section 50 of the principal Ordinance is repealed and the following section is substituted therefor:—

50. Any master or mate of a vessel, or railway station master who refuses to sign a receipt on the duplicate copy of a permit for removal for exportation or on any transhipment permit for tobacco shipped on board his vessel or delivered at his railway station to be forwarded by railway, as the case may be, when requested to do so by the exporter or forwarder or his agent, shall be liable to a fine not exceeding one hundred dollars.

Amendment of section 51.

31. Section 51 of the principal Ordinance is amended by repealing the words "or any breach of the restrictions and conditions subject to or upon which any licence has been granted" occurring in the second and third lines of subsection (1).

Amendment of section 53.

32. Section 53 of the principal Ordinance is amended

(*a*) by inserting the words "railway train or from a" before the word "vessel" in the third line of subsection (1);

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(*b*) by repealing the words "to sell tobacco" in the second line of subsection (2) and by substituting therefor the words "to import tobacco for sale".

33. Forms *A* and *B* in Schedule *A* of the principal Ordinance are amended

Amendment of Forms *A* and *B* in Schedule *A*.

(*a*) by repealing the words "land" and "landed" wherever occurring, and substituting therefor the words "remove" and "removed" respectively;

(*b*) by repealing the word "steamship" wherever occurring and substituting therefor the words "steamship" / "railway.";

(*c*) by repealing the words "Marks on cases etc." and substituting therefor the words "No. of and marks on cases etc".

34. Form *C* in Schedule *A* to the principal Ordinance is amended by repealing the words "Marks on cases etc." and substituting therefor the words "No. of and marks on cases etc".

Amendment of Form *C* in Schedule *A*.

35. Form *D* in Schedule *A* to the principal Ordinance is amended

Amendment of Form *D* in Schedule *A*.

(*a*) by inserting after the words "Requisition to" in the heading thereto the words "remove for";

(*b*) by repealing the word "move" occurring in the body thereof and substituting therefor the word "remove";

(*c*) by repealing the word "steamship" and substituting therefor the words "steamship" / "railway"; and

(*d*) by repealing the words "Marks on cases etc." and substituting therefor the words "No. of and marks on cases etc".

36. Form *E* in Schedule *A* to the principal Ordinance is amended

Amendment of Form *E* in Schedule *A*.

(*a*) by repealing the words "move" and "moved" wherever occurring, and substituting therefor the words "remove" and "removed" respectively;

(*b*) by repealing the word "steamship" and substituting therefor the words "steamship" / "railway" ..... consigned to";

(*c*) by repealing the words "Marks on cases etc." and substituting therefor the words "No. of and marks on cases etc".

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Amendment of Forms *F* and *G* in Schedule *A*.

37. Forms *F* and *G* in Schedule *A* to the principal Ordinance are amended

(*a*) by repealing the words "Weight" and "Value per pound or pikul";

(*b*) by inserting a new column with the heading "No. of Cases".

Amendment of Forms *H* and *I* in Schedule *A*.

38. Forms *H* and *I* in Schedule *A* to the principal Ordinance are amended

(*a*) by repealing the word "move" wherever occurring and substituting therefor the word "remove";

(*b*) by repealing the words "Marks on cases, etc." and substituting therefor the words "No. of and marks on cases, etc".

Repeal of Forms *J* and *K* in Schedule *A*.

39. The Forms *J* and *K* in Schedule *A* to the principal Ordinance are hereby repealed.

Passed this 8th day of January, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 2 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

13th January, 1917.

AN Ordinance to make provision for the registration of Aliens and for other purposes.

[*19th January*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Registration of Aliens Ordinance 1917 and shall come into operation on such day as the Governor in Council by notification published in the *Gazette* directs. Short title. Commencement.

2. In this Ordinance unless there is something repugnant in the subject or context:— Interpretation.

"Alien" means a subject of any foreign State in Europe or a subject of any other foreign State whose subjects are declared by the Governor by a notification published in the *Gazette* to be liable to the provisions of this Ordinance.

"Keeper of a lodging-house" includes any person who for reward receives any other person to lodge with him or in his house, and where any hotel, inn, boarding-house, or lodging-house is under the management of a manager the expression "keeper" when used in relation thereto includes such manager.

3.—(1) Any person who arrives in the Colony, or who is about to leave the Colony, shall truthfully and fully answer all questions and enquiries put to him, before or after he has disembarked or embarked, by any Commissioned Officer of His Majesty's Naval or Military Forces or any person authorized by such officer or by any Port Officer, Health Officer, Police Officer or boarding officer, notwithstanding that the answer to any such question may tend to render such person liable to any restriction Persons arriving or leaving to answer all enquiries.

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whatsoever or may tend to incriminate him, and shall disclose and produce to any such officer on demand all documents in the possession of such person tending directly or indirectly to establish his identity, nationality or occupation, or any absolute or conditional liability on his part to any military or naval service under any State whatsoever.

(2) This section shall extend to any enquiry made of any person who is suspected of having arrived in the Colony since the fourth day of August, 1914, or who shall hereafter so arrive, or who shall hereafter be suspected of being about to leave the Colony.

(3) Any answer to any question or enquiry shall be admissible in evidence in any proceedings under this Ordinance against the person making such answer; provided that nothing in this section shall be construed as rendering any such answer inadmissible in any other proceedings in which it would otherwise be admissible.

(4) Any person who fails to comply with the provisions of this section shall be deemed to be guilty of an offence against this Ordinance.

Persons arriving or leaving to proceed for further enquiry to place directed.

4.—(1) Any person who arrives in the Colony, or who is about to leave the Colony, shall, if so directed by any officer mentioned in section 3, proceed, at or before such time as may be directed by such officer, to such place or places as such officer may direct for further enquiry into his case.

(2) Any such person who fails to comply with the provisions of this section shall be deemed to be guilty of an offence against this Ordinance.

Registration of aliens, resident in the Colony.

5.—(1) An alien, wherever resident in the Colony, shall comply with the following requirements as to registration:—

(*a*) he shall as soon as may be furnish to the Chief Police Officer of the district in which he is resident particulars as to the matters set out in Schedule *A*;

(*b*) he shall, if he is about to change his residence, furnish to the Chief Police Officer of the district in which he is then resident particulars as to the date on which his residence is to be changed, and as to his intended place of residence, and on effecting any change of residence from one district to another he shall also forthwith report his arrival in the district into which he moves to the Chief Police Officer of that district;

(*c*) he shall furnish to the Chief Police Officer of the district in which he is resident particulars of any circumstance affecting in any manner the accuracy of the particulars previously furnished by him for the purpose of registration within forty-eight hours after the circumstance has occurred.

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(2) Where an alien is lodging with or living as a member of the household of any other person, it shall be the duty of that person either himself to furnish with respect to the alien the particulars aforesaid, or to give notice of the presence of the alien in his household to the Chief Police Officer.

(3) Where an alien has a household he shall furnish the particulars as aforesaid not only as respects himself, but as respects every alien who is living as a member of his household.

(4) An alien or other person who fails to comply with the provisions of this section shall be deemed to be guilty of an offence against this Ordinance.

Register of aliens resident in the Colony to be kept by Chief Police Officer.

6.—(1) A Chief Police Officer shall:—

(*a*) keep for his district a register for the purposes of section 5;

(*b*) register therein all aliens resident in his district who furnish particulars for the purpose, by entering these particulars on the register;

(*c*) enter on the register all other particulars furnished in accordance with section 5 with respect to any alien so registered; and

(*d*) if a registered alien ceases to be resident in his district, record the fact in the register.

(2) Every alien shall furnish to the Chief Police Officer, in addition to any such particulars as aforesaid, any information which may reasonably be required for the purpose of registering the alien, or maintaining the correctness of the particulars entered on the register.

(3) Every alien, who fails to give any information when so required, or gives any false information, shall be deemed to be guilty of an offence against this Ordinance.

Register of aliens staying in a hotel, etc., to be kept.

7.—(1) The keeper of every hotel, inn, boarding-house and lodging-house, shall:—

(*a*) keep a register in such form as is prescribed by the Governor in Council of all persons over the age of fourteen years staying at the hotel, inn, boarding-house, or lodging-house, who are aliens;

(*b*) as soon as may be after any such person comes to stay at the hotel, inn, boarding-house or lodging-house, ascertain, and enter in the register kept for the purpose, his name and nationality, together with the date of his arrival;

(*c*) on the departure of any such person, as soon as may be, enter the date of departure and destination on departure of that person in the register, and

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(*d*) also ascertain and enter in the register from time to time such other particulars as may be prescribed by the Governor in Council.

(2) The keeper of an hotel, inn, boarding-house, or lodging-house who

(*a*) fails to comply with any of the foregoing provisions of this section, or

(*b*) makes an entry in any such register which he knows or could by the exercise of reasonable diligence have ascertained to be false,

shall be deemed to be guilty of an offence against this Ordinance.

Governor in Council may order returns to be made of all persons staying in hotels, etc.

8. The keeper of every hotel, inn, boarding-house, or lodging-house shall also, if directions for the purpose are issued by the Governor in Council, make to the Chief Police Officer of the district in which the hotel, inn, boarding-house, or lodging-house is situate, such returns as to the persons staying at the hotel, inn, boarding-house, or lodging-house, at such times or intervals and in such form as are specified in such directions, and if he fails to do so, or makes any false return, he shall be deemed to be guilty of an offence against this Ordinance.

All persons staying in hotels, etc., required to furnish prescribed particulars.

9.—(1) The keeper of every hotel, inn, boarding-house, and lodging-house, shall, with a view to ascertaining whether any person staying at the hotel, inn, boarding-house, or lodging-house is or is not an alien, require every person (whether an alien or not) who stays at the hotel, inn, boarding-house, or lodging-house to furnish to him, in such form as is prescribed by the Governor in Council, a signed statement as to the particulars contained in that form; and

(2) Every person (whether an alien or not) shall furnish the said particulars and such a signed statement as aforesaid when so required.

(3) If

(*a*) the keeper of any hotel, boarding-house, or lodging-house fails to require any person staying at the hotel, inn, boarding-house or lodging-house to furnish such information as aforesaid; and

(*b*) any person staying at the hotel, inn, boarding-house or lodging-house fails to give any information when so required, or gives any false information,

he shall be deemed to be guilty of an offence against this Ordinance.

Register to be open to inspection at all times.

10. Every register kept under section 7 and all particulars furnished under section 9 shall at all reasonable hours be open for inspection by any officer of Police or by any person authorized by the Chief Police Officer.

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11. The Inspector-General of Police may exempt the keeper of any hotel, inn, boarding-house or lodging-house from all or any of the requirements of this Ordinance. Exemptions.

12.—(1) Whenever the Governor shall, under the powers conferred on him by sub-clause 3 of clause III of the Order of Her late Majesty Queen VICTORIA in Council made on the twenty-sixth day of October, 1896, order any person to quit the Colony, the Governor may by warrant under his hand order that such person be arrested and kept in custody until his departure from the Colony. Powers with regard to persons ordered to quit the Colony.

(2) Every person ordered to quit the Colony shall leave the Colony on such date and by such route or by such ship, train, or other conveyance, as may be directed by the Governor, and no person so ordered to quit the Colony shall leave the Colony except by such route or by such ship, train, or other conveyance.

(3) Any warrant under this section may be in the form in Schedule *B*.

13.—(1) Any police officer authorized by the Inspector-General of Police or Chief Police Officer in writing in that behalf, either generally or for a particular occasion, may Powers of detention, arrest, search, seizure and removal.

(*a*) detain for further enquiries during a period not exceeding four days any person in whose case such police officer may have reason to believe that further enquiry is necessary;

(*b*) search the person and property and effects of any person whom it may be lawful for such police officer to detain or arrest, or who may arrive in or be about to leave the Colony, provided that no female person shall be searched except by a female, and provided that no person shall be searched in a public place if he objects to be so searched;

(*c*) search any place or vessel (not being a ship of war) in which such police officer may have reason to suspect that there may be anything, which may be evidence of any contravention or intended contravention of any of the provisions of this Ordinance, or which may belong to or be in the possession or under the sole or partial control of any person whom it may be lawful for such police officer to detain or arrest;

(*d*) seize, remove and detain anything which may appear to be evidence of any contravention of the law, or which it may be desirable to detain for further examination, or which may appear to belong to or to be in the possession of or to be under the sole or partial control of any person whom it may be lawful for such police officer to detain or arrest.

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(2) Such police officer may

(*a*) break open any outer or inner door of or in any such place;

(*b*) forcibly enter any such vessel and every part thereof;

(*c*) remove by force any personal or material obstruction to any arrest, detention, search, seizure, or removal which he is empowered to make;

(*d*) detain every person found in such place or on board such vessel until such place or vessel has been searched.

(3) Any person who obstructs any detention, arrest, search, seizure, or removal, which is authorized by this Ordinance, shall be deemed to be guilty of an offence against this Ordinance.

Penalties.

14.—(1) Any person who is guilty of an offence against this Ordinance shall be liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment of either description for a term which may extend to six months, and the Court before which he is convicted may, either in addition to or in lieu of any such punishment, require such person to enter into recognizances with or without sureties to comply with the provisions of this Ordinance or such provisions thereof as the Court directs.

(2) If any person fails to comply with an order of the Court requiring him to enter into recognizances, the Court or any Court of summary jurisdiction sitting for the same place may order him to be imprisoned with or without hard labour for any term which may extend to six months.

Aiding and abetting.

15. Any person who aids or abets any person in the commission of any offence against this Ordinance or knowingly harbours any person whom he knows or has reasonable ground for supposing to have committed an offence against this Ordinance shall be deemed himself to be guilty of an offence against this Ordinance.

Power of arrest without warrant.

16. Any person who commits an offence against this Ordinance or is reasonably suspected of having committed or about to commit an offence against this Ordinance may be taken into custody without warrant by any police officer.

Offences triable by Police Court.

17. Every offence against this Ordinance shall be tried summarily by a Police Court, which may, notwithstanding anything in the Criminal Procedure Code contained, award the full penalty with which such offence is punishable.

Onus of proof.

18. If any question arises under this Ordinance whether any person is an alien or not, the onus of proving that that person is not an alien shall lie upon that person.

Passed this 8th day of January, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE *A*.

(*Section 5.*)

THE REGISTRATION OF ALIENS ORDINANCE 1916.

PARTICULARS TO BE FURNISHED ON REGISTRATION.

Name.

Nationality and birth-place.

Sex.

Trade, profession, or employment.

Age.

Personal description and, if so required, a photograph of the alien.

Distinctive mark (if any).

Finger prints (if so required).

Place of residence (including nature of tenure or occupancy).

Place of business (if any).

Date of commencement of residence.

Whether the alien has been or is in the service of any foreign Government, and, if so, for how long and in what capacity.

Any other matters of which particulars are reasonably required by the Chief Police Officer.

SCHEDULE *B*.

(*Section 12.*)

THE REGISTRATION OF ALIENS ORDINANCE 1916.

WARRANT.

To each and all of the Police Officers in the Settlement of and to the officer in charge of the Prison in the said Settlement.

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WHEREAS under the powers conferred upon me by the Order of Her late Majesty Queen VICTORIA in Council made on the 26th day of October, 1896, I have ordered
to quit the Colony: NOW these are to command you forthwith to arrest the said
and to keep him in custody until his departure from the Colony.

Dated at Singapore, this
day of ,
191 .

Governor.

Served on the said this
day of , 191 .

By me,

(Signature).

(Description).

*I hereby direct that the said
shall leave the Colony on (date or alternative dates) by (route or ship or other conveyance)

Dated at Singapore, this
day of , 191 .

Governor.

Served on the said this
day of , 191 .

By me,

(Signature).

(Description).

* This part may be filled up later if necessary.

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STRAITS SETTLEMENTS.

No. 3 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

13th January, 1917.

AN Ordinance to amend the Widows' and Orphans' Pension Ordinance 1904.

[*19th January*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Widows' and Orphans' Pension (Amendment) Ordinance 1917. Short title.

2. Section 7 of the Widows' and Orphans' Pension Ordinance 1904 is repealed and the following section is substituted therefor:— Repeal of section 7 of Ordinance No. XIX of 1904 and substitution of a new section.

7.—(1) If the official income of a contributor becomes reduced, whether by reduction of salary or by his retirement on a pension, he may upon giving notice in writing to the Directors of his desire to do so continue his rate of contribution for the remainder of the thirty-five years or until he attains the age of sixty-five according to the full amount of contribution paid by him at the date of such reduction or retirement, as the case may be, in which case his widow or children shall be entitled to pension accordingly. Contributions where official income is reduced.

(2) Where such reduction of official income is due to retirement on a pension and the contributor draws a pension not only from the Colony but also from any Malay State under the protection of the British Government, he shall, unless he contributes in accordance with the provisions of subsection (1), contribute on the aggregate amount of the

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pensions granted to him by the Colony and by any such Malay State, and such aggregate amount shall for the purposes of the section be deemed to be his reduced official income.

(3) Where a contributor only contributes on his reduced official income, any pension to his widow or children shall be diminished in the same proportion as it would have been increased had his rate of contribution been raised instead of being lowered.

Passed this 8th day of January, 1917.

E. C. H. WOLFF,
Clerk of Councils

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STRAITS SETTLEMENTS.

No. 4 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th March, 1917.

AN Ordinance to amend the Muhammadan Marriage Ordinance 1908.

[*26th March*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Muhammadan Marriage (Amendment) Ordinance 1917. Short title.

2. The following section shall be inserted after section 21 of the Muhammadan Marriage Ordinance, hereinafter called the principal Ordinance:— Insertion of new section after section 21 of Ordinance XXV of 1908.

21A.—(1) An appeal against any order or decree made by a Kathi under section 19, 20 or 21 shall lie to the Registrar of the Settlement within which such Kathi is appointed.

(2) The provisions of section 12 shall apply to an appeal under this section.

3. Section 22 of the principal Ordinance is amended Amendment of section 22.

(*a*) by repealing the word "fifty" occurring in line 4 of subsection (1) and substituting therefor the words "one hundred and one";

(*b*) by inserting after the words "applications for" in line 4 of subsection (1) the words "past maintenance not exceeding fifty dollars and for future"; and

(*c*) by adding at the end of the section the following:—

(5) Any order for the payment of dowry or maintenance shall, until reversed, be a bar to any proceedings under section 38 of the Minor Offences Ordinance 1906.

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Amendment of section 23.

4. Section 23 (2) of the principal Ordinance is amended by inserting after the word and figures "sections 12" the figures "19, 20, 21".

Passed this 20th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 5 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th March, 1917.

AN Ordinance to amend the Courts Ordinance 1907.

[*26th March*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Courts (Amendment) Ordinance 1917, and shall have effect during the present war and a further period of 6 months from its termination.

Short title and duration.

2. Notwithstanding any of the provisions of the Courts Ordinance 1907 to the contrary, the Governor may with the concurrence of the Chief Justice appoint any of the Judges of the Supreme Court to preside over a District Court in the exercise of its civil jurisdiction, and such Court when presided over by any such Judge shall have the same jurisdiction as it has when it is presided over by a District Judge.

Judges of the Supreme Court may be appointed to preside over District Court

3. Any Judge of the Supreme Court so appointed may sit in the exercise of such jurisdiction at the Court House of such District Court or at the place at which the Supreme Court is held within the limits of the jurisdiction of such District Court.

Place where such District Courts may be held.

Passed this 20th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

[*Price*: 5 *cents.*]

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STRAITS SETTLEMENTS.

No. 6 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th March, 1917.

AN Ordinance to amend the Alien Enemies (Winding-up) Ordinance 1914.

[*26th March*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Alien Enemies Winding-up (Amendment) Ordinance 1917. Short title.

2. Section 2 of the Alien Enemies (Winding-up) Ordinance 1914, hereinafter referred to as the principal Ordinance, is amended by adding at the end thereof the following:— Amendment of section 2 of Ordinance XXIX of 1914.

"Corporation under enemy control" includes—

(*a*) a corporation, of which any of the directors or persons occupying the position of directors, by whatever name called, is an alien enemy;

(*b*) a corporation, ten per centum or more of the issued capital or voting rights of which is held by, or directly or indirectly for or at the disposal of, alien enemies or enemy companies;

(*c*) a corporation, which is by any other means, whether of a like or a different character, in fact under the control, directly or indirectly, of alien enemies enemy companies or corporations under enemy control;

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(*d*) a corporation, the executive whereof is a corporation within (*a*) (*b*) or (*c*).

"Corporation under foreign control" includes—

(*a*) a corporation, of which any of the directors, or persons occupying the position of directors by whatever name called, is a foreigner;

(*b*) a corporation, twenty-five per cent or more of the issued capital or voting rights of which is held by, or directly or indirectly for or at the disposal of, foreigners or foreign corporations;

(*c*) a corporation, which is by any other means, whether of a like or a different character, in fact under the control, directly or indirectly, of foreigners, foreign corporations, or corporations under foreign control;

(*d*) a corporation, the executive whereof is a corporation within (*a*), (*b*) or (*c*), or a foreign corporation.

Amendment of section 3.

3. Section 3 of the principal Ordinance is amended—

(*a*) by repealing the words "conclusive evidence" and substituting therefor the words "sufficient proof";

(*b*) by adding at the end thereof the words "and the onus of proving that such person or company is not or was not an alien enemy or enemy company shall lie upon the person asserting such to be the case".

Amendment of section 4.

4. Subsection (6) of section 4 of the principal Ordinance is amended by inserting the following paragraph after paragraph (*a*) occurring therein:—

(*a*[1]) as if all securities for money given in connection with such trade to an alien enemy or enemy company and all moneys due upon such securities and the legal or equitable estate or interest of the alien enemy or enemy company in any property moveable or immovable comprised in such securities had been conveyed assigned or transferred to such liquidator for valuable consideration upon trust to

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get in and realize such securities and to pay out of the proceeds of such realization to the Custodian of Enemy Property whatever is due and payable in respect of such securities and to deal with the balance thereof as is in this Ordinance provided; and

5. The following subsection shall be inserted after subsection (6A) of section 4 of the principal Ordinance:— New subsection (6B) of section 4.

(6B). The liquidator shall not sell any immovable property to an alien enemy or enemy company or a corporation under enemy control or, except with the sanction of the Governor, to a foreigner or corporation under foreign control or to any person acting for an alien enemy or enemy company or a corporation under enemy control or, except with the sanction of the Governor, for a foreigner or corporation under foreign control, and further shall not complete any sale of immovable property, except with the sanction of the Governor, unless and until the purchaser being an individual or corporation has made a statutory declaration in the appropriate form set out in the schedule. Such declaration in the case of a corporation being a purchaser shall be made by some official of the corporation duly authorized thereto by the corporation. Liquidator not to sell property to alien enemy, enemy company or corporation under enemy control or to foreigner or corporation under foreign control.

6. Subsection (9) of section 4 of the principal Ordinance is amended by repealing the word and figures "and (12Z)" and substituting therefor the figures and word "(12Z) and (12Y)". Amendment of subsection (9).

7. Subsection (12A) of section 4 of the principal Ordinance is amended Amendment of subsection (12A).

(1) by inserting the words "who is not an alien enemy or enemy company" after the words "power of any secured creditor" occurring therein;

(2) by repealing the words added thereto by section 7 of the Alien Enemies Winding-up (Amendment) Ordinance 1916.

8. The following subsection shall be inserted after subsection (12Z) of section 4 of the principal Ordinance:— New subsection (12Y) of section 4.

(12Y). Any liability in the nature of a liability referred to in subsection (12) or subsection (12Z) but due to persons or

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companies who are alien enemies or enemy companies may with the consent of the Governor be paid out of the assets remaining after provision has been made for the matters referred to in subsection (12).

New sections to be inserted after section 4A.

9. The following sections shall be inserted after section 4A of the principal Ordinance:—

Enemy, etc., not to acquire any interest in immovable property sold by the liquidator.

4B.—(1) No person, in whom any immovable property sold by the liquidator or any part thereof or any right title or interest therein after the twentieth day of March 1917 becomes vested, shall, except with the authority of the Governor given with the consent of the Secretary of State in any particular case or in general and in the latter case by proclamation or otherwise, sell, transfer, lease, mortgage, devise or bequeath such property or any part thereof or any right, title, or interest therein to, or in any way deal therewith so that the same shall be acquired or owned by or for, or be held on behalf of or in trust for or for the benefit of, or so as in any way to come under the control of (*a*) an alien enemy or enemy company or corporation under enemy control or (*b*) any person who but for the conclusion of any peace made in relation to the present war would be an alien enemy or enemy company or corporation under enemy control and, in either case, either alone or jointly with another or others.

(2) If any person contravenes the provisions of this section, such person or in the case of a deceased person his estate shall forfeit to His Majesty a sum of fifty thousand dollars to be recovered at the suit of the Attorney-General.

Foreigner, etc., not to acquire any interest in immovable property sold subject to the provisions of this section by the liquidator.

4C.—(1) No person, in whom any immovable property sold subject to the provisions of this section by the liquidator or any part thereof or any right title or interest therein becomes vested, shall, except with the sanction of the Governor, sell, transfer, lease, mortgage, demise or bequeath such property or any part thereof or any right, title or interest therein to, or in any way deal therewith so that the same shall be acquired or owned by or for, or be held on behalf of or in trust for or for the benefit of, or so as in any way to come under the control of, a foreigner or corporation under foreign control.

(2) No property shall be sold subject to the provisions of this section by the liquidator unless the Governor declares that it shall be so sold.

(3) If any person contravenes the provisions of this section, such person or in the case of a deceased person his estate shall forfeit to His Majesty a sum of fifty thousand dollars to be recovered at the suit of the Attorney-General.

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Forfeiture of interest acquired by an enemy, etc.

4D.—(1) If

(*a*) any alien enemy or enemy company or corporation under enemy control or any foreigner or corporation under foreign control purchases from the liquidator any immovable property contrary to the provisions of section 4 (6B); or

(*b*) any person, in whom any immovable property sold by the liquidator or any part thereof or any right title or interest therein becomes vested, becomes an alien enemy or enemy company or corporation under enemy control or a foreigner or a corporation under foreign control or a person who but for the conclusion of any peace in connexion with the present war would be an alien enemy or enemy company or corporation under enemy control; or

(*c*) any transfer, lease, mortgage, demise or bequest of or other dealing with such immovable property is made or takes place in contravention of the provisions of sections 4B or 4C

then, and in the last case without prejudice to the recovery of the penalty under section 4B or section 4C, the Attorney-General may apply to the Supreme Court for a declaration that

(i) any right title and interest acquired or purported to be acquired in contravention of the provisions of any of the said sections, or held by any person who has become an alien enemy or enemy company or corporation under enemy control or a foreigner or a corporation under foreign control or a person who but for the conclusion of any peace in connexion with the present war would be an alien enemy or enemy company or corporation under enemy control; and

(ii) in the case of a contravention of either of the sections 4B or 4C, any right, title or interest in the property concerned which may be vested in the person guilty of such contravention

is forfeited to the Crown, and the Court subject to the provisions of subsection (2) shall forfeit such right, title or interest to the Crown accordingly.

(2) In dealing with the application the Court may take into consideration the position of persons who, not being themselves prohibited persons under sections 4B or 4C, have *bonâ fide* for value and without actual notice of or knowledge of the circumstances occasioning the liability to such

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forfeiture acquired any such right, title or interest in such immovable property or who have acquired any right, title or interest in such immovable property under the will or otherwise through or under any such persons, and may make such order as it thinks fit wholly or partially relieving any such persons from forfeiture of such right, title and interest so acquired by them, or otherwise may make such order as it may under the circumstances deem equitable.

Forfeiture of interest vested in enemy, etc., by intestacy.

4E. If under the intestacy of any person in whom any immovable property sold by the liquidator or any part thereof or any right title or interest therein becomes vested, any person being a prohibited person under sections 4B or 4C acquires any right, title or interest in such immovable property, such right, title or interest shall also be subject to forfeiture under the provisions of 4D and the Court shall have the like powers of relieving against forfeiture as are in the said section mentioned.

Power to Governor to require any owner, etc., of property to furnish particulars as to nationality, etc.

4F.—(1) The Governor may at any time require any person claiming to be the owner, lessee or mortgagee of any immovable property sold by the liquidator or of any part thereof or of any right, title or interest therein to furnish him in writing with such particulars as appear to the Governor to be necessary to enable him to ascertain whether or not the person is or holds the property or any part thereof or any right, title or interest therein for, or on behalf of, or in trust for, or for the benefit of, or in any way so as to come under the control of an alien enemy, enemy company or corporation under enemy control or of a foreigner or corporation under foreign control, or of a person who but for the conclusion of any peace in connexion with the present war would be an alien enemy, enemy company or corporation under enemy control, and in case of a corporation may also require any director of the corporation or person occupying the position of director, by whatever name called, or the Secretary or any other officer of the corporation performing the duties of Secretary or any person acting as manager or agent for the corporation in connexion with the property to furnish the required particulars.

(2) Any person who fails when required to furnish such particulars as it is in his power to give or ascertain, or furnishes particulars which are false in any material particular, shall be liable to a penalty of one thousand dollars or to six months' imprisonment of either description or to both.

(3) Where any particulars have been furnished in accordance with this section, such particulars may be used in evidence against the person or corporation by whom they are furnished in any proceedings under

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section 4B or section 4C or section 4D, and the fact that any person, who has been required to furnish particulars in accordance with this section, refuses or neglects to furnish such particulars as it is in his power to give or ascertain or furnishes particulars which are false in any material particular, shall be *primâ facie* evidence, in the case of proceedings under section 4B or section 4C or section 4D, that the person regarding whom the particulars were required is an alien enemy, enemy company or corporation under enemy control or a foreigner or corporation under foreign control or a person who but for the conclusion of any peace in connexion with the present war would be an alien enemy, enemy company or corporation under enemy control.

10. The following schedule shall be inserted at the end of the principal Ordinance:— Schedule added to Principal Ordinance.

SCHEDULE.

DECLARATION BY AN INDIVIDUAL BUYER.

I of do solemnly and sincerely declare as follows:—

I am a subject and reside and carry on business at and I am not an alien enemy as that term is defined in the Alien Enemies (Winding-up) Ordinance 1914.

I further solemnly and sincerely declare that there is no arrangement under which I am to hold the property which I am purchasing from the liquidator or any right title or interest therein for or on behalf of or in trust for or for the benefit of or so that it shall in any way come under the control of any alien enemy or enemy company or corporation under enemy control * *or of any foreigner or corporation under foreign control* as these terms are respectively defined in the Alien Enemies (Winding-up) Ordinance 1914 either alone or jointly with another or others.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at

this day of 191 .

Before me,

* Strike out these words if inapplicable.

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DECLARATION ON BEHALF OF A CORPORATION.

I of the * of † (hereinafter called "the corporation") the buyer of ‡ being duly authorized by the corporation to make this declaration do solemnly and sincerely declare as follows:—

The corporation is not an alien enemy or enemy company or a corporation under enemy control § *or a foreigner or corporation under foreign control* as these terms are respectively defined in the Alien Enemies (Winding-up) Ordinance 1914 and to the best of my knowledge there is no arrangement under which the corporation is to hold the said property or any right title or interest therein for or on behalf of or in trust for or for the benefit of or so that it shall in any way come under the control of any alien enemy or enemy company or corporation under enemy control § *or any foreigner or corporation under foreign control* as these terms are respectively defined in the aforesaid Ordinance either alone or jointly with another or others.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at

this day of 191 .

Before me,

---

* Here insert the office of the person making the declaration (Secretary or otherwise).
† Here insert the name of the corporation. ‡ Insert a description of the property purchased.
§ Strike out these words if inapplicable.

Passed this 20th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 7 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th March, 1917.

AN Ordinance to amend the Rubber Dealers Ordinance 1910

[*26th March*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Rubber Dealers (Amendment) Ordinance 1917. Short title.

2. Subsection (2) of section 4 of the Rubber Dealers Ordinance 1910 is amended— Amendment of section 4 (2) of Ordinance XVII of 1910.

(*a*) by repealing the word "twenty-five" occurring therein and substituting therefor the words "two hundred and fifty";

(*b*) by repealing the words "two hundred" occurring therein and substituting therefor the words "one thousand";

(*c*) by inserting after the words "at the Treasury" occurring therein the words "of bonds issued under the War Loan Ordinance 1916 or debentures issued under the Federated Malay States War Loan Enactment 1916 or";

(*d*) by inserting after the word "Interest" occurring therein the words "due upon such bonds or debentures and interest".

3. Form *B* in the Schedule to the Rubber Dealers Ordinance 1910 is amended by repealing the figures "$200" and the figures "$25" and substituting therefor respectively the figures "$1,000" and the figures "$250". Amendment of Form *B* in Schedule to principal Ordinance.

[*Price: 5 cents.*]

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Amendments retrospective.

4. The amendments made by this Ordinance shall be deemed to have come into operation on the first day of January, 1917.

Passed this 20th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 8 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.
26th March, 1917.

AN Ordinance for imposing a War Tax on the basis of Income.

[*27th March*, 1917.]

WHEREAS it is desirable to impose a tax on income for the purpose of providing a contribution to the Imperial Government towards the expenses incurred in the prosecution of the present war:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Ordinance may be cited as the War Tax Ordinance 1917.

Commencement.

2. This Ordinance shall have effect as from the 1st day of January, 1917.

3. In this Ordinance, unless there is something repugnant in the subject or context

Interpretation.

"Association" means any firm, and any body or association of persons, whether incorporated or not, other than a company;

"Business" includes profession, trade, manufacture, adventure, undertaking and concern;

"Company" means an association carrying on business in the Colony whose capital is divided into shares or stock and transferable, whether the company is incorporated or not, and whether its principal place of business is situate in the Colony or not, and includes any company incorporated in the Colony;

"Defaulter" includes a company or association making default under this Ordinance;

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"Financial Year" means each period of 12 months at the end of which the balance of the accounts is struck or, if no such balance is struck, then the calendar year;

"Income" means

(1) in the case of a company incorporated in the Colony, its total net profits wheresoever made;

(2) in the case of a company which is not incorporated in the Colony or of an association, its net profits arising or received in the Colony;

(3) in the case of an individual

(*a*) the net profits derived from the carrying on by him of any business,

(*b*) his gross income derived from any other source,

arising or received in the Colony:

Provided that the tax under this Ordinance shall not be deducted in any of these cases.

"Pension" includes annuity and gratuity;

"Principal Officer" includes—

(*a*) the Secretary, Treasurer, Manager or Agent of any company or association,

(*b*) any person connected with a company or association upon whom the Collector has served a notice of his intention to treat him as the principal officer thereof;

"Salary" includes allowances other than travelling allowances considered to be reasonable by the Collector, fees, commissions, bonuses, gratuities and perquisites or profits received in lieu of or in addition to a fixed salary in respect of an office or employment of profit;

"Total Income" means

(1) in the case of a company incorporated in the Colony, its income;

(2) in the case of a company which is not incorporated in the Colony or of an association, its total net profits wheresoever made;

(3) in the case of an individual

(*a*) the total net profits derived by him from the carrying on of any business,

(*b*) his gross income from any other source,

whether arising or received in the Colony or not:

Provided that no tax shall be deducted in any of these cases.

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CHAPTER II.

OFFICERS, ETC.

4.—(1) The Governor in Council may by notification in the *Gazette* establish such divisions in the Colony as he thinks necessary. Divisions.

(2) The Governor shall appoint a Collector or Collectors for each such division, for the purpose of assessing, collecting, receiving and accounting for the tax and of giving effect generally to the provisions of this Ordinance. Collector.

(3) The Governor shall also appoint a Collector-General under whose directions the Collectors shall act. Collector-General.

(4) The Governor in Council may also appoint Assessors to advise the Collector in fixing assessments. Assessors.

5. All or any of the powers and duties conferred or imposed by this Ordinance on a Collector or the Collector-General may be exercised or performed by such other person as the Governor may appoint in this behalf. Delegation of powers.

CHAPTER III.

LIABILITY TO TAX.

6. Subject to the provisions of this Ordinance there shall be paid for the year commenced the first day of January 1917 to the Government in respect of all income a tax at the rate specified in schedule *A*. Income liable to tax.

7.—(1) The incomes of the following Government, Boards, bodies of persons and persons shall be exempt from liability to the tax and to assessment under this Ordinance:— Exemptions.

(*a*) the Government of the Federated Malay States;

(*b*) the Municipal Commissioners of the Town of Singapore, of George Town and of the Town and Fort of Malacca;

(*c*) the Singapore Harbour Board and the Penang Harbour Board;

(*d*) the Rural Boards;

(*e*) the Education Board;

(*f*) the Hospitals Board;

(*g*) the Government Savings Bank;

(*h*) the Council of King Edward VII Medical School;

(*i*) the Immigration Committee;

(*j*) any shipping company or association, not incorporated or registered in the Colony or any Malay State under British protection, having its principal place of business out of the Colony and such State and its ships ordinarily engaged in sea-going traffic out of the waters of the Colony and such State;

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(*k*) any consular officer, who is not a British subject and does not carry on business in the Colony, to the extent of his official salary; provided that reciprocal treatment is accorded by the country of such consular officer to British consular officers;

(*l*) any officer, warrant officer, non-commissioned officer or man of His Majesty's Forces, to the extent of his allowances paid from Navy or Army funds;

(*m*) any person, company or association whose total income is less than $3,000 per annum; and

(*n*) any other bodies or classes of persons declared by the Governor in Council from time to time to be exempt from liability to the tax and to assessment under this Ordinance.

(2) The exemption under this section shall be limited to the Government, Boards, bodies and persons herein referred to and shall not extend to the salaries of persons employed by them, although such salaries may be paid wholly or in part out of the incomes so exempt.

Deductions from income.

8. In calculating the income on which a company, association or person shall pay the tax a deduction shall be made in respect of the following:—

(*a*) such portion of the income of any religious, educational or charitable association as is solely employed for religious, educational or charitable purposes within the Colony;

(*b*) any income on which income-tax has been paid or on which it is proved to the satisfaction of the Collector income-tax will be paid in the United Kingdom or in any British Possession, Protectorate or Protected State at a rate not less than the rate specified in schedule *A*;

(*c*) any income derived from interest on securities issued in respect of any loan raised in the Colony or in the United Kingdom or in any British Possession, Protectorate or Protected State for the prosecution of the present war;

(*d*) such portion not exceeding one-sixth of the total income of any person as is deducted by the Government as a contribution under the Widows' and Orphans' Pension Ordinance, 1904, or by any Board mentioned in section 7 as a contribution to a Provident Fund or as is paid by him to an insurance company in respect of an insurance effected for the purpose of securing for himself or his wife or any of his children either a provision or a deferred annuity;

(*e*) any income which a person enjoys as a member of an association when the association is liable to the tax,

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(*f*) such travelling allowances as may be considered reasonable by the Collector.

Certain deductions not allowed in calculating net profits.

9. In calculating net profits a deduction shall not be made in respect of the following:—

(*a*) money not wholly and exclusively laid out or expended for the purposes of the business carried on by such company, association or person;

(*b*) any loss or expense which is recoverable under any contract of insurance or indemnity;

(*c*) any bad debts, except debts proved to the satisfaction of the Collector to be bad;

(*d*) interest which might have been earned on any capital if lent out at interest;

(*e*) any loss not connected with or arising out of such business;

(*f*) any sums expended for the supply or repairs or alterations of any implements, utensils or articles employed for the purposes of such business in excess of the average so expended in the last three financial years;

(*g*) any provision for wear and tear of machinery or plant used for the purposes of such business beyond such allowance as may be considered just and reasonable by the Collector.

CHAPTER IV.

ASSESSMENT AND COLLECTION.

A.—Salaries and Pensions.

Deduction from salary or pension.

10.—(1) Every employer shall, when he pays to any person resident in the Colony any salary or pension, deduct therefrom the proportionate part of the tax, if any, which would be payable under this Ordinance in respect of the salary or pension paid and to be paid to such person during the year if it formed his total income.

(2) Every employer, other than the Government, shall within the prescribed time after such payment pay such tax to the Government.

(3) Any employer, who fails to deduct the tax, may and at the request of the Collector shall deduct it when he subsequently pays any salary or pension to the person who is liable to the tax.

(4) The power to deduct under this section shall not prejudice any right to recover by other means.

(5) For the purposes of this section the word "salary" does not include any salary paid to an association or to a Company.

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Return of employees.

11.—(1) Every employer shall on or before the thirtieth day of April, 1917, deliver to the Collector a return in the prescribed form showing—

(*a*) the name of every person resident in the Colony who at the date of the return is receiving from him any salary or pension;

(*b*) the address of each such person;

(*c*) the amount of such salary or pension;

(*d*) the times at which such salary or pension becomes payable;

(*e*) the amount of salary or pension received by, and the period for which such salary or pension was paid to, each such person since the first day of January, 1917.

Provided that the return need not include any person who is in receipt of a salary of less than two hundred dollars per mensem and who has no other employment.

Provided also that unless the Collector calls for the return no nil return need be delivered.

(2) Every employer shall as occasion arises notify the Collector when any person included in the return delivered under subsection (1) leaves his employment, and also deliver to the Collector a return in the prescribed form in respect of any person who enters his employment after the date of the return delivered under subsection (1).

B.—Interest and foreign dividends.

Deduction of tax from interest on securities.

12. The Government and every Municipality, company, association or person shall deduct the tax at the rate of six per centum from any interest paid on any of the securities mentioned in schedule *B*, other than the securities mentioned in section 8 (*c*), and every Municipality, company, association or person shall within the prescribed time pay the sum deducted to the Government.

Deduction of tax from foreign dividends.

13. Every bank shall deduct the tax at the rate of six per centum on

(*a*) all dividends other than dividends which fall within section 8 (*b*), collected by it from companies incorporated outside the Colony;

(*b*) all interest, which does not fall within section 8 (*b*), on securities set out in schedule *B*, other than those mentioned in section 8 (*c*), collected by it from companies, associations or persons outside the Colony,

and shall within the prescribed time pay the sum deducted to the Government.

C.—Rents.

Collection of tax on rents.

14.—(1) Every Municipality and every Rural Board shall collect the tax at the rate of six per centum on three-fourths of the annual value as determined under the Municipal Ordinance 1913

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of all immoveable property situated within its limits and shall within the prescribed time pay the sum collected to the Government.

(2) Such tax shall be paid at the place, and in the manner, and subject to the conditions so far as the same are applicable, at, in, and subject to which the Municipal rate is payable, and shall be collected and recovered by the Municipalities and Rural Boards in the manner and subject to the rights, obligations and conditions affecting Municipal rates; provided that the whole amount of the tax for the year shall be paid in the month of July or in such other month as the Governor directs.

Occupying owners.

15.—(1) Three-fourths of such annual value of any such immoveable property which is occupied by its owner shall be deemed to be part of the owner's income and total income.

(2) "Owner" in this section means the person who would be entitled to receive the rent if the immoveable property were let to a tenant.

Owners other than occupying owners.

16. Every owner of immoveable property situated in the Colony to which section 15 does not apply may deduct for the purpose of assessment from his income and total income one-fourth of its annual value as determined under the Municipal Ordinance 1913.

Mortgagors.

17. Every mortgagor of immoveable property in the Colony may deduct from his income and total income for the purpose of assessment of the tax the amount of interest paid by him to his mortgagee, provided that the amount deducted shall not exceed three-fourths of such annual value of such property.

D.—Profits of Companies and Associations.

Return of income by companies and associations.

18.—(1) Every company and every association, the whole of whose income does not fall within section 8 (*b*), shall on or before the thirtieth day of June, 1917, deliver to the Collector a true statement in writing signed by its principal officer of its income and of its total income during its last financial year, and of the manner in which they have been calculated.

(2) Such statement made by a company incorporated in the Colony shall be certified by auditors approved by the Governor in Council.

E.—Income Generally.

Determination as to persons and amounts chargeable.

19. The Collector shall from time to time determine what companies, associations and persons are chargeable with the tax and the rate and amount at which every such company, association and person is to be assessed.

Period for assessment.

20. The assessment shall be made

(*a*) as regards income on which the tax is to be deducted or collected under the preceding sections of this

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Chapter, and as regards income derived from the carrying on of a business which has been set up or commenced since the first day of January, 1917, on the income received and to be received by the person in the year for which the assessment is made.

(*b*) as regards income from other sources, on the income received by each company, association or person during its or his last financial year.

Return of total income by persons chargeable with the tax.

21.—(1) Every person who is in receipt of a total income amounting to three thousand dollars per annum or more shall in the month of April notify the Collector in the prescribed form that he is chargeable with the tax, and shall in such notification state if he claims to be assessed at a lower rate than six per centum.

(2) The Collector shall then send to each such person the necessary forms prescribed for declaration of income and total income.

(3) Every such person shall within the prescribed time from his receipt of such forms make thereon a full and accurate return of his income and total income, sign them and deliver them to the Collector.

New or further and fuller returns.

22. Every company, association or person shall, when required by the Collector, furnish in the form required by him a statement or return or a further and fuller statement or return of income either in respect of the whole or any part of the income received by such company, association or person, whether on its or his own behalf or in any of the capacities mentioned in sections 25, 26, 27, 28, 29 and 30, although a statement or return has been previously made by such person for the same annual period.

Collector may call for evidence in support of return.

23.—(1) If the Collector is dissatisfied with any statement or return delivered to him under any of the sections 18, 21 or 22, he may serve on the company, association or person a notice requiring its principal officer or him on a date therein mentioned to attend at the Collector's office and support the figures of its statement or his return and, in the case of a company, to produce or to cause to be produced all such of its accounts as refer to the year to which the statement relates, and which are in its possession or power.

(2) On the day mentioned in the notice or as soon afterwards as may be the Collector shall determine the amount at which it or he is to be assessed.

Notification of assessment and payment.

24.—(1) The Collector shall as soon as he has assessed the amount of the tax with which a company, association or person is chargeable notify it or him, and it or he shall, unless it or he has presented a petition under section 34, within the prescribed

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time pay to the Government such assessed amount, less any sums that have been paid or will be paid to the Government under the foregoing sections of this Chapter and, in case it or he is a member of a company which has paid tax under this Ordinance, less a sum equivalent to a percentage of the income received by it or him as a member of such company calculated at the rate at which such company has paid the tax.

(2) A company so assessed shall be entitled to deduct a proportionate part of such assessment out of the dividends to be paid by it to its members.

TRUSTEES, GUARDIANS, CURATORS AND COMMITTEES.

Trustees, etc.

25. Every person who acts as trustee, guardian, curator or committee of another person being an infant, lunatic or idiot and has control of the property of such other person whether such other person resides in the Colony or not shall

(*a*) be chargeable in the like manner and to the like amount as such other person would be chargeable if he did not suffer from any incapacity;

(*b*) be himself liable to perform the duties which such other person would be required to perform under this Ordinance if he did not suffer from any incapacity; and

(c) be subject to the penalties prescribed for a breach of such duties:

Provided that where two or more persons act as trustees, guardians, curators or committees of one such other person, they may notify the Collector in writing signed by them that they have elected one of themselves to be so chargeable and so liable under the Ordinance and thereafter, if the Collector signifies his consent to such election, the person so elected shall alone be so chargeable and so liable.

AGENTS, MANAGERS, ETC.

Agents, etc.

26.—(1) Every person who in any capacity not referred to in section 25 receives on behalf of another person any income liable to the tax shall on or before the thirtieth day of April, 1917, declare to the Collector in the prescribed form signed by him all such income and the name and place of abode of such other person together with such other particulars as may be required to determine the person who is chargeable with the tax.

(2) Every such person shall if such other person is resident outside the Colony

(*a*) be chargeable in the like manner and to the like amount as such other person would be chargeable if he were resident in the Colony;

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(*b*) be himself liable to perform the duties which such other person would be required to perform under this Ordinance if he were resident in the Colony; and

(*c*) be subject to the penalties prescribed for a breach of such duties.

Agents of companies, etc., whose principal place of business is not in Colony.

27. Every person who receives on behalf of a company or association, whose principal place of business is not situate in the Colony, and every company and association which receives on behalf of any person who is resident outside the Colony or of another company or association whose principal place of business is not situate within the Colony, any income liable to the tax shall

(*a*) be chargeable in the like manner and to the like amount as such company, association or person would be chargeable if its principal place of business were situate, or he were resident, in the Colony;

(*b*) be liable to perform the duties which such company, association or person would be required to perform through its principal officer or personally under this Ordinance if its principal place of business were situate, or he were resident, in the Colony;

(*c*) be subject to the penalties prescribed for a breach of such duties.

Receivers and managers.

28. Receivers or managers appointed by any Court in the Colony shall be chargeable in respect of all income officially in their possession or under their control.

EXECUTORS AND ADMINISTRATORS.

Executors, etc.

29. Where any person liable to the tax dies, the executors and administrators of such deceased person shall

(*a*) be chargeable in the like manner and to the like amount as such deceased person would be chargeable if he were alive;

(*b*) be liable to perform the duties which such deceased person would be required to perform under this Ordinance if he were alive; and

(*c*) be subject to the penalties prescribed for a breach of such duties.

Full taxation not paid during lifetime.

30. Where any person has not made full and complete returns during his lifetime and has thereby escaped full taxation—

(*a*) the Collector shall have the same powers and remedies against the executors or administrators of such

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person as he would have had against him in his lifetime;

(*b*) such executors or administrators shall make such returns as the Collector requires for the purpose of a full assessment;

(*c*) the assessment shall be made at the rates at which the tax ought to have been paid, and the amount payable shall be treble the amount of the difference between the tax so assessed and the amount actually paid by such person, and shall be a first charge on all such person's estate in the hands of the executors or administrators;

(*d*) no lapse of time shall prevent the operation of this section, and the Collector may take all such proceedings and exercise all such powers and remedies for the purpose of giving effect to this section and recovering the treble tax as in the case of ordinary assessments and taxations.

TRUSTEES, AGENTS, EXECUTORS, ETC.

Declaration as to joint trustees, etc.

31.—(1) Every person who is acting for another person or for a company or association in any of the capacities mentioned in sections 25, 26 and 27 shall declare to the Collector in writing signed by him the capacity in which he is so acting and the name, occupation and place of abode or business

(i) of such other person, or of such company or association, and

(ii) of any other person who is joined with him in acting in any such capacity.

(2) Every company or association which is acting for any person or for another company or association under section 27 shall declare to the Collector in writing signed by its principal officer the name, occupation and place of abode or business of such person or such other company or association.

Power to retain amount of tax paid.

32. Every person who is chargeable in any capacity mentioned in sections 25, 26, 27, 28, 29 and 30 and every company or association which is chargeable under section 27 may out of the moneys which he or it receives in that capacity retain the amount with which he or it is so chargeable.

EMPLOYERS, TRUSTEES, AGENTS, EXECUTORS, ETC.

Indemnity.

33. Every person who in pursuance of this Ordinance deducts, retains or pays any tax in respect of the income of another person or of a company or association, and every company or association which pays any tax under section 27 is hereby indemnified for the deduction, retention or payment thereof.

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CHAPTER V.

APPEAL FROM ASSESSMENT.

Petition to Commissioners.

34.—(1) Any person or principal officer who objects to the amount at which he or his company or association is assessed or denies that he or it is chargeable with the tax may petition the Commissioners hereinafter mentioned to reduce or cancel the assessment.

Form of petition.

(2) The petition shall as nearly as circumstances admit be in the form contained in schedule C, and shall be verified by a statutory declaration made by the petitioner or some other competent person.

Time for presentation of petition.

(3) The petition shall ordinarily be presented within the period prescribed for payment of the assessed amount of the tax after notification under section 24. But the Commissioners may receive a petition after the expiration of that period if they are satisfied that the objector had sufficient cause for not presenting it within that period.

Notice to Collector of appeal.

35. Notice in writing of the appeal together with a copy of the petition shall be served upon the Collector not less than twenty-one days after he shall have notified the assessment so appealed from.

Commissioners of taxes for hearing appeals from Collector.

36.—(1) The Governor in Council shall appoint a Commissioner or Commissioners of Taxes for each division established under section 4 (herein called "the Commissioners") for the purpose of hearing appeals from any assessment made by a Collector for such division under this Ordinance.

(2) Where more than one Commissioner is appointed, appeals shall be heard by not less than two of such Commissioners and shall be decided in accordance with the opinion of the majority of the Commissioners present, but if there is no such majority the assessment appealed from shall stand.

Hearing of petition.

37.—(1) The Commissioners shall fix a day and place for the hearing of the petition, and on the day and at the place so fixed or on the day and at the place, if any, to which they have adjourned the hearing shall hear the petition and make such orders thereon as they think fit.

Payment.

(2) The person chargeable with the assessment shall pay to the Government within the prescribed time the amount of the assessment determined by the Commissioners' order.

Summons to witnesses.

38. The Commissioners may, in order to determine how the petitioner should be assessed, summon and enforce the attendance of witnesses and compel them to give evidence and compel

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the production of documents by the same means and as far as possible in the same manner as is provided in the case of a Civil Court by the Civil Procedure Code 1907:

Provided that the Commissioners shall not call for any evidence except at the instance of the petitioner.

Collector may attend the hearing.

39. At the hearing of any appeal the Collector may

(*a*) attend during all the time of hearing such appeal;

(*b*) give his reasons in support of the assessment appealed against;

(*c*) produce evidence in support of such assessment.

Reduction on proof of overcharge.

40. The Commissioners shall not upon the hearing of any such appeal cancel, or make any reduction in, the assessment made by the Collector unless it shall upon the hearing of such appeal appear to the Commissioner or the majority of the Commissioners, as the case may be, by examination of the petitioner upon oath or affirmation or by other evidence to be produced by him, that he is not liable to, or has been overcharged by, such assessment.

Advocates and solicitors.

41. The Commissioners may permit any advocate and solicitor of the Supreme Court to plead before them for the petitioner either *vivâ voce* or by writing, or may hear any accountant approved by the Governor in Council.

CASE FOR THE OPINION OF THE SUPREME COURT.

Statement of case by Commissioners.

42.—(1) Immediately upon the determination of any appeal to the Commissioners under this Chapter, provided that the amount of the assessment as upheld or fixed by the Commissioners be not less than five hundred dollars the petitioner or the Collector may if dissatisfied with the determination as being erroneous in point of law declare his dissatisfaction to the Commissioners who heard the appeal and then may within 21 days after the determination by notice in writing require the Commissioners to state and sign a case for the opinion of the Supreme Court thereon, setting forth the facts and the determination.

(2) The party requiring the same shall within seven days after receiving the case so stated and signed transmit it to the Supreme Court and shall at the same time, unless he has previously done so, send a copy of the case to the other party.

Jurisdiction of the Supreme Court.

(3) In relation to cases so stated and the hearing thereof the following provisions shall have effect:—

(*a*) The Supreme Court shall hear and determine the question or questions of law arising on a case transmitted under this section and shall thereupon

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reverse, affirm or amend the determination of the Commissioners or remit the matter to the Commissioners with its opinion thereon or may make such other order in relation to the matter and such order as to costs as it thinks fit.

(*b*) The Supreme Court may cause the case to be sent back for amendment, and thereupon the same shall be amended accordingly and judgment shall be deferred pending such amendment.

(*c*) The authority and jurisdiction hereby vested in the Supreme Court may (subject to any rules and orders of the Supreme Court in relation thereto) be exercised by a Judge sitting in chambers.

(4) An appeal shall lie to the Court of Appeal from the decision of the Supreme Court or of any judge thereof upon any case stated under this section.

(5) Although a case so stated is pending before the Supreme Court or the Court of Appeal the tax shall be paid according to the assessment of the Commissioners as if such case had not been required to be stated, and if the amount of the assessment is altered by the order or judgment of such Court, the difference in the amount, if too much has been paid, shall be repaid with such interest, if any, as such Court allows, and, if too little has been paid, shall be forthwith paid and may be recovered as if it were an arrear.

Bar to other proceedings.

43. No suit shall lie in any Civil Court to set aside or modify any assessment made under this Ordinance except as provided in this Chapter.

CHAPTER VI.

RECOVERY OF TAX.

Tax when payable.

44.—(1) The tax chargeable under this Ordinance shall be payable within the prescribed time.

Double tax may be recovered for default.

(2) In case of default under this Ordinance the Collector may recover a sum not exceeding double the amount of the tax either as if it were an arrear of land revenue or by any process enforceable for the recovery of an arrear of any Municipal tax or assessment imposed under any Ordinance for the time being in force or may make an order that a sum not exceeding double that amount shall be recovered from the defaulter.

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(3) The Governor in Council may direct by what authority any powers or duties incident under any such Ordinance as aforesaid for the recovery of a Municipal tax or assessment shall be exercised and performed when that process is employed under subsection (2) for the recovery of the tax chargeable under this Ordinance. Directions by Governor in Council.

(4) An order made by the Collector under subsection (2) shall have the force of a decree of a Civil Court in a suit under the Crown Suits Ordinance 1876 and may be enforced in manner provided by that Ordinance as well as in the manner provided by the Civil Procedure Code 1907 for the enforcement of judgments for the recovery of money: and the procedure under the said Code in respect of the following matters, namely:— Collector's order to have the force of a decree.

(*a*) writs of seizure and sale,

(*b*) arrest and examination and committal of judgment-debtors,

(*c*) claims to attached property, and

(*d*) execution of judgments out of the jurisdiction of the Courts by which they were passed

shall apply to every execution issued for levying the sum mentioned in the order; save that all the powers and duties conferred and imposed by the said Code upon the Court may be exercised and discharged by the Collector by whom the order has been made or to whom a copy thereof has been sent for execution.

CHAPTER VII.

MISCELLANEOUS.

45. When a company, association or person has several places of business or residences in different divisions the Collector-General may determine that it or he be assessed for the tax Assessment in one or more divisions.

(*a*) in each division separately; or

(*b*) in one or more divisions.

46. When any money is paid under this Ordinance to the Collector or is recovered thereunder by him, he shall give a receipt for the same in the prescribed form. Receipts to be in prescribed form.

47. If— Amendment of assessment.

(*a*) any person dies or is adjudged a bankrupt or is from any other specific cause deprived of or loses income; or

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(*b*) any company, association or person ceases to carry on business

he or it or his or its representative in interest may apply to the Collector within 4 months after the end of the year, and the Collector on proof to his satisfaction of any such cause as aforesaid shall amend the assessment as the case may require and refund such sum, if any, as has been overpaid.

Refunds, etc., by Collector.

48.—(1) The Collector, on proof to his satisfaction that any sum paid as tax by deduction or otherwise under this Ordinance

(*a*) was not liable to be paid; or

(*b*) was paid in excess of the amount which is liable to be paid; or

(*c*) was paid in error,

shall on the application of the person charged with such tax made within four months after the end of the year refund to him the whole amount paid or the amount paid in excess or in error.

(2) The Collector, on proof to his satisfaction that income-tax will be paid in the United Kingdom on any part of the income of any person which such person receives as a member of a company or an association which has paid tax under this Ordinance, shall on the application of such person, within four months after the end of the year, pay to him a sum equivalent to a percentage of such part of his income calculated at the rate at which such company or association has paid such tax.

Refund by Municipality.

49. When any Municipality or Rural Board, which collects the tax under section 14 makes a refund under section 59 of the Municipal Ordinance 1913, it shall at the same time make a proportionate refund of any tax so collected, and the Government shall repay to it the amount of the tax so refunded.

If too little tax paid deficiency to be made up.

50. If within three years after any tax has been paid under this Ordinance it is discovered that too little in amount has been paid, the company, association or person liable to the tax shall forthwith pay the deficiency.

Lists of lodgers and inmates.

51. Every person when he is required so to do by notice from a Collector shall within the time specified in such notice prepare in accordance with the directions of such notice and deliver to the Collector a list signed by him containing to the best of his belief the proper name, occupation and place of business or employment of every lodger and inmate in his dwelling-house.

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PENALTIES, ETC.

52.—(1) Any person who fails— Penalties.

(*a*) to deliver in due time to the Collector any return, statement, notification, declaration or list mentioned in sections 11, 18, 21, 22, 26, 31, and 51;

(*b*) to deduct or pay any tax as required by any of the sections 10, 12, 13, 14, 24, 37, and 42;

(*c*) to produce or cause to be produced, on or before the date mentioned in a notice under section 23 (1), such accounts as are referred to in the notice,

shall on conviction before a Police Court be liable to a fine not exceeding five hundred dollars, or to double the amount of the tax chargeable and, in the case of a continuing offence, to a fine of five dollars for every day during which the default continues.

(2) The payment of such fines shall not affect the liability of any person to be assessed and to pay tax under this Ordinance.

53. If a person includes in any such return, statement, notification, declaration or list as aforesaid any information which is false and which he either knows or believes to be false or does not believe to be true, he shall be deemed to have committed the offence specified in section 177 of the Penal Code. False statements.

54.—(1) A person shall not be proceeded against for an offence under section 52 or 53 except at the instance of the Collector. Restriction on prosecutions.

(2) The Collector-General may stay any such proceedings or compound any such offence.

55. Any proceeding under section 23 or Chapter V shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Penal Code. Judicial proceedings.

56. Where under this Ordinance a duty is imposed on a company or an association, its principal officer shall be responsible for the performance of the duty. Principal officer of a company responsible.

57. Any company, association or person whose duty it is under this Ordinance to deduct or collect and to pay to the Government the tax, shall if it or he fails to deduct, collect or pay such tax to the Government within the prescribed time, without prejudice to any other consequences, be deemed to be in default in respect of such tax. Person failing to deduct or collect to be himself in default.

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SERVICE.

Service.

58. A notice under this Ordinance may be served on the company, association or person to whom it is addressed

(*a*) by registered post,

(*a*) by sending it through the post under registered cover addressed to it or him at the address given in its or his return or statement last delivered to the Collector or at the house at which it or he ordinarily carries on business or resides;

(*b*) personally.

(*b*) by tendering or delivering it under cover to

(i) any principal officer of the company or association,

(ii) any partner or to the person having the management or control of the firm,

(iii) the person

to which or whom it may be addressed.

Substituted service.

59. If no such address is known or if no such person can be found, a notice may be served by affixing a copy of the notice on the outer door of the house in which the company, association or person was last known ordinarily to carry on business or reside.

RULES.

Rules.

60.—(1) The Governor in Council may make rules for ascertaining and determining income liable to assessment, for preventing the disclosure of documents or particulars delivered or produced or furnished with respect to assessments and generally for carrying out the purposes of this Ordinance.

(2) Breach by a public servant of any rule made under subsection (1) for preventing the disclosure of such documents or particulars as are therein referred to shall, unless it be otherwise provided in the rules, be deemed to be an offence under section 166 of the Penal Code.

(3) Any rules made under this section shall be published in the *Gazette*.

(4) Such rules shall be laid before the Legislative Council at the first meeting after such publication.

(5) Such rules shall remain in force until disapproved or altered by a resolution of the Legislative Council.

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(6) Any rule altered by a resolution of the Legislative Council shall come into force, as altered, from the date of the passing of such resolution, and shall have the same force and effect as if enacted in this Ordinance.

Net amount of tax to be paid to Imperial Government.

61. The net amount of the tax received by the Government under this Ordinance after deduction of the expenses of and incidental to its assessment and collection, together with any fines and penalties imposed and paid under this Ordinance, shall be paid to the Imperial Government as a contribution towards defraying the expenses incurred in the prosecution of the present war.

Passed this 26th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE *A*.

War tax shall be paid at the rates set out in the following scale, viz.:—

Amount of total income per annum.				Rate per centum.
	$		$	
Not less than	3,000	but less than	3,600	... 1
do.	3,600	but less than	6,000	... 2
do.	6,000	but less than	7,200	... 3
do.	7,200	but less than	8,400	... 4
do.	8,400	but less than	12,000	... 5
do.	$12,000	... ...	...	... 6

SCHEDULE *B*.

Interest paid or received in the Colony on:—

(*a*) Debentures, stock or other securities of the Government of the Colony or of any Municipality, company or association.

(*b*) All stock, debentures or other securities issued outside the Colony.

SCHEDULE *C*.

FORM OF PETITION.

(*Section* 34).

To the Commissioners of

the day of , 19 .

The Petition of *A.B.* of

Sheweth as follows:—

1. Under the War Tax Ordinance 1917 your petitioner has been assessed in the sum of dollars for the year commenced on the 1st day of January, 1917.

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2. Your Petitioner's total income accruing and arising from (*here specify petitioner's profession, trade or other source of income or profits and the place or places at which such income or profits accrue or arise*) for the year ending the day of last were dollars *(as will appear from the documents of which a list is presented herewith).

3. Your Petitioner is chargeable with the tax on the sum of dollars only.

4. Such income actually accrued and arose during a period of months and days (*here state the exact number of months and days in which the income and profits accrued and arose*).

5. During the said year your Petitioner had no other income or profits.

Your Petitioner therefore prays that he may be assessed accordingly (*or* that he may be declared not to be chargeable under the said Ordinance).

(Signed) *A.B.*

FORM OF VERIFICATION.

I, *A.B.*, the Petitioner named in the above petition, do solemnly and sincerely declare that what is stated therein is true to the best of my knowledge, information and belief, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of The Statutory Declarations Act 1835.

(Signed) *A.B.*

* These words are to be inserted if the Petitioner relies on documents. The list, if the Petitioner so wishes, may be presented in a sealed envelope.

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(*Vide Notification No.* 362 *in Gazette Extraordinary No.* 35 *of* 27*th March*, 1917.)

RULES MADE BY THE GOVERNOR IN COUNCIL UNDER SECTION 60 OF THE WAR TAX ORDINANCE, 1917.

Delivery of Returns.

1. Notification by Employers under Section 11 (2) of persons leaving or entering employment shall be delivered to the Collector within one month after cessation or commencement of employment as the case may be.

2. Returns of income and total income under Section 21 of the Ordinance shall be delivered to the Collector within twenty-one days of the receipt of the necessary forms by the person liable to make the returns.

3. Statements or returns required by the Collector under Section 22 of the Ordinance shall be delivered to the Collector within twenty-one days from the receipt of the Collector's written requisition by the person liable to furnish such statements or returns.

4. The declaration to be made in writing under Section 31 of the Ordinance by companies, associations or persons shall be delivered to the Collector on or before the 31st May, 1917, or within one month from the date of appointment in any capacity mentioned in Sections 25, 26 and 27.

Payment of Tax.

5. Every employer shall in the months of April, July, October, 1917, and January, 1918, pay to the Government the amount of tax deducted by him from the salaries or pensions paid by him during the preceding quarter to persons employed by, or in receipt of pensions from, him.

6. Every Municipality, company, association or person shall in the first seven days of each month pay to the Government the tax deducted by it or him from interest paid by it or him during the preceding month on securities mentioned in Schedule *B* to the Ordinance.

7. Every bank shall in the first seven days of each month pay to the Government the tax deducted by it during the preceding month from dividends collected by it from companies incorporated outside the Colony.

8. Every bank shall in the first seven days of each month pay to the Government the tax deducted by it during the preceding month from interest collected by it in respect of securities mentioned in Schedule *B* to the Ordinance.

9. Every Municipality and every Rural Board shall on or before the twenty-fifth day of each month pay to the Government the amount of tax collected by it during the preceding month from owners of immoveable property.

10. The payments mentioned in Rules 5, 6, 7, 8 and 9 shall be made by remitting the amounts to the Collector with a return in Form 7, 8, 9 or 10, as the case may be, of the Schedule hereto.

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11. Every company, association or person shall pay to the Government within twenty-one days after its or his receipt of a notification of assessment under Section 24 of the Ordinance the amount of the assessment stated in such notification to be payable.

12. Every company, association or person shall within twenty-one days after the determination of an appeal to the Commissioners pay to the Government the amount of the assessment as determined by such Commissioners.

13. In calculating the amount of tax payable, the amount due on a fraction of a dollar shall be neglected. Thus, the tax to be deducted on a monthly salary of $428.57 is $8.56.

Forms.

14. The notification to the Collector under Section 21 that a person is chargeable with the tax shall be substantially in Form 1 of the Schedule hereto.

15. Returns of income and total income under Sections 21 and 26 of the Ordinance shall be in Form 2 of the Schedule hereto.

16. Receipts to be given by the Collector in respect of tax paid to him under the Ordinance shall be in Form 3, 4, 5 or 6, as the case may be, of the Schedule hereto.

Prevention of Disclosure of Documents.

17. No return, statement, notification, declaration or list delivered to the Collector in accordance with the provisions of the Ordinance shall be admissible as evidence in any civil or criminal proceeding, except at the instance of the person making or delivering the same or except in the case of a prosecution under Section 53 of the Ordinance.

18. Except in the case of a prosecution under the Ordinance, the Collector-General, the Collectors and all persons employed by them for the purposes of the Ordinance are forbidden to disclose the contents of entries made in records kept, or of documents delivered, in connection with carrying out the purposes of the Ordinance.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 27*th March*, 1917.

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Form 1.

Notification under Section 21.

(a) Full name. I (a).....

(b) Detailed address. residing at (b).....

(c) All occupations to be given. by occupation (c).....

(d) Name of Chop, if any, as well as English name of firm. employed by (d).....

of (b).....

or carrying on business at (b).....

do hereby give you notice that I am chargeable with War Tax.

I ALSO use the following names, only:—

.....

and have no investments, and hold no interests in any other name.

I ALSO have residences at (b).....

I ALSO carry on business at (b).....

(e) If your total income is less than $12,000 per annum strike out the words "do not". I *do not* (e) claim to be assessed for War Tax at a lower rate than 6 per centum.

DATE,....., 191 .

Signed.....

TO THE COLLECTOR OF WAR TAX,

.....DIVISION.

NOTE.—This form duly filled in must be returned on or before the 30th April, 1917.

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Form 2.

Return of Income and Total Income under Section 21.

SOURCE OF INCOME.	Total Income. (*a*)	Taxable Income. (*b*)
	$	$
Salary or Pension as per Statement *A* on page 2 ...		
Immoveable Property as per Statement *B* on page 2		
Interest as per Statement *C* on page 3		
Foreign Dividends as per Statement *D* on page 3 ...		
Other Sources as per Statement *E* on page 4 ...		
TOTAL ...		
Less Interest on Mortgages as per Statement *B* ...		
NET TOTAL ...		
Less Allowance for Life Insurance Premiums as per claim below ...		
Net amount on which tax is payable ...		

I DECLARE that I have, to the best of my judgment and belief, set out in the above return and in the statements appended hereto a full and accurate return of my (*or* the company's *or* association's) total income and income and I further declare that my (*or* the company's *or* association's) claims for deductions are based on proper grounds.

GIVEN under my hand this.....day of....., 191 .

.....*Signature.*

.....*Address.*

If the return is not made on your own behalf state in what capacity it is made and for whom.

INSURANCE DEDUCTION.

I claim to deduct from my taxable income the amount of $.....paid or to be paid by me in respect of the year 1917 as premiums on insurance policies. (*c*)

(*a*) "Total Income" means:—
- (1) in the case of a company incorporated in the Colony, its income;
- (2) in the case of a company which is not incorporated in the Colony or of an association, its total net profits wheresoever made;
- (3) in the case of an individual
  - (*a*) the total net profits derived by him from the carrying on of any business,
  - (*b*) his gross income from any other source,
  - whether arising or received in the Colony or not:

Provided that no tax shall be deducted in any of these cases.

(*b*) "Income" (*i.e.*, Taxable) means:—
- (1) in the case of a company incorporated in the Colony, its total net profits wheresoever made;
- (2) in the case of a company which is not incorporated in the Colony or of an association, its net profits arising or received in the Colony
- (3) in the case of an individual
  - (*a*) the net profits derived from the carrying on by him of any business,
  - (*b*) his gross income derived from any other source,
  - arising or received in the Colony:

Provided that the tax under this Ordinance shall not be deducted in any of these cases.

(*c*) The amount allowed will not exceed one-sixth of your total income. Receipts for premiums must be transmitted to the Collector if required.

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FORM 2—*Continued.*

A.—SALARY OR PENSION.

All details of salary or pension *already drawn and expected to be drawn during the year* **1917** must be entered below.

NOTE.—"Salary" includes allowances (other than travelling allowances considered reasonable by the Collector) fees, commissions, bonuses, gratuities and perquisites or profits received in lieu of or in addition to a fixed salary in respect of an office or employment of profit, "Pension" includes annuity and gratuity.

DETAILS OF SALARY AND ALLOWANCES, ETC.	Monthly Rate.	Amount drawn and to be drawn in 1917.
	$	$
Fixed salary or Pension		
Allowances (*d*)		
....		
	TOTAL (*e*) ...	

Tax on the amounts shown in the last column will be deducted by my employer .....
.....of (*place of business*).....

B.—IMMOVEABLE PROPERTY.

Particulars of all immoveable property in the Colony owned by you must be entered below:—

DESCRIPTION OF PROPERTY.	Annual Value of Property (*f*)	Three-fourths of Annual Value
	$	$
	TOTAL (*e*) ...	

On the amounts entered in the third column tax at the rate of 6 per centum will be collected from me by the.....Municipality. / Rural Board.

I claim to deduct from my income and total income $ being interest paid or to be paid by me in respect of the year 1917 on the following mortgages on property included in the above list:—

DESCRIPTION OF MORTGAGED PROPERTY.	Amount of mortgage.	Rate of interest.	Date when interest due or paid.	Name and address of Mortgagee.
	$	%		

(*d*) Allowances, etc., must be shown separately, the nature of the allowances, etc., being stated in each case, *e.g.*, House allowance.

(*e*) This total must be entered in its appropriate place in both the total income and taxable income columns in the return on the first page.

(*f*) Enter in this column the annual value of the property as determined under the Municipal Ordinance, 1913.

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FORM 2—*Continued.*

C.—INTEREST.

Enter below particulars of all interest received and to be received by you in the Colony during **1917** on :—

(*a*) Debentures, stock or other securities of the Government of the Colony, or of any Municipality, company or association.

(*b*) All stock, debentures or other securities issued outside the Colony.

NATURE OF SECURITY.	Amount Secured.	Total Income, *i. e.*, Interest without Deduction of any Tax. (*g*)	Taxable Income. (*h*)
	$	$	$
	Total ...		

Tax on the amount shown at the foot of the last column, less $ of that amount received by me between the 1st January, 1917, and the 26th March, 1917, will be deducted at 6 per cent before it reaches me.

D.—FOREIGN DIVIDENDS.

Particulars of all dividends received or to be received by you in the Colony during **1917** in respect of shares in Companies incorporated outside the Colony must be entered below :—

NAME OF COMPANY.	Where Incorporated.	Total Income, *i. e.*, Gross Amount of Dividend (*g*).	Taxable Income. (*h*).
		$	$
	Total ...		

On the amount in the last column less $, of that amount received by me between the 1st January, 1917, and the 26th March, 1917, tax at 6 per cent will be deducted by my bankers.

(*g*) In the case of debentures, etc., issued, or of Companies incorporated, say, in England, on the interest of which or on dividends paid by whom, tax has been deducted in England, enter the gross amount which would have been received had tax not been deducted, *e. g.*, net receipts $90 (after deduction of income-tax at, say, 8/- in the £) the amount to be entered in this column would be $120.

(*h*) Omit from this column all entries in the previous column which are to be deducted under Section 8 of the Ordinance, *e.g.*, interest on War Loan securities, interest or dividends on which income-tax has already been deducted in another part of His Majesty's dominions at a rate not less than that specified in Schedule A.

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FORM 2—*Concluded.*

E.—OTHER SOURCES.

Enter below particulars of all your income other than income from ownership of immoveable property situated in the Colony and other than that on which tax has been or is to be deducted in the Colony before it reaches you.

The amount to be entered against each source is your net profits or your gross income, as the case may be, in the year 1916 or in your last financial year prior to the 26th March, 1917.

SOURCE OF INCOME.	Total Income.	Taxable Income.
	$	$
Net profits (*i*) **of business** (*m*) :—		
.....		
Dividends paid by Companies incorporated in the Colony :—		
.....		
Shares in Associations (*j*) (*m*) :—		
.....		
Interest on Mortgages, Bank interest, etc. :—		
.....		
Interest on Loans :—		
.....		
Income arising elsewhere and received in the Colony (*k*) :—		
.....		
Income arising elsewhere but not received in the Colony (*l*) :—		
.....		
TOTAL ...		

In respect of the amount entered for "dividends paid by Companies incorporated in the Colony" I claim that the various Companies have paid to Government, in all, a sum of $.....as tax on parts of their profits equal to the sums paid by them to me as dividends.

(*i*) A statement showing how the net profits have been calculated must be forwarded.

(*j*) The amount received as shares in associations in the Colony must be entered in the total income column but need not be entered in the column "Taxable income" (Section 8 (*e*)).

(*k*) Such part of the total receipts as has already been taxed at an equal or higher rate in another part of His Majesty's dominions need not be entered in the "Taxable income" column.

(*l*) The amount of such income must be entered in the "Total income" column but need not be entered in the "Taxable income" column.

(*m*) Give nature of business or style of association and place of business.

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Form 3.

OFFICE OF COLLECTOR OF WAR TAX,
.....DIVISION.
the.....day of....., 191 .

RECEIVED from.....
the sum of Dollars.....
in payment of the amount stated in assessment notice No.....dated.....
....to be due by.....
on account of War Tax for the year 191 .
$.. .....

.. ..
Collector of War Tax.

Form 4.

(Form of receipt under Section 10.)

OFFICE OF COLLECTOR OF WAR TAX,
....DIVISION.
the.....day of....., 191 .

RECEIVED from..... ....of ....
the sum of Dollars.....being the
amount of tax deducted from pensions and salaries of employees for the period .....
.....to ....as per
return dated..... ....., registered in this Office
as No..... .....
$.....

.....
Collector of War Tax.

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Form 5.

(Form of receipt under Sections 12 and 13.)

OFFICE OF COLLECTOR OF WAR TAX,

.....DIVISION.

the.....day of....., 191 .

RECEIVED from.....

the sum of Dollars.....

.....

being the amount of tax deducted from $\frac{\text{interest paid on securities}}{\text{foreign dividends or interest on securities collected}}$

as per return dated.....registered in this Office as No.....

$.....

.....

Collector of War Tax.

Form 6.

(Form of receipt under Section 14.)

OFFICE OF COLLECTOR OF WAR TAX,

.....DIVISION.

....., 191 .

RECEIVED from the.....$\frac{\text{Municipality}}{\text{Rural Board}}$

the sum of dollars.....

.....

being the amount collected on account of War Tax on annual value of immoveable property

as set out in return dated.....registered in this

Office as No.....

$.....

.....

Collector of War Tax.

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Form 7.

Return of deductions made by Employers under Section 10.

To be furnished in April, July, October, 1917, and January, 1918.

Name of Employer.....

Period, from.....*to*.....*inclusive.*

Name of Employee or Pensioner.	Salary (*a*) or pension (*b*) paid in above period.	Amount of tax deducted.	REMARKS.
	$	$ c.	
	TOTAL ...		

I enclose cheque for $.....being the deductions of tax from salaries or pensions paid by me as set out in the above return.

Signature of Employer.....

Place of business.....

Date.....

(*a*) Salary includes allowances, other than reasonable travelling allowances, fees, commissions, bonuses, gratuities and perquisites or profits received in lieu of or in addition to a fixed salary.

(*b*) Pension includes annuity and gratuity.

ILLUSTRATION.

	Amount per annum. $
A draws a fixed salary of $500 per mensem	6,000
.....fixed allowance for Motor Car of $75* per mensem	
.....house allowance of $50 per mensem	600
.....allowance for servants $25 per mensem	300
.....has drawn prior to the first deduction by the employer a bonus of, say	1,000
Total ...	$7,900

In so far as his salary is concerned *A* is chargeable with War Tax at the rate† of 4 per centum and on all payments of salary the employer must deduct, and include in his returns, tax at that rate.

Assume that, although *A* normally draws a yearly bonus, it is varying in amount and is not paid until the latter part of the year, say, October :—

Taking the above illustration, the employer on all payments of salary up to and including September would have deducted tax as though *A's* salary during the year were $6,900, that is, at the rate of 3 per centum. The payment of the bonus in October brings *A* within the 4 per cent rate and it will be the duty of the employer to deduct tax not only at the rate of 4 per cent on payments of salary in and after October, but also at the additional rate of 1 per centum in respect of all payments of salary from the 1st January to the end of September inclusive.

A note explaining such additional deductions should be made in the remarks column of the return accounting for such additional deductions.

* Such an allowance will be shown in the Employer's return under Section 11, but need not be taken into account in fixing the rate at which deductions are to be made, or as part of the salary on which tax is to be deducted, unless the Collector has notified the Employer that such allowance is not reasonable in amount.

† The rates at which tax is chargeable are :—

On an annual salary of not less than	$ 3,000 ..	but less than	$ 3,600 ..	1 per cent.
" "	$ 3,600 ..	"	$ 6,000 ..	2 "
" "	$ 6,000 ..	"	$ 7,200 ..	3 "
" "	$ 7,200 ..	"	$ 8,400 ..	4 "
" "	$ 8,400 ..	"	$ 12,000 ..	5 "
" "	$ 12,000 ..	"	. ..	6 "

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Form 8.

Return of deductions from Interest under Sections 12 and 13.

Name of person entitled to interest.	Description of Security.	Amount of Interest.	Amount of Tax deducted.
		$	$ c.
		TOTAL ...	

I enclose cheque for $.....being the total amount of tax as set out above deducted from interest on securities in Schedule *B** paid *or* collected by me in the period from.....to..... .....

.....

Date,.....

The Securities mentioned in Schedule *B* are :—

(*a*) Debentures, stock or other securities of the Government of the Colony or of any Municipality, company or association.

(*b*) All stock, debentures, or other securities issued outside the Colony.

Notes.—1. Tax should not be deducted from interest on securities issued in respect of any loan raised in the Colony or in the United Kingdom or in any British Possession, Protectorate or Protected State for the prosecution of the present war (Section 8 (*c*)).

2. Tax should not be deducted from interest on which income-tax has been paid in the United Kingdom or in any British Possession, Protectorate or Protected State at a rate not less than the rate specified in Schedule *A* (Section 8 (*b*)).

Form 9.

Return of Deductions in respect of Foreign Dividends under Section 13.

Name of Bank by whom deductions have been made.....

Name of person entitled to dividend.	Name of Company paying dividend.	Amount of dividend.	Amount of tax deducted.
		$	$ c.
		TOTAL ...	

I enclose cheque for $.....being amount of tax deducted from dividends* collected by this bank from companies incorporated outside the Colony in the period from ....to.....

Signature of Manager.....

Date,.....

* *Note.*—No deduction is required to be made from dividends on which tax has been paid in the United Kingdom or in any British Possession, Protectorate or Protected State at a rate not less than the rate specified in Schedule *A* (Section 8 (*b*)).

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Form 10.

Return of Collections under Section 14 by Municipalities or Rural Boards.

Name of owner of property.	Description of Property.	Annual value.	Tax collected.
		$	$ c.
		TOTAL ...	

I enclose cheque for $.....being the amount of the collections set out in the above return and in the accompanying.....continuation sheets.

.....

Accountant ..... *Municipality.*
Chairman ..... *Rural Board.*

Date,.....

TO THE COLLECTOR OF WAR TAX,

.....DIVISION.

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(*Vide Gazette Extraordinary No.* 35 *of 27th March*, 1917.)

No. 363.—THE WAR TAX ORDINANCE, 1917.

UNDER the provisions of section 4 of the War Tax Ordinance, 1917, the Governor in Council establishes the following divisions:—

The Settlement of Singapore excluding Christmas Island;
The Settlement of Penang;
The Settlement of Malacca;
The Settlement of Labuan; and
The District of Christmas Island.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 27*th March*, 1917.

No. 364.—THE WAR TAX ORDINANCE, 1917.

IT is hereby notified that, in accordance with the provisions of section 4 of the War Tax Ordinance, 1917, His Excellency the Governor has been pleased to make the following appointments:—

Mr. A. M. POUNTNEY as Collector-General and as a Collector for all the divisions established in the Colony.
Mr. G. G. SETH as Collector for the Settlement of Singapore excluding Christmas Island.
Mr. G. F. TURNER as Collector for the Settlement of Penang.
Mr. R. INGHAM as Collector for the Settlement of Malacca.
The Resident of Labuan as Collector for the Settlement of Labuan.
The District Officer, Christmas Island, as Collector for the District of Christmas Island.

No. 365.—THE WAR TAX ORDINANCE, 1917.

THE Governor in Council approves of the following firms and persons as auditors for the purpose of certifying statements delivered under section 18 of the War Tax Ordinance, 1917, and approves of such persons or of any Chartered or Incorporated Accountant who is a partner in or is employed by such firms, as Accountants who may be heard by the Commissioners under section 41 of that Ordinance:—

Messrs. BARKER & CO.
Messrs. BROWN, PHILLIPS & STEWART.
Mr. H. H. COOK.
Messrs. DERRICK & CO.
Mr. A. H. DONALDSON.
Messrs. EVATT & CO.
Messrs. GATTEY & BATEMAN.
Mr. G. H. HARROP.
Messrs. LOWE, BINGHAM & MATTHEWS.
Messrs. MCAULIFFE, DAVIS & HOPE.
Messrs. NEILL & BELL.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 27*th March*, 1917.

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STRAITS SETTLEMENTS.

No. 9 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

3rd April, 1917.

AN Ordinance to amend the law relating to Fraudulent Marks on Merchandise.

[*5th April*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Merchandise Marks Ordinance 1917. Short title.

2. In this Ordinance unless there is something repugnant in the subject or context:— Interpretation.

"Trade Mark" means a trade mark which is protected by law in this Colony and includes any trade mark registered in the register of trade marks kept under the Trade Marks Act 1905 and any trade mark which, either with or without registration, is protected by law in any British possession or foreign State to which the provisions of section 91 of the Patent and Designs Act 1907 are under Order of the King in Council for the time being applicable 5. Edw. vii c. 15. 7. Edw. vii c. 29.

"Trade description" means any description, statement or other indication, direct or indirect—

(*a*) as to the number, quantity, measure, gauge or weight of any goods;

(*b*) as to the place or country in which any goods were made or produced;

(*c*) as to the mode of manufacturing or producing any goods;

(*d*) as to the material of which any goods are composed; or

[*Price: 15 cents.*]

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(*e*) as to any goods being the subject of an existing patent, privilege or copyright;

(*f*) as to the degree of fineness of gold and silver goods.

and the use of any figure, word or mark which, according to the custom of the trade, is commonly taken to be an indication of any of the above matters, shall be deemed to be a trade description within the meaning of this Ordinance;

"False trade description" means a trade description which is false in a material respect as regards the goods to which it is applied, and includes every alteration of a trade description, whether by way of addition, effacement or otherwise, where that alteration makes the description false in a material respect, and the fact that a trade description is a trade mark or part of a trade mark shall not prevent such trade description being a false trade description within the meaning of this Ordinance;

"Goods" means anything which is the subject of trade manufacture or merchandise;

"Person," "manufacturer, dealer or trader" and "proprietor" include any body of persons, corporate or unincorporate;

"Name" includes any abbreviation of a name.

TRADE, PROPERTY AND OTHER MARKS.

Trade mark. Indian Act IV of 1889, s. 3.

3. A mark used for denoting that goods are the manufacture or merchandise of a particular person is called a trade mark.

Property mark. Indian Act IV of 1889, s. 3.

4. A mark used for denoting that moveable property belongs to a particular person is called a property mark.

Using a false trade mark. Indian Act IV of 1889, s. 3.

5. Whoever marks any goods or any case, package or other receptacle containing goods, or uses any case, package or other receptacle with any mark thereon, in a manner reasonably calculated to cause it to be believed that the goods so marked, or any goods contained in any such receptacle so marked, are the manufacture or merchandise of a person whose manufacture or merchandise they are not, is said to use a false trade mark.

Using a false property mark. Indian Act IV of 1889, s. 3.

6. Whoever marks any moveable property or goods or any case, package or other receptacle containing moveable property or goods, or uses any case, package or other receptacle having any mark thereon, in a manner reasonably calculated to cause it to be believed that the property or goods so marked, or any property or goods contained in any such receptacle so marked belong to a person to whom they do not belong, is said to use a false property mark.

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7. Whoever uses any false trade mark or any false property mark shall, unless he proves that he acted without intent to defraud, be punished with imprisonment of either description for a term which may extend to one year or with fine, or with both.

Punishment for using a false trade mark or property mark. Indian Act IV of 1889, s. 3.

8. Whoever counterfeits any trade mark or property mark used by any other person shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Counterfeiting a trade mark or property mark used by another. Indian Act IV of 1889, s. 3.

9. Whoever counterfeits any property mark used by a public servant, or any mark used by a public servant to denote that any property has been manufactured by a particular person or at a particular time or place or that the property is of a particular quality or has passed through a particular office or that it is entitled to any exemption, or uses as genuine any such mark knowing the same to be counterfeit, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Counterfeiting a mark used by a public servant. Indian Act IV of 1889, s. 3.

10.—(1) A person shall be deemed to counterfeit a trade mark or property mark who either—

(*a*) without the assent of the proprietor of the trade mark or property mark makes that trade mark or property mark or a mark so nearly resembling that trade mark or property mark as to be calculated to deceive; or

(*b*) falsifies any genuine trade mark or property mark whether by alteration, addition, effacement or otherwise;

and any trade mark or property mark so made or falsified is in this Ordinance referred to as a counterfeit trade mark or property mark.

What constitutes counterfeiting a trade mark or property mark. Ordinance III of 1888, s. 4.

(2) In any prosecution for counterfeiting a trade mark or property mark the burden of proving the assent of the proprietor shall lie on the defendant.

Onus of proof.

11. Whoever makes or has in his possession any die, plate or other instrument for the purpose of counterfeiting a trade mark or property mark, or has in his possession a trade mark or property mark for the purpose of denoting that any goods are the manufacture or merchandise of a person whose manufacture or merchandise they are not, or that they belong to a person to whom they do not belong, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine or with both.

Making or possession of any instrument for counterfeiting a trade mark or property mark. Indian Act IV of 1889, s. 3.

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Importing or selling, etc., goods marked with a counterfeit trade mark or property mark.
Indian Act IV of 1889, s. 3.

12. Whoever imports sells, or exposes or has in possession for sale or any purpose of trade or manufacture, any goods or things with a counterfeit trade mark or property mark affixed to or impressed upon the same or to or upon any case, package or other receptacle in which such goods are contained, shall, unless he proves—

(*a*) that, having taken all reasonable precautions against committing an offence against this section, he had at the time of the commission of the alleged offence no reason to suspect the genuineness of the mark, and

(*b*) that, on demand made by or on behalf of the prosecutor, he gave all the information in his power with respect to the persons from whom he obtained such goods or things, or

(*c*) that otherwise he had acted innocently,

be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Making a false mark upon any receptacle containing goods.
Indian Act IV of 1889, s. 3.

13. Whoever makes any false mark upon any case, package or other receptacle containing goods, in a manner reasonably calculated to cause any public servant or any other person to believe that such receptacle contains goods which it does not contain or that it does not contain goods which it does contain or that the goods contained in such receptacle are of a nature or quality different from the real nature or quality thereof shall, unless he proves that he acted without intent to defraud, be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Punishment for making use of any such false mark.
Indian Act IV of 1889, s. 3.

14. Whoever makes use of any such false mark in any manner prohibited by section 13 shall, unless he proves that he acted without intent to defraud, be punished as if he had committed an offence against that section.

Tampering with property mark with intent to cause injury
Indian Act IV of 1889, s. 3.

15. Whoever removes, destroys, defaces or adds to any property mark intending or knowing it to be likely that he may thereby cause injury to any person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

TRADE DESCRIPTIONS.

Provisions supplemental to the definition of false trade description.

16.—(1) The provisions of this Ordinance respecting the application of a false trade description to goods shall extend to the application to goods of any such figures, words or marks or arrangement or combination thereof, whether including a trade mark or

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not, as are reasonably calculated to lead persons to believe that the goods are the manufacture or merchandise of some person other than the person whose manufacture or merchandise they really are.

Ord. III of 1888, s. 3 (2) & (3).

(2) The provisions of this Ordinance respecting the application of a false trade description to goods or respecting goods to which a false trade description is applied shall extend to the application to goods of any false name or initials of a person, and to goods with the false name or initials of a person applied in like manner as if such name or initials were a trade description, and for the purpose of this enactment the expression false name or initials means as applied to any goods, any name or initials of a person which—

(*a*) are not a trade mark or part of a trade mark;

(*b*) are identical with or a colourable imitation of the name or initials of a person carrying on business in connection with goods of the same description and not having authorized the use of such name or initials; and

(*c*) are either those of a fictitious person or of some person not *bonâ fide* carrying on business in connection with such goods.

Application of trade descriptions. Ord. III of 1888, s. 5.

17.—(1) A person shall be deemed to apply a trade description to goods who—

(*a*) applies it to the goods themselves;

(*b*) applies it to any covering, label, reel or other thing in or with which the goods are sold or exposed or had in possession for any purpose of sale, trade or manufacture;

(*c*) places, encloses or annexes any goods which are sold or exposed or had in possession for any purpose of sale, trade or manufacture in, with, or to any covering, label, reel or other thing to which a trade description has been applied; or

(*d*) uses a trade description in any manner calculated to lead to the belief that the goods in connection with which it is used are designated or described by that trade description.

(2) The expression "covering" includes any stopper, cask, bottle, vessel, box, cover, capsule, case, frame or wrapper; and the expression "label" includes any band or ticket.

(3) A trade description shall be deemed to be applied whether it is woven, impressed or otherwise worked into or annexed or affixed to the goods or to any covering, label, reel or other thing.

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Application of false trade description is an offence. Ord. III of 1888, s. 2 (1) (*d*).

18. Any person who applies any false trade description to goods or causes any false description to be applied to goods shall, subject to the provisions of this Ordinance and unless he proves that he acted without intent to defraud, be punished with imprisonment for a term which may extend to three months or with fine which may extend to two hundred dollars, and in case of a second or subsequent conviction with imprisonment which may extend to one year, or with fine or with both.

Importation, sale, etc., of goods to which a false description is applied is an offence. Ord. III of 1888, s. 2 (2). Ord. VI of 1913, s. 2.

19. Any person who imports, sells or exposes for, or has in his possession for, sale or any purpose of trade or manufacture any goods or things to which a false trade description is applied, shall unless he proves—

(*a*) that having taken all reasonable precaution against committing an offence against this Ordinance, he had at the time of the commission of the alleged offence no reason to suspect the genuineness of the trade description; and

(*b*) that on demand made by or on behalf of the prosecutor he gave all the information in his power with respect to the persons from whom he obtained such goods or things; or

(*c*) that otherwise he had acted innocently,

be punished with imprisonment for a term which may extend to three months or with fine which may extend to two hundred dollars, and in case of a second or subsequent conviction with imprisonment which may extend to one year, or with fine or with both.

Application of Ordinance to watches. Ordinance III of 1888, s. 7.

20. Where a watch case has thereon any words or marks which constitute, or are by common repute considered as constituting, a description of the country in which the watch was made, and the watch bears no description of the country where it was made, those words or marks shall *primâ facie* be deemed to be a description of that country within the meaning of this Ordinance, and the provisions of this Ordinance with respect to goods to which a false trade description has been applied, and with respect to importing selling or exposing for or having in possession for sale or any purpose of trade or manufacture goods with a false trade description, shall apply accordingly, and for the purposes of this section the expression "watch" means all that portion of a watch which is not the watch case.

UNINTENTIONAL CONTRAVENTION OF THE LAW RELATING TO MARKS AND DESCRIPTIONS.

Unintentional contravention of the law relating to marks

21. Where a person is accused under section 7 of using a false trade mark or property mark by reason of his having applied a mark to any goods, property or receptacle in the manner mentioned in section 5 or section 6 as the case may be, or under

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section 18 of applying to, or causing to be applied to, goods any false trade description, or under section 11 of making any die, plate or other instrument for the purpose of counterfeiting a trade mark, or property mark, and proves—

and descriptions. Indian Act IV of 1889, s. 8. Ordinance III of 1888, s. 6.

(*a*) that in the ordinary course of his business he is employed on behalf of other persons to apply trade marks or property marks, or trade descriptions, or, as the case may be, to make dies, plates or other instruments for making or being used in making trade marks or property marks, and that in the case which is the subject of the charge he was so employed by some person resident in the Colony and was not interested in the goods or other thing by way of profit or commission dependent on the sale thereof;

(*b*) that he took reasonable precautions against committing the offence charged;

(*c*) that he had at the time of the commission of the alleged offence no reason to suspect the genuineness of the mark or description; and

(*d*) that he gave to the prosecutor all the information in his power with respect to the persons on whose behalf the mark or description was applied,

he shall be discharged from the prosecution, but shall be liable to pay the costs incurred by the prosecutor unless he has given due notice to him that he will rely on the above defence.

FORFEITURE OF GOODS.

Forfeiture of goods. Indian Act IV of 1889, s. 9. Ordinance III of 1888, s. 2 (3) (iii).

22.—(1) When a person is convicted under section 7 of using a false trade mark, or under section 12 of importing, selling, or exposing or having in possession for sale or any purpose of trade or manufacture, any goods or things with a counterfeit trade mark applied thereto, or under section 13 or section 14 of making, or making use of, a false mark, or under section 18 or section 19 of applying a false trade description to goods or of importing, selling, or exposing or having in possession for sale or any purpose of trade or manufacture, any goods or things to which a false trade description is applied, or is acquitted on proof of the matter or matters specified in section 12 or section 19 or section 21, the Court convicting or acquitting him may direct the forfeiture to His Majesty of all goods and things by means of, or in relation to, which the offence has been committed or, but for such proof as aforesaid, would have been committed.

(2) When a forfeiture is directed on a conviction and an appeal lies against the conviction, an appeal shall lie against the forfeiture also,

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(3) When a forfeiture is directed on an acquittal and the goods or things to which the direction relates are of value exceeding fifty dollars, an appeal against the forfeiture may be preferred, within seven days from the date of the direction, to the Supreme Court.

PROCEDURE.

Description of trade mark in pleadings, etc. Ordinance III of 1888, s. 8.

23. In any charge, pleading, proceeding or document in which any trade mark or property mark or counterfeit trade mark or property mark is intended to be mentioned, it shall be sufficient, without further description and without any copy or facsimile, to state that trade mark or property mark or counterfeit trade mark or property mark to be a trade mark or property mark or counterfeit trade mark or property mark.

Rules as to evidence. Ordinance III of 1888, s. 9 (2)

24. In the case of imported goods evidence of the port of shipment shall be *primâ facie* evidence in any prosecution under this Ordinance of the place or country in which the goods were made or produced.

Costs. Ordinance III of 1888, s. 12. Indian Act IV of 1889, s. 14.

25. On any prosecution under this Ordinance the Court may order costs to be paid to the defendant by the prosecutor or to the prosecutor by the defendant, having regard to the information given by and the conduct of the defendant and prosecutor respectively.

Limitation. Ordinance III of 1888, s. 13.

26. No prosecution under this Ordinance shall be commenced after the expiration of three years next after the commission of the offence, or of one year next after the first discovery thereof by the prosecutor, whichever expiration first happens.

Search warrant. Ordinance III of 1888, s. 11.

27.—(1) Where upon information of an offence against this Ordinance a Court has issued either a summons requiring the defendant charged by such information to appear to answer to the same or a warrant for the arrest of such defendant, and either the said Court, on or after issuing the summons or warrant, or any other Court is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which such offence has been committed are in any house or premises of the defendant or otherwise in his possession or under his control in any place, such Court may issue a warrant under his hand by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter such house, premises or place at any reasonable time by day and to search there for and seize and take away those goods or things.

(2) Any goods or things seized under any such warrant shall be brought before a Court of summary jurisdiction for the purpose of its being determined whether the same are or are not liable to forfeiture under this Ordinance.

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(3) If the owner of any goods or things, which would be liable to forfeiture under this Ordinance, is unknown or cannot be found, an information or complaint may be laid for the purpose only of enforcing such forfeiture, and a Court of summary jurisdiction may cause notice to be advertised, stating that, unless cause is shown to the contrary at the time and place named in the notice, such goods or things will be forfeited, and at such time and place the Court, unless the owner or any person on his behalf or other person interested in the goods or things shows cause to the contrary, may order such goods or things or any of them to be forfeited.

(4) Any goods or things forfeited under this section, or under any other provision of this Ordinance, may be destroyed or otherwise disposed of in such manner as the Court by which the same are forfeited may direct, and the Court may out of any proceeds which may be realized by the disposition of such goods, all trade marks and property marks and trade descriptions being first obliterated, award to any innocent party any loss he may have innocently sustained in dealing with such goods.

Punishment of abetment in Colony of act done out of Colony. Ord. III of 1888, s. 10 and Indian Act IV of 1889, s. 22.

28. Any person who, being within the Colony, abets the commission without the Colony of any act which, if committed in the Colony, would under this Ordinance be an offence may be tried for such abetment in any place in the Colony in which he may be found and be punished therefor with the punishment to which he would be liable if he had himself committed in that place the act which he abetted.

MISCELLANEOUS.

Implied warranty. Ord. III of 1888, s. 14.

29. On the sale or in the contract for the sale of any goods to which a trade mark or mark or trade description has been applied, the vendor shall be deemed to warrant that the mark is a genuine mark and not counterfeit or falsely applied, or that the trade description is not a false trade description within the meaning of this Ordinance, unless the contrary is expressed in some writing signed by or on behalf of the vendor, and delivered at the time of the sale or contract to and accepted by the vendee.

Provisions not to apply in certain cases. Ordinance III of 1888, s. 15.

30.—(1) Where at the passing of this Ordinance a trade description is lawfully and generally applied to goods of a peculiar class or manufactured by a particular method to indicate the particular class or method of manufacture of such goods, the provisions of this Ordinance with respect to false trade description shall not apply to such trade description when so applied.

(2) Where such trade description includes the name of a place or country and is calculated to mislead as to the place or country where the goods to which it is applied were actually made or produced, and the goods are not actually made or

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produced in that place or country, this section shall not apply unless there is added to the trade description immediately before or after the name of that place or country, in an equally conspicuous manner with that name, the name of the place or country in which the goods were actually made or produced, with a statement that they were made or produced there.

Savings. Ordinance III of 1888, s. 16, and Indian Act IV of 1889, s. 18 (3).

31. Nothing in this Ordinance shall be construed so as to render liable to any prosecution or punishment any servant of a master resident in the Colony who *bonâ fide* acts in obedience to the instructions of such master, and on demand made by or on behalf of the prosecutor has given full information as to his master and as to the instructions which he has received from his master.

Repeal.

32. The Merchandise Marks Ordinance 1888 and the Merchandise Marks Ordinance 1888 (Amendment) Ordinance 1913 are hereby repealed.

Passed this 26th day of March, 1917.

E. C. H WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 10 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

3rd April, 1917.

AN Ordinance to amend the Penal Code and the Criminal Procedure Code.

[*5th April*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Criminal Law (Amendment) Ordinance 1917. Short title.

2. Section 5 of the Penal Code is amended by repealing the words "special or local law" and substituting therefor the words "other law for the time being in force". Amendment of section 5 of the Penal Code (Ordinance IV of 1871.)

3. Section 40 of the Penal Code is amended by repealing the words "any special or local law hereinafter defined" in lines 8 and 9 and the words "the special or local law" in line 12, and substituting therefor in each instance the words "any other law for the time being in force". Amendment of section 40 of Penal Code.

4. Sections 41 and 42 of the Penal Code are hereby repealed. Repeal of sections 41 and 42 of Penal Code.

5. After section 108 of the Penal Code, the following section shall be inserted:— Insertion of new section in Penal Code.

108 A. A person abets an offence within the meaning of this Code who, in the Colony, abets the commission of any act without and beyond the Colony which would constitute an offence if committed in the Colony. Abetment in Colony of offences outside Colony. Indian Penal Code, s. 108A.

Illustration.

A, in the Colony, instigates B, a foreigner in Java, to commit murder in Java. A is guilty of abetting murder.

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Repeal of section 121A of the Penal Code and substitution of new sections. Ordinance VI of 1868, sections 1 and 2.

6. Section 121A of the Penal Code is hereby repealed and the following sections are substituted therefor:—

Offences against the King's person.

121A. Whoever compasses, imagines, invents, devises or intends the death of or hurt to or imprisonment or restraint of the King, His Heirs or Successors shall be punished with death and shall forfeit all his property.

Offences against the King's authority.

121B. Whoever compasses, imagines, invents, devises or intends the deprivation or deposition of the King, His Heirs or Successors from the sovereignty of the United Kingdom or from any other of the King's Dominions or Countries or the overawing by means of criminal force or the show of criminal force the Government of the United Kingdom or any other of the King's Dominions or Countries, shall be punished with penal servitude for life to which fine may be added, or with imprisonment of either description which may extend to seven years to which fine may be added, or with fine.

Repeal of section 121B of the Penal Code and substitution of new section 121C.

7. Section 121B of the Penal Code is hereby repealed and the following section is substituted therefor:—

Abetting offences under sections 121A or 121B.

121C. Whoever abets the commission of any of the offences punishable by sections 121A or 121B shall be punished with the punishment provided for the said offence.

Addition of new section 121D to the Penal Code.

8. The following section shall be inserted after section 121C of the Penal Code:—

Intentional omission to give information of offences against sections 121, 121A, 121B or 121C by a person bound to inform.

121D. Whoever, knowing or having reason to believe that any offence punishable under sections 121, 121A, 121B or 121C has been committed, intentionally omits to give any information respecting that offence which he is legally bound to give, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

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9. Section 124A of the Penal Code is hereby repealed and the following section is substituted therefor:— Repeal of section 124A of the Penal Code and substitution of new section.

124A. Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite feelings of dissatisfaction towards His Majesty or the Government established by law in the Colony, shall be punished with penal servitude for life, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with both. Sedition. Indian Penal Code s. 124A.

Explanation 1.—The expression "dissatisfaction" includes disloyalty and all feelings of enmity.

Explanation 2.—Comments expressing disapprobation of the measures of Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or dissatisfaction, do not constitute an offence under this section.

Explanation 3.—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or dissatisfaction, do not constitute an offence under this section.

10. Section 505 of the Penal Code is hereby repealed and the following section is substituted therefor:— Substitution of new section for section 505 of Penal Code.

505. Whoever makes, publishes or circulates any statement, rumour or report— Statements conducing to public mischief. Indian Penal Code s. 505.

(*a*) with intent to cause, or which is likely to cause, any officer, soldier or sailor in the army or navy of His Majesty to mutiny or otherwise disregard or fail in his duty as such; or

(*b*) with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity;

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

Exception.—It does not amount to an offence within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report has reasonable grounds for believing that such statement, rumour or report is true and makes, publishes or circulates it without any such intent as aforesaid,

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Amendment of section 12 of the Criminal Procedure Code (Ordinance X of 1910).

11. Section 12 (7) of the Criminal Procedure Code is amended by repealing the words "special or local law" and substituting therefor the words "any law for the time being in force".

Amendment of section 20 of the Criminal Procedure Code.

12. Section 20 of the Criminal Procedure Code is amended by the insertion of the numbers "121B, 121C" between the number "121A" and the number "122" and of the numbers "307, 308" between the number "304" and the number "382" in paragraph (*a*) of subsection (1).

Amendment of section 51 of the Criminal Procedure Code.

13. Section 51 of the Criminal Procedure Code is amended by inserting the words "in writing" after the word "statement" in line 1 of subsection (3).

Amendment of section 52 of the Criminal Procedure Code.

14. Section 52 of the Criminal Procedure Code is amended by adding at the end thereof the following subsections:—

(8) Any person, other than the person proclaimed, may appear before the Court which made the order of attachment and claim upon oath, stating his title thereto, the property, or any part thereof, attached or ordered to be attached; provided that such claim is made within three months from the date of the order of attachment.

(9) The Court shall record the claim so made and shall cause a copy thereof to be served upon the Deputy Public Prosecutor or the Solicitor-General in Penang, together with a notice requiring him to attend before the Court on a day and at a time to be stated therein to show cause why such property, if attached, should not be released, or why such order of attachment should not be cancelled so far as it relates to the property so claimed.

(10) At the hearing the Court shall proceed to inquire into the truth and justice of the claim so made and to take such evidence as appears necessary.

(11) Such inquiry shall be made, as nearly as may be practicable, in the manner hereinafter prescribed for conducting trials in summary cases before Police Courts.

(12) The Court shall, if satisfied of the truth and justice of the claim, direct such property to be released or such order to be cancelled, or, if satisfied, as aforesaid, as to part only of the claim, shall direct such part to be released or so much of such order as relates thereto to be cancelled.

(13) The Court may in its discretion award costs and such advocate's fees as it thinks proper to the claimant, which shall be paid out of the Treasury.

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15. Sections 105 and 170 of the Criminal Procedure Code are amended by repealing the words "special or local law" occurring therein and substituting therefor the words "other law for the time being in force". Amendment of sections 105 and 170 of the Criminal Procedure Code.

16. Section 120 of the Criminal Procedure Code is amended by repealing the word "may" occurring in the third line thereof and substituting therefor the word "shall". Amendment of section 120 of the Criminal Procedure Code.

17. Section 121 of the Criminal Procedure Code is repealed and the following section is substituted therefor:— Repeal of section 121 of the Criminal Procedure Code and substitution of a new section.

121.—(1) No statement made by any person to a police officer in course of a police investigation made under this Chapter shall be signed by the person making it, nor shall such statement save as herein provided be used as evidence.

(2) When any witness is called for the prosecution or for the defence, other than the accused, the Court shall, on the request of the accused or the prosecutor, refer to any statement made by such witness to a police officer in the course of a police investigation under this Chapter and may then, if the Court thinks it expedient in the interests of justice, direct the accused to be furnished with a copy thereof; and such statement may be used to impeach the credit of such witness in manner provided by the Evidence Ordinance 1893.

(3) Nothing in this section shall be deemed to apply to any statement falling within sections 27 and 32 (1) of the Evidence Ordinance 1893.

(4) When any person is charged with any offence in relation to the making or contents of any statement made by him to a police officer n the course of a police investigation made under this Chapter, such statement may be used as evidence in such prosecution.

18. Section 137 of the Criminal Procedure Code is amended by inserting before the word and figures "section 505" the word, figures and letter "section 108A or". Amendment of section 137 of the Criminal Procedure Code. (Ordinance X of 1910).

19. Section 149 of the Criminal Procedure Code is amended by inserting after the word "Registrar" in subsection (2) the words "or if he is in custody the officer in charge of the prison" and by adding at the end of that subsection the words "and if given to the officer in charge of the prison shall be by him forwarded to the Registrar". Amendment of section 149 of the Criminal Procedure Code.

20. Section 153 of the Criminal Procedure Code is amended by repealing the words "to attend before the Supreme Court or" in subsection (2). Amendment of section 153 of the Criminal Procedure Code.

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Amendment of section 164 of the Criminal Procedure Code.

21. Section 164 of the Criminal Procedure Code is amended by inserting the words "or add to" after the word "alter" in subsection (1).

Amendment of section 178.

22. Section 178 of the Criminal Procedure Code is amended by adding at the end thereof the following subsection:—

(12) If the accused does not appear at the time and place mentioned in the summons and it appears to the Court on oath that the summons was duly served a reasonable time before the time therein appointed for appearing and no sufficient grounds is shown for an adjournment the Court may either proceed *ex-parte* to hear and determine the complaint or may adjourn the hearing to a future day.

Amendment of section 199 of the Criminal Procedure Code.

23. Section 199 of the Criminal Procedure Code is amended by adding at the end thereof the following:—

(3) The jury may return a verdict of not guilty, either unanimously or by a majority of not less than five to two, at any time after the conclusion of the evidence for the prosecution, if they consider the case to be one in which they could not safely convict.

Amendment of section 227 of the Criminal Procedure Code.

24. Section 227 of the Criminal Procedure Code is amended by deleting the words "to be published in the *Gazette* with a notification" in line 11 and by substituting therefor the words "shall publish a notification in the *Gazette* stating that such copy has been so posted and".

Amendment of section 230 of the Criminal Procedure Code.

25. Section 230 of the Criminal Procedure Code is amended by repealing subsection (2) thereof.

Amendment of section 232 of the Criminal Procedure Code.

26. Section 232 of the Criminal Procedure Code is amended by repealing the words "shall be laid upon the table of the Legislative Council who may make such alterations as may be thought fit and subject to such alterations".

Amendment of section 261 of the Criminal Procedure Code.

27. Section 261 of the Criminal Procedure Code is amended by inserting after the word "examined" in line 1 of subsection (1) the words and figures "under section 244".

Amendment of section 273 of the Criminal Procedure Code.

28. Section 273 of the Criminal Procedure Code is amended by inserting after the word "shall" in line 2 of subsection (1) (*c*) (i) the words "not be less than three months and shall".

New section inserted after section 280.

29. The following section shall be inserted after section 280 of the Criminal Procedure Code:—

Procedure if punishment cannot be inflicted

280A.—(1) In any case in which under section 280 a sentence of whipping is wholly or partially prevented from being executed, the offender shall be kept in custody till the

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Court which passed the sentence can revise it, and the said Court may at its discretion either remit such sentence, or sentence the offender in lieu of whipping, or in lieu of so much of the sentence of whipping as was not executed, to imprisonment for any term which may extend to twelve months, which may be in addition to any other punishment to which he may have been sentenced for the same offence.

under section 280 Indian Code of Criminal Procedure section 395.

(2) Nothing in this section shall be deemed to authorize any Court to inflict imprisonment for a term exceeding that to which the accused is liable by law or which the said Court is competent to inflict.

30. Section 300 of the Criminal Procedure Code is amended by repealing the words "and then" in line 2 of subsection (1) and by adding at the end of that subsection the words "and the appellant shall be entitled to reply".

Amendment of section 300 of the Criminal Procedure Code.

31. The following sections shall be inserted after section 312 of the Criminal Procedure Code:—

Insertion of new sections after section 312 of the Criminal Procedure Code.

312A.—(1) The Supreme Court may call for and examine the record of any proceeding before any inferior Criminal Court for the purpose of satisfying itself as to the correctness legality or propriety of any finding sentence or order recorded or passed and as to the regularity of any proceedings of such inferior Court.

Power to call for records of inferior Courts.

(2) Orders made under sections 105 and 106 and proceedings under Chapter XXX are not proceedings within the meaning of this section.

312B. On examining any record under section 312A or otherwise the Supreme Court may direct the Police Magistrate to make and the Police Magistrate shall make further inquiry into any complaint which has been dismissed under section 142 or into the case of any accused person who has been discharged.

Power to order further inquiry.

312C.—(1) The Supreme Court may in any case, the record of the proceedings of which has been called for by itself or which otherwise comes to its knowledge, in its discretion exercise any of the powers conferred by sections 298, 302, 303 and 304 of this Code.

Power of Court on revision.

(2) No order under this section shall be made to the prejudice of the accused unless he has had an opportunity of being heard either personally or by advocate in his own defence.

(3) Nothing in this section shall be deemed to authorize the Supreme Court to convert a finding of acquittal into one of conviction,

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Permission for parties to appear.

312D. No party has any right to be heard either personally or by advocate before the Supreme Court when exercising its power of revision; provided that the Court may if it thinks fit when exercising such powers hear any party either personally or by advocate, and that nothing in this section shall be deemed to affect subsection (2) of section 312C.

Orders on revision.

312E. When a case is revised under this Chapter by the Supreme Court it shall certify its decision or order to the Court, by which the finding sentence or order revised was recorded or passed, and the Court to which the decision or order is so certified shall thereupon make such orders as are conformable to the decision so certified, and if necessary the record shall be amended in accordance therewith.

Amendment of section 384 of the Criminal Procedure Code.

32. Section 384 of the Criminal Procedure Code is amended by repealing the words "on the nomination of the Attorney-General" in lines 2 and 3 and the word "him" in line 3 of subsection (3) and by substituting for the repealed word "him" the words "Attorney-General".

Insertion of new sections after section 432 of the Criminal Procedure Code. Ordinance XVII of 1870.

33. The following sections shall be inserted after section 432 of the Criminal Procedure Code:—

Supreme and District Courts may order payment of expenses of prosecutors and witnesses.

432A. In every criminal case tried before, or committed for trial to, the Supreme Court, the Supreme Court may, and in every criminal case before a District Court the District Court may, in its discretion order payment out of the Treasury to the prosecutor and to the witnesses both for the prosecution and for the defence, or to such of them as it thinks fit, of the expenses incurred by them severally in and about attending the Court, which committed the case for trial, or the Supreme Court or both, or the District Court and also compensation for their trouble and loss of time subject to such rules as are prescribed.

The Governor to make rules as to rates.

432B. The Governor in Council may make rules as to the rates or scales of payments of the expenses and compensation to be ordered as aforesaid, and concerning the form of the certificates hereinafter mentioned, and the details to be inserted therein.

Certificate of Police Magistrate.

432C.—(1) The Police Magistrate who sends a case for trial to the Supreme Court shall certify to the Court under his hand in the form above-mentioned the amount of expense and compensation allowable to each prosecutor and witness, in respect of his attendance before him,

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(2) The amount of any other expenses and compensation to the prosecutors and witnesses, to whom the Supreme Court shall order payment, shall be ascertained by the Registrar of the Court.

Costs to be paid by prosecutors in certain cases.

432D. Whenever the accused is acquitted, and it appears to the Supreme Court or District Court that the prosecution was vexatious and without reasonable or probable cause, the Court may order the prosecutor to pay the amount of the said expenses and compensations to the Treasurer, and also to pay to the accused his full costs, charges and expenses, to be taxed by the Registrar or District Judge, which he incurred in and about his defence.

Reward for unusual exertions.

432E. Whenever it appears to the Supreme Court or District Court that a private person has shown unusual courage, diligence or exertion in the apprehension of a person accused of having committed, attempted or abetted an offence punishable with death, penal servitude, or rigorous imprisonment, it may order payment to him out of the Treasury of any sum not exceeding one hundred dollars.

Compensation for family of a person killed in arresting.

432F. If any person is killed in endeavouring to arrest or to keep in lawful custody a person accused as aforesaid the Governor in Council may order payment out of the Treasury to the wife, husband, parent or child of the deceased, of such sum or sums as shall appear reasonable, in compensation for the loss sustained.

Repeal.

34. The several Ordinances mentioned in the Schedule are hereby repealed to the extent specified in the third column of that Schedule.

Passed this 26th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE.

ENACTMENTS REPEALED.

Number and year of Act or Ordinance.	Short Title.	Extent of Repeal.
Ordinance No. VI of 1868 ...	The Treasonable Offences Ordinance	The whole.
Ordinance No. XVII of 1870	The Witnesses Expenses Ordinance	Do.
Ordinance No. IV of 1871 ...	The Penal Code ...	Sections 478 to 489.
Ordinance No. X of 1910 ...	The Criminal Procedure Code	That part of the First Schedule which relates to sections 482 to 489 of the Penal Code.

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STRAITS SETTLEMENTS.

No. 11 of 1917.

I assent

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

3rd April, 1917.

AN Ordinance to amend the Railway Ordinance 1905.

[*5th April*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Railway (Amendment) Ordinance 1917. Short title.

2. Section 58 of the Railway Ordinance, 1905, hereinafter called the principal Ordinance, is repealed and the following section is substituted therefor:— Repeal of section 58 of Ordinance IV of 1905 and substitution of new section therefor.

58.—(1) No person shall enter any carriage used on a railway or any steamer or other vessel used for carrying on the traffic of a railway, for the purpose of travelling therein, without having first paid his fare and obtained a ticket. Fares to be prepaid, and passenger tickets to be given up on demand.

(2) Every person desirous of travelling on the railway shall, upon payment of his fare, be furnished with a ticket specifying the class of carriage or accommodation for, and the station or place from and the station or place to which the fare has been paid, and shall, when required, show his ticket to any railway officials duly authorized to examine the same, and shall deliver up such ticket upon demand to any of the railway officials duly authorized to collect tickets.

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(3) Any person travelling without a ticket or not producing or delivering up his ticket as aforesaid shall be liable to pay the fare for the distance travelled or, where there is any doubt as to the station or place from which he started, the fare from the station or place from which the train, steamer or vessel originally started and in addition a special charge of fifty cents, twenty-five cents or ten cents according as he travelled in a carriage or enjoyed accommodation of the first, second or third class.

(4) Any such payment may be enforced in the same manner as any fine imposed under this Ordinance.

Amendment of section 59.

3. Section 59 of the principal Ordinance is amended by repealing the first three lines of the said section down to and including the word "train" and by substituting therefor the following words:—

"The fare and freight paid for the conveyance of passengers or goods by any particular train, steamer or other vessel shall be deemed to be accepted only upon condition that there is room in such train, steamer or other vessel for the passengers or goods to be conveyed".

Amendment of sections 63, 64 and 66.

4. Sections 63, 64 and 66 of the principal Ordinance are amended by inserting immediately after the word "shall" in the last line of each of the said sections the words "if a passenger".

Amendment of section 82.

5. Section 82 of the principal Ordinance is amended

(*a*) by repealing the words "negligently shall omit" in the fourth line of the said section and by substituting therefor the words "shall refuse or neglect"; and

(*b*) by repealing the words "the omission or negligent performance thereof would be" in the sixth and seventh lines of the said section and by substituting therefor the words "the refusal or neglect to perform the same or the improper performance thereof, as the case may be, is".

Passed this 26th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 12 of 1917.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

3rd April, 1917.

AN Ordinance to amend the Statute Laws Ordinance 1910.

[*5th April*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Statute Laws (Amendment) Ordinance 1917. Short title.

2. Section 7 of the Statute Laws Ordinance 1910, hereinafter called the principal Ordinance, is hereby repealed, and the following section is substituted therefor :— Repeal of section 7 and substitution of a new section. Ord. XXIII of 1910.

7.—(1) The said new and revised Edition shall be printed indexed and bound in volumes numbered consecutively in such manner as to the Commissioners with the approval of the Governor shall seem expedient, and shall be dedicated in the first of such volumes to the memory of the late THOMAS BRADDELL, formerly a Companion of the Most Distinguished Order of St. Michael and St. George and first Attorney-General of this Colony, and shall be published in volumes from time to time. Printing, etc., of new Edition in volumes and provision of copies of each volume.

(2) Each volume shall contain a statement that the same is published under the authority of the Government of the Colony.

(3) Not less than one hundred copies of each volume bound in leather and not less than two hundred copies of each volume bound in cloth shall be provided.

[*Price: 5 cents.*]

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Repeal of section 8 and substitution of a new section.

3. Section 8 of the principal Ordinance is hereby repealed, and the following section is substituted therefor:—

Authentication and record of each volume of new Edition.

8.—(1) Six of the copies of each volume bound in leather shall be dated and signed by the Commissioners and by the Governor and shall be sealed with the public seal of the Colony.

(2) One of the said six copies shall be deposited amongst the records of the Supreme Court at each of the Settlements, and the remainder thereof shall be deposited in the office of the Colonial Secretary at Singapore.

Repeal of section 9 and substitution of a new section.

4. Section 9 of the principal Ordinance is hereby repealed, and the following section is substituted therefor:—

Validity and operation of each volume.

9.—(1) On some convenient date after such deposit the Governor shall by notification in the *Gazette* declare what Ordinances are repealed by the said volume, and such Ordinances shall then stand repealed and in their place the Ordinances contained in the said volume shall be deemed to be, without any question, in all Courts of Justice and for all purposes whatsoever the law of the Colony as far as is therein contained.

(2) In the said notification the place or places at which copies of the said volume may be obtained shall be stated.

Passed this 26th day of March, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 13 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th August, 1917.

AN Ordinance to impose during the present War certain restrictions on alienation of and dealings in Rubber Lands of large area.

[*9th August*, 1917.]

WHEREAS it is expedient that during the continuance of the present War acquisition of and dealings with lands of large area cultivated with or suitable for cultivation with rubber should be temporarily restricted to certain classes of persons: Preamble.

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1.—(1) This Ordinance may be cited as the Rubber Lands (Restriction) Ordinance, 1917. Short title, and duration.

(2) This Ordinance shall remain in force so long as a state of war continues between His Majesty and any other power in Europe and shall within six months after the termination of such state of war cease to have effect on such day as the Governor by notification in the *Gazette* appoints in that behalf.

2. For the purposes of this Ordinance Interpretation.

(*a*) "Local Authority" means in the Settlement of Singapore the Colonial Secretary, in the Settlement of Penang the Resident Councillor, and in the Settlements of Malacca and Labuan the Resident thereof respectively;

(*b*) "land" means land in the Colony which is cultivated with rubber and includes land which is, in the opinion of the Local Authority of the Settlement wherein the same is situate, suitable for cultivation with rubber;

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(*c*) every Asiatic born within a State which is one of the Federated Malay States shall be deemed to be a subject of the Ruler of such State;

(*d*) in any question as to the nationality of a person the burden of proof of nationality shall be upon such person.

Matter to which Ordinance does not apply.

3.—(1) Nothing in this Ordinance applies to the acquisition by any person or corporation of land the acquisition whereof will not cause the aggregate area of land acquired after the twenty-fifth day of July, 1917 by such person or corporation, whether jointly, severally or otherwise, to exceed fifty acres.

(2) Nothing in this Ordinance applies to acquisition from the Government of land

(*a*) where the assent of the Government to the application for such land has been communicated by a duly authorized officer to the applicant; or

(*b*) where such land has been acquired at auction,

before the commencement of this Ordinance.

(3) Nothing in this Ordinance applies to any transaction between persons of the same nationality or to any devise to a person of the same nationality as the testator or to succession by virtue of consanguinity or to registration pursuant to such transaction, devise or succession.

Restriction on competence to acquire land.

4. Subject to the provisions of this Ordinance, no person or corporation shall after the twenty-fifth day of July, 1917, and so long as the same remains in force be competent to acquire from any other person or corporation or from the Government or otherwise howsoever any land or any right, joint, several or other, of ownership or occupation of or in any land, excepting only

(*a*) British subjects;

(*b*) subjects of the Ruler of any of the Malay States under British protection;

(*c*) persons and corporations authorized by a written authority granted under section 5, to the extent of the authority so granted.

Grant of authority to acquire land.

5.—(1) The Local Authority may grant with the approval of the Governor to any person or to any corporation which is incorporated in the United Kingdom or in any of His Majesty's Dominions or in any of the Malay States under British protection a written authority under his hand to acquire land in his Settlement. Such authority shall be limited to the acquisition of particular lands to be specified therein or of lands of or not exceeding a specified area and shall be subject to such conditions, if any, as shall be expressed therein; but such authority shall not be granted to any person unless such person appears to the Local

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Authority to have resided in the Colony or the Malay Peninsula for a term of not less than seven years and to intend to continue to reside therein.

(2) No authority granted under this section shall be transferable.

Agreement, deed, and registration of deed, executed in contravention of Ordinance to be null and void.

6.—(1) Any agreement or declaration of trust, whether accompanied by possession or not, whereby any person or corporation, who or which is not competent within the meaning of this Ordinance to acquire land, acquires or shall acquire at some future date any land or any right as aforesaid in any land shall be null and void and of no effect.

(2) Any deed executed in contravention of the provisions of this Ordinance and the registration of any such deed shall be null and void and of no effect.

Certain powers of attorney not to be irrevocable. Ord. No. VI of 1886.

7. Notwithstanding anything contained in Part XI of the Conveyancing and Law of Property Ordinance, 1886 and except in the case of powers of attorney valid within the Colony immediately prior to the commencement of this Ordinance, no power of attorney whereof the donee or any donee is a person or corporation who or which is not competent within the meaning of this Ordinance to acquire land shall, in so far as it relates to any right or interest in land, be irrevocable.

Passed this 8th day of August, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 14 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

29th August, 1917.

AN Ordinance to amend the Straits Settlements Ports Ordinance 1912.

[*31st August*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Straits Settlements Ports (Amendment) Ordinance 1917, and shall be read and construed as one with the Straits Settlements Ports Ordinance 1912, hereinafter called the principal Ordinance. Short title. Ordinance V of 1912.

2.—(1) The capital debt due by the Singapore Harbour Board to His Majesty on the first day of July, 1913, which was the date on which the principal Ordinance came into force in the Settlement of Singapore, is the sum of forty-three million five hundred and seventy-six thousand nine hundred and seventy-nine dollars and eighty-nine cents. Capital debt due by Singapore Harbour Board. $43,576,979.89.

(2) The capital debt due by the Penang Harbour Board to His Majesty on the first day of July, 1913, which was the date on which the principal Ordinance came into force in the Settlement of Penang, is the sum of three million thirty-six thousand seven hundred and sixty-six dollars and nine cents. Capital debt due by Penang Harbour Board. $3,036,766.09.

3. On the amount mentioned in section 2 interest at the rate of four per centum shall be payable by the respective Boards half-yearly on the fifteenth day of May and the fifteenth day of November in each year. Interest payable by Boards.

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Gratuity to dependents of deceased officers.

4. Until regulations have been made by the Governor in Council under section 22 (1) of the principal Ordinance for the establishment of a Joint Provident Fund, the Board may, with the approval of the Governor, in consideration of long and special services rendered by any deceased officer or servant of the Board pay to the surviving relatives or dependents of such officer or servant a gratuity or compassionate allowance on such terms and conditions as the Board determines.

Amendment of section 3 of principal Ordinance.

5. Section 3 of the principal Ordinance is amended

(*a*) by repealing the words "every person" in the definition of the word "master" and substituting therefor the words "gunner, helmsman, engine driver and every other person";

(*b*) by adding at the end thereof the following:—

"'Vessel' includes any ship or boat or any other description of vessel used in navigation".

Amendment of section 26.

6. Section 26 of the principal Ordinance is amended by repealing the words "the Governor" occurring in line 4 and by inserting after the words "hundred dollars" in line 6 the words "the Governor".

Amendment of section 29.

7. Section 29 of the principal Ordinance is amended by repealing the words "in the Settlement" occurring in line 3 and substituting therefor the words "whether within or without the Settlement".

Amendment of section 38 (1).

8. Subsection (1) of section 38 of the principal Ordinance is amended

(*a*) by repealing the words "from the date of any advance heretofore made to the Tanjong Pagar Dock Board or" occurring in lines 1, 2 and 3;

(*b*) by inserting after the word "moneys" in line 4 the words "lent to the Tanjong Pagar Dock Board or"; and

(*c*) by repealing the words "of such advance" in lines 8 and 9 and substituting therefor the words "so lent".

New section 39A.

9. The following section shall be inserted after section 39 of the principal Ordinance:—

Exemption of interest on debts and

39A. The interest paid under sections 35 and 36 of the principal Ordinance and the interest payable under section 36

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of the principal Ordinance and under section 3 of this Ordinance shall not be deemed to be part of the Colonial Revenues for the purposes of the Defence Contribution Ordinance 1899. loans due to Crown from Military Contribution.

10. Subsection (4) of section 50 of the principal Ordinance is amended by repealing the word "receipts" occurring therein and substituting therefor the word "income". Amendment of section 50.

11. Subsection (5) of section 58 of the principal Ordinance is amended by repealing the word "receipts" occurring in line 4 and substituting therefor the word "income". Amendment of section 58.

12. The following section shall be inserted after section 77 of the principal Ordinance:— New section 77A.

77A. The Board shall furnish every person who applies for the same with a copy of the by-laws on payment of twenty-five cents.

13. Section 78 of the principal Ordinance is amended by repealing the words "hung up" and substituting therefor the word "exhibited". Amendment of section 78.

14. Section 95 of the principal Ordinance is amended Amendment of section 95.

(*a*) by repealing the words "through the misconduct negligence or default of the master of any vessel or any other person on board any vessel" occurring in subsection (1) and substituting therefor the words "by any vessel or by any of the persons belonging to or employed about any vessel";

(*b*) by inserting after the words "such vessel" in line 5 of subsection (2) the words "or security shall have been given for the payment of the entire amount of such damage";

(*c*) by repealing the words "which deposit the Board shall receive and retain until the entire amount of such damage shall have been ascertained by the Board and paid to it by the master or owner of the vessel" occurring in subsection (2); and

(*d*) by inserting after subsection (2) the following subsection:—

"(2A) If a deposit has been made the Board shall receive and retain it until the entire amount of such damage shall have been ascertained by the Board and paid to it by the master or owner of such vessel."

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Repeal of last paragraph of subschedule to Part II of Second Schedule and substitution of new paragraph.

15. The last paragraph of the subschedule to Part II of the Second Schedule of the principal Ordinance relating to the description of the land therein numbered 3 is hereby repealed and the following paragraph is substituted therefor:—

Serial number.	Mukim or Town subdivision number.	Lot Number.	Area.	Boundaries.	Nature of title.
3	Mukim No. 13 N. D.	500	15085 sq. ft.	North by sea; South by Lot Nos. 1, 2 and 3, Mukim No. 14 N. D., Main Road, Lot No. 306XIII, Mukim No. 15 N. D. and sea; East by sea, Lot Nos. 1, 2 and 3 Mukim No. 14 N.D., Main Road and Lot No. 306XIII Mukim No. 15 N. D.; West by sea.	Crown land.

Repeal.

16. Sections 34 and 35 and the Third Schedule of the principal Ordinance are repealed.

Passed this 27th day of August, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 15 of 1917.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.
29th August, 1917.

AN Ordinance to amend the Admiralty Transports (Maintenance of Discipline) Ordinance 1916.

[*31st August*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Admiralty Transports (Maintenance of Discipline) Amendment Ordinance 1917. Short title.

2. Section 2 of the Admiralty Transports (Maintenance of Discipline) Ordinance 1916 is hereby amended Amendment of section 2 of principal Ordinance No. 26 of 1916.

(*a*) by repealing the first four lines of subsection (1) thereof and substituting therefor the words "If whilst within the jurisdiction any person lawfully engaged to serve on board any ship belonging to or chartered or requisitioned by the Admiralty";

(*b*) by inserting after the words "in his ship" in line 2 of paragraph (*a*) of subsection (1) thereof the words "or deserts";

(*c*) by inserting after subsection (4) thereof the following subsection:—

(5) For the purposes of this section a copy of any entry made in an official log-book in manner provided by the Merchant Shipping Act 1894 shall, if it purports to be signed and certified as a true copy or extract by the officer in whose custody the original log-book is entrusted, be admissible in evidence.

Passed this 27th day of August, 1917.

F. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 16 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

29th August, 1917.

AN Ordinance for making Final Provision for the Public Service for the year 1916.

[*31st August*, 1917.]

WHEREAS by the Supply Ordinance No. XXIII of 1915 a sum not exceeding seven million eight hundred and sixty-two thousand three hundred and twenty-eight dollars was charged upon the revenues and other funds of this Colony for the service of the year 1916 in addition to the sums to which such revenues and other funds were liable under the provisions of the Widows' and Orphans' Pension Ordinance and the Defence Contribution Ordinance to be appropriated for each service as detailed in that Ordinance: Preamble.

AND WHEREAS the expenditure in respect of certain of such services during the year 1916 exceeded the amount so charged upon the revenue of this Colony by two million and forty-one thousand eight hundred and six dollars and twenty-nine cents in the proportions as hereinafter specified:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Final Supply Ordinance, 1917. Short title.

2. The further sum of two million and forty-one thousand eight hundred and six dollars and twenty-nine cents shall be charged upon the revenues and other funds of this Colony for certain Public Services for the year 1916 to be appropriated in the proportions detailed in the schedule hereto annexed. Supply. $2,041,806.29.

[*Price: 5 cents.*]

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SCHEDULE.

		$	c.
2.	Pensions, Retired Allowances, Gratuities, etc. ...	3,809	67
3.	Charitable Allowances	192	00
5.	Colonial Secretary, Resident Councillor and Residents	21,968	67
6.	Government Printing Office	534	88
7.	Land and District Offices	5,879	37
8.	Forests	666	12
9.	Chinese and Indian Immigrants' Protection ...	141	00
10.	Treasury	42	56
12.	Marine	2,437	32
13.	Legal	1,194	49
14.	Police	4,481	69
15.	Prisons	160	28
16.	Medical	80	53
18.	Veterinary	400	85
20.	Ecclesiastical	4,242	86
22.	Military Expenditure	455,481	84
23.	Miscellaneous Services	40,229	69
24.	Post Office	13,314	02
26.	Botanical Gardens and Museum	887	13
27.	Public Works and Survey Department ...	11,389	86
28.	Public Works, Recurrent Expenditure ...	7,019	07
29.	Public Works, Extraordinary	19,228	92
	War Expenditure	1,046,226	35
	Contribution to Imperial War Funds ...	857,142	86
	Total ...	$2,497,152	03

Deduct sums paid in accordance with Law:—

		$	c.		
Head 2 (Pensions, etc.) ...		95	17		
,, 22 (Defence Contribution) ...		455,250	57		
				455,345	74
	Balance ...			$2,041,806	29

Passed this 27th day of August, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 17 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

29th August, 1917.

AN Ordinance to provide for the Supervision of Aliens engaged in Missionary or Educational Work in the Colony.

[*31st August*, 1917.]

WHEREAS it is expedient to provide that supervision should be exercised within the Colony over persons other than British subjects engaged in missionary or educational work in the Colony: Preamble.

It is hereby enacted by the Governor of the Straits Settlements, by and with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Supervision of Alien Missionaries Ordinance, 1917. Short title.

2. For the purposes of this Ordinance the expression "alien" shall mean any person other than a British subject. Interpretation.

3. No alien desiring or intending to engage in missionary or educational work in the Colony shall land or disembark at any port thereof— No Alien to disembark without permit.

(*a*) unless he has in his possession a permit in writing enabling him to enter on such work in the Colony granted to him within the previous six months by His Majesty's representative in the country from which he proceeds; and

(*b*) until he has satisfied the Master Attendant or Harbour Master or their deputies at the port of landing that he is the person referred to in the permit and has obtained the permission of any such officer to his landing.

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Penalty for breach of section 3.

4. Any such alien as is referred to in section 3 of this Ordinance landing in contravention of that section shall be liable to be dealt with and detained in such manner as the Master Attendant or Harbour Master or their deputies or any police officer not below the rank of an Inspector may direct, and whilst so detained shall be deemed to be in legal custody.

Deportation of aliens.

5.—(1) The Governor may order the deportation of any alien who—

(*a*) has landed in contravention of section 3 of this Ordinance; or

(*b*) may be engaged in missionary or educational work, and whose presence in the Colony the Governor in Council may consider undesirable in the public interest of the Colony.

(2) Where an alien is ordered to be deported under this section, he may, until he can be conveniently conveyed to and placed on board a ship about to leave the Colony, and whilst being conveyed to the ship, and whilst on board the ship, and until the ship finally leaves the Colony, be detained in such manner as the Governor directs, and whilst so detained shall be deemed to be in legal custody.

Persons aiding and abetting aliens.

6. Any person aiding and abetting any alien to land or disembark in the Colony in contravention of section 3 of this Ordinance shall be liable on conviction before a Police Court to imprisonment of either description for a term which may extend to one year, or to a fine not exceeding one thousand dollars or to both.

Detention.

7. The Master Attendant or Harbour Master or their deputies, or any person authorized by any such officer, or any police officer not below the rank of an Inspector, may arrest any alien acting contrary to the provisions of this Ordinance, or attempting so to do, or any person aiding and abetting such alien to act contrary to the provisions hereof, without a warrant, and may detain any person so arrested, and whilst so detained such person shall be deemed to be in legal custody.

Aliens carrying on missionary or educational work to make returns.

8. From and after the passing of this Ordinance—

(*a*) All aliens who are engaged in missionary or educational work within the Colony at the date of the passing of this Ordinance shall within two months from such date furnish to the Colonial Secretary a return in the form in the schedule to this Ordinance, or in such other form as the Colonial Secretary may require.

(*b*) No alien, excepting those holding the permit mentioned in section 3 (*a*) of this Ordinance, shall engage in or enter upon missionary or educational

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work unless he shall have furnished to the Colonial Secretary a return in the form in the schedule to this Ordinance, or in such other form as the Colonial Secretary may require, and have obtained permission from him to enter upon such work.

9. If any question arises under this Ordinance whether any person is an alien or not, the onus of proving that that person is not an alien shall be upon that person. Onus of proof.

10. The Governor in Council may make regulations for defining the classes of persons liable to make returns or obtain permission, and generally for carrying into effect the provisions of this Ordinance, and may prescribe by regulations so made any punishment on conviction before a Police Court not exceeding one year's imprisonment of either description, or a fine not exceeding one thousand dollars, or both, for breach of any regulation so made. Power to make rules.

Passed this 27th day of August, 1917.

E. C. H. WOLFF,
Clerk of Councils.

SCHEDULE.

Form of Return.

1. Name in full (*designation to be stated*, Reverend, Mr., Mrs., or Miss, etc.): .....

2. Parentage, that is— .....
   (*a*) Father's name in full: .....
   (*b*) Mother's (maiden) name in full: .....

3. Present address: .....
4. Date of birth: .....
5. Place and country of birth: .....
6. Nationality: .....
7. Whether holder of a passport from his (her) Government: .....
8. If male, whether applicant has served in the armed forces of his country, and if so, how long: .....

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9. Whether previously in the British Empire, and if so, places of residence, with dates: .....

10. Name of mission or educational body to which applicant is attached: .....

11. Place, town, or district in which he (she) is working: .....

12. Name and address of person or persons, not more than three, who will furnish information as to applicant, if applied to: (i) ..... (ii) ..... (iii) .....

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STRAITS SETTLEMENTS.

No. 18 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th September, 1917.

AN Ordinance to amend the Currency Note Ordinance, 1899.

[*7th September*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance shall be construed as one with the Currency Note Ordinance, 1899, and may be cited as the Currency Note (Amendment) Ordinance, 1917. Short title. Ordinance No. IV of 1899.

2. The Governor may by Proclamation published in the *Gazette* defer for a period to be stated in such Proclamation payment by the Commissioners in current coin of the amount expressed in any currency note issued by them, which may be presented for payment by the holder thereof. Postponement of payment in current coin of currency notes.

Passed this 7th day of September, 1917.

E. C. H. WOLFF,
Clerk of Councils.

[*Price*: 5 *cents.*]

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STRAITS SETTLEMENTS.

No. 19 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

12th September, 1917.

AN Ordinance to restrict, in connection with the present war, the increase of the rent of small dwelling-houses.

[*14th September*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title and application.

1. This Ordinance may be cited as the Increase of Rent (War Restriction) Ordinance, 1917, and shall apply

(*a*) to every house, let as a dwelling-house, which was assessed under the Municipal Ordinance, 1913, at an annual value of not more than seven hundred and twenty dollars for the year 1916 or any subsequent year; and

(*b*) to every house or part of a house let or sublet in separate apartments as separate dwellings or partly as separate dwellings and partly as a shop or shops, where the rent of any separate apartment is at a rate of not more than sixty dollars a month,

and every such house or part of a house shall be deemed to be a dwelling-house to which this Ordinance applies.

Interpretation.

2. In this Ordinance—

"Municipality" and "Rural Area" mean respectively areas administered under the Municipal Ordinance, 1913, by Municipal Commissioners or a Rural Board;

"The Board" means the Rent Assessment Board established under this Ordinance for the Municipality or Rural Area in which any dwelling-house in question is situate.

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Establishment of a Rent Assessment Board.

3. A Rent Assessment Board shall be established for each Municipality and Rural Area within the Colony consisting of such persons as may be appointed by the Governor by notification in the *Gazette*.

Rent cannot be increased after the 1st August, 1917, without order of Board.

4.—(1) From and after the first day of August, 1917, it shall be unlawful for any landlord or sub-landlord to

(*a*) receive or recover the increased rent of any dwelling-house or part of a dwelling-house to which this Ordinance applies, where the rent has been increased between the first day of January, 1916, and the first day of August, 1917; or

(*b*) to increase the rent of any dwelling-house or part of a dwelling-house to which this Ordinance applies,

without an order of the Board.

(2) When an application is made to the Board under this section, the Board may refuse to make an order or may make an order authorizing the receipt or recovery of the whole or any part of the increased rent or an order fixing the amount by which the rent may be increased.

(3) Where an order has been made by the Board fixing the rent of any dwelling-house or part of a dwelling-house, the order shall be binding on all present and subsequent landlords or sub-landlords, tenants or sub-tenants and mortgagees.

(4) The Board shall have full powers of rehearing, reconsideration and revision in any case, in which it thinks fit to exercise such powers, and at any time.

Ejectment prohibited without permission of Board.

5. From and after the first day of August, 1917, no landlord or sub-landlord shall without the permission of the Board in writing eject or apply to any Court of Justice for an order for the ejectment of his tenant or sub-tenant from any dwelling-house or part of a dwelling-house to which this Ordinance applies.

No premium to be chargeable in respect of a tenancy.

6. From and after the first day of August, 1917, it shall be unlawful for anyone, in consideration of the grant, renewal or continuance of a tenancy of any dwelling-house to which this Ordinance applies, to require the payment of any fine, premium or other like sum in addition to the rent; and where any such payment is made in respect of any such dwelling-house after the first day of August, 1917, then the amount shall be recoverable by the tenant by whom it was made from the landlord, and may without prejudice to any other method of recovery be deducted from any rent payable by him to the landlord.

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7.—(1) The Board before making any order shall give all interested parties an opportunity of being heard and of producing such evidence, oral or documentary, as seems relevant to the Board. Proceedings before Board.

(2) The Board may examine any witness on oath, if it thinks fit, and may summon any person to appear before it, and may require any interested party to produce any document, which it considers relevant, including any document of title.

(3) All notices or summonses issued under the hand of the President of the Board shall be deemed to be issued by the Board.

(4) The opinion of the majority of the Board present shall be decisive upon any matter and in case of an equality the President, or Chairman in his absence, shall give a casting opinion.

(5) Two members of the Board shall form a quorum.

(6) In the absence of the President of the Board the members present shall elect a Chairman.

(7) The proceedings of the Board shall be open to the public, and minutes of the same, including a summary of any oral evidence given before the Board, shall be kept by the President or Chairman, as the case may be.

(8) Any interested party may be represented before the Board by an advocate and solicitor of the Supreme Court.

(9) The proceedings of the Board shall be deemed to be judicial proceedings and the members of the Board to be public servants within the meaning of the Penal Code.

8.—(1) No appeal shall lie from any order of the Board, which shall be final and conclusive. Order of the Board final and conclusive.

(2) All orders of the Board shall be published, as soon as conveniently may be, in the *Gazette* and may be proved by the production of the *Gazette*, but in no case shall it be necessary for any order of the Board to be registered under the Registration of Deeds Ordinance.

9. All Courts of Justice, Civil and Criminal, shall, so far as is necessary, conform to this Ordinance in all proceedings, actions, suits or cases between landlords or sub-landlords and tenants or sub-tenants or in which the rights, remedies, duties or title of the same are in question. All courts must conform to this Ordinance.

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Application of the Public Authorities Protection Ordinance, 1912.
Ord. No. XI of 1912.

10. The Public Authorities Protection Ordinance, 1912, shall be deemed to apply to the Board and each member thereof.

Duration.

11. This Ordinance shall have effect during the continuance of the present war and for a period of twelve months thereafter.

Passed this 7th day of September, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 20 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

27th September, 1917.

AN Ordinance to amend the Estate Labourers (Protection of Health) Ordinance, 1911.

[*28th September*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Estate Labourers (Protection of Health) Amendment Ordinance, 1917. Short title.

2. Section 19 of the Estate Labourers (Protection of Health) Ordinance, 1911 is amended by repealing the proviso at the end thereof. Amendment of section 19 of principal Ordinance. Ordinance VII of 1911.

Passed this 24th day of September, 1917.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 21 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

27th September, 1917.

AN Ordinance to provide for the Licensing and Control of Dealers in Second-hand Goods.

[*28th September*, 1917.]

WHEREAS it is expedient to provide for the licensing and control of dealers in second-hand goods:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title.

1. This Ordinance may be cited as the Second-hand Dealers Ordinance, 1917, and shall come into operation within such area or areas and at such date or dates respectively as are fixed by the Governor in Council.

Definitions and presumptions.

2.—(1) In this Ordinance:—

"Goods" in the expression "second-hand goods" shall not include any of the goods specified for the time being in schedule *A* to this Ordinance;

"Person" shall include a firm or a person carrying on business in a firm's name;

"Licensed dealer" means a dealer in second-hand goods only or in such goods together with goods which are not second-hand licensed under this Ordinance;

"Shop" includes a house, place of business or other premises;

"Stolen property" means property the possession whereof has been transferred by theft, or by extortion, or by robbery, and property which has been criminally misappropriated or in respect of which criminal breach of trust or cheating has been committed,

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whether the transfer has been made or the misappropriation or breach of trust or cheating has been committed within or without the Colony. But if such property subsequently comes into the possession of a person legally entitled to the possession thereof, it then ceases to be stolen property.

(2) Every person in whose shop second-hand goods are found apparently exposed for sale or who is found in possession of second-hand goods to an unusual quantity shall be deemed, until the contrary is proved, to be a dealer in second-hand goods, and no person shall be deemed to deal in second-hand goods unless he carries on business in a shop.

Licensing Officers.

3. The officers specified in the second column of the schedule *B* shall be licensing officers under this Ordinance within the respective areas specified in the first column of the said schedule.

Exemption from provisions of Ordinance.

4.—(1) A Licensing Officer may at his discretion and on payment of the prescribed fee by writing exempt any person carrying on business within the area for which he is the Licensing Officer from the provisions of this Ordinance.

(2) Such exemption may be cancelled at any time by the Licensing Officer.

Second-hand dealers to be licensed.

5.—(1) No person unless exempted from the provisions of this Ordinance shall deal in second-hand goods except in accordance with the conditions of a licence issued under this Ordinance and in the place specified in such licence.

Licence to be posted.

(2) Each licensed dealer shall keep his licence posted in a conspicuous place in his shop.

Sign-boards.

(3) Each licensed dealer shall always keep exhibited at or over the outer door of his shop a sign-board of such size and in such position as the Licensing Officer may direct and such sign-board shall have printed thereon in the English Malay Chinese and Tamil languages the words "Licensed dealer in second-hand goods."

Hours of business.

6. No licensed dealer shall purchase or sell any goods before 7 A.M. or after 9 P.M.

Penalty.

7. Any person who contravenes any of the provisions of section 5 or section 6 shall be liable to a fine not exceeding one hundred dollars for the first offence and to a fine not exceeding five hundred dollars or to imprisonment of either description for a term which may extend to six months for the second or any subsequent offence.

Issue of licence.

8. A licence issued under this Ordinance

(*a*) shall be issued by the Licensing Officer of the area wherein the person licensed carries on business on payment of the prescribed fee and be in such form and subject to such conditions as are prescribed;

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(*b*) shall expire on the thirty-first day of December of the year in which it is issued;

(*c*) shall in every case be liable to cancellation by the Licensing Officer with the approval of the Governor;

(*d*) shall not be transferable without the consent of the Licensing Officer and on payment of the prescribed fee.

Keeping proper books of account.

9.—(1) Every licensed dealer shall keep in his shop—

(*a*) a book legibly written in which he shall enter the particulars of all goods bought by him, with the date of purchase, the price paid for them, and the name and address of the person from whom he bought them and such other particulars as are prescribed;

(*b*) a book legibly written in which he shall enter the particulars of all goods sold by him, with the date of sale, the price received for them and such other particulars as are prescribed.

(2) Such books shall be produced for examination at any time between 7 A.M. and 9 P.M. on demand by any Police Magistrate or Justice of the Peace or by any Licensing Officer or by any Police Officer not below the rank of Inspector or by any Police Officer specially authorized in writing by the Licensing Officer to act under this Ordinance.

(3) Any licensed dealer who fails to comply with any requirement of this section shall be liable to a fine not exceeding fifty dollars for the first offence and to a fine not exceeding two hundred and fifty dollars or to imprisonment of either description for a term which may extend to three months for the second or any subsequent offence.

Information to be given by Police to licensed dealers of stolen and lost property.

10.—(1) Information as to any stolen property or as to any property which has been lost shall be given by the Police as soon as possible after the theft or loss to all licensed dealers with lists and descriptions of the same.

(2) If any property answering such lists and descriptions shall be in the possession of any licensed dealer or shall thereafter be offered to or shown to any licensed dealer he shall without unnecessary delay give information to that effect at the nearest Police Station or to any Police Officer with the name and address of the person in whose possession the property was seen and in default thereof he shall be liable on conviction to a fine not exceeding one hundred dollars.

(3) The licensed dealer in such case shall also have power to detain the person offering or showing such property until the arrival of the Police.

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Superior Police Officers may enter and search licensed dealers' shops, etc.

11. Any Police Officer not below the rank of Inspector and any Police Officer specially authorized in writing by the Licensing Officer to act under this Ordinance may enter any licensed dealer's shop at any time during business hours and may search without warrant the shop of such licensed dealer for any property that he may have reason to suspect to be therein and to be stolen property or to have been lost.

Police Officers may arrest persons loitering about licensed dealers' shops under suspicious circumstances.

12. Any Police Officer having reason to believe that a person in or loitering about a licensed dealer's shop under suspicious circumstances has with him any stolen property may detain such person and require him to produce any property he may have with him; and if any property is produced which the Police Officer has reason to suspect to be stolen property he may take or cause to be taken the person and the property to the nearest Police Station there to be dealt with according to law and if any person so required to produce such property refuses to be searched the Police Officer may take him or cause him to be taken before a Justice of the Peace who if he shall see fit may search or order to be searched such person and if any such property is found may detain him with the property so found to be dealt with according to law.

Delivery to owner of property.

13.—(1) If any person is convicted in any Court of an offence under Chapter XVII of the Penal Code in respect of any property, and it appears to the Court that the same has been sold to a licensed dealer, the Court on proof of the ownership of the property may, if it thinks fit, order the delivery thereof to the owner either on payment to the licensed dealer of the amount of the purchase price or any part thereof or without payment thereof or of any part thereof as to the Court according to the conduct of the owner and the other circumstances of the case may seem just and fitting.

Liability of dealer for purchasing stolen goods without due care.

(2) The Court may also adjourn the proceedings for the attendance of the licensed dealer and may summon the licensed dealer to attend at the adjourned hearing and if after hearing the licensed dealer the Court is of opinion that the licensed dealer has not exercised due care in purchasing any stolen property it may order the licensed dealer to pay a fine not exceeding one hundred dollars.

Liability of dealer and servant for acts of servant.

14. Whenever any licensed dealer shall be liable under the provisions of this Ordinance to any fine or imprisonment or to the cancellation of his licence for any act, omission, or default, he shall be liable to the same fine, punishment or cancellation for any act, omission, neglect or default of any agent or servant employed by him in the course of the business as such licensed dealer; and every agent or servant employed by a licensed dealer in the course of his business as such licensed dealer shall also be liable to every fine or punishment prescribed for such acts, omissions, neglects, or defaults as if such agent or servant had been the person to whom such licence had been granted.

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15. The Governor in Council may from time to time make Rules for any of the following purposes:— Power to make rules.

(i) to prescribe the fees for licences and exemption and transfers of licences under this Ordinance;

(ii) to prescribe the form of the licences under this Ordinance and the conditions to be endorsed thereon;

(iii) to prescribe the forms of exemptions under this Ordinance;

(iv) to prescribe the books to be kept by licensed dealers and the particulars to be entered therein;

(v) generally to carry out the purpose of this Ordinance.

16. The Governor in Council may from time to time by notification in the *Gazette* vary Schedule *A*. Power to vary Schedule *A*.

Passed this 24th day of September, 1917.

E. C. H. WOLFF,
Clerk of Councils.

SCHEDULE *A*.

Furniture;
Gunny bags, sail cloth, canvas;
Bottles;
Old iron and metals other than brass, copper, lead, zinc and block tin;
Kerosine tins, oil drums, and other similar empty receptacles;
Wooden and tin lined boxes and cases.

SCHEDULE *B*.

Area within which Licensing Officer is empowered to act.	Name of Licensing Officer.	
Island of Singapore and adjacent Islands	Chief Police Officer,	Singapore.
Island of Penang and adjacent Islands	Chief Police Officer,	Penang.
Province Wellesley and adjacent Islands	Assistant Superintendent of Police,	Province Wellesley.
Dindings	District Officer,	Dindings.
Settlement of Malacca	Chief Police Officer,	Malacca.
Island of Labuan	District Officer,	Labuan.
Christmas Island	District Officer,	Christmas Island.

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STRAITS SETTLEMENTS.

No. 22 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

27th September, 1917.

AN Ordinance to amend the Theatres Ordinance, 1908.

[*28th September*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Theatres (Amendment) Ordinance, 1917, and shall be read and construed as one with "The Theatres Ordinance, 1908," hereinafter called the principal Ordinance.

Short title. Ordinance No. XVII of 1908 and Ordinance No. II of 1912.

2. Subsections (2) and (3) of section 3 of the principal Ordinance are repealed and the following subsections are substituted therefor:—

Repeal of subsections (2) and (3) of section 3 of principal Ordinance and substitution of new subsections.

(2) No person shall advertise, present, or carry on any cinematograph display of a public nature unless the film has been signed by an officer to be appointed by the Governor under the style of the Official Censor of Cinematographs, and has been passed by him for exhibition in the Colony.

(3) Any person who shall advertise, or present, or cause to be advertised or presented any scene in a cinematograph display of a public nature in the Colony which has not been passed for exhibition by the Official Censor of Cinematographs shall for every such offence be liable on conviction before a police court to a fine not exceeding five hundred dollars.

3. Section 8 of the principal Ordinance is amended by inserting at the commencement thereof the numeral "1" in

Amendment of section 8 of principal Ordinance.

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brackets and by adding at the end thereof the following subsections to be numbered (2), (3), (4) and (5), respectively:—

(2) Any person aggrieved by any act or refusal of the Official Censor of Cinematographs may appeal to a Committee of Appeal to be established in the Settlement of Singapore.

(3) Such Committee of Appeal shall consist of a Chairman and Vice-Chairman appointed by the Governor and of five other members two of whom shall be appointed by the Governor and three be elected by the Justices of the Peace of the Settlement from among their number.

(4) At any sitting of the Committee of Appeal, three shall form a quorum, and the decision of the Committee shall be final.

(5) If the appeal is allowed, the film shall be signed by the Chairman of the Committee of Appeal, and may be advertised and presented as if it had been signed and passed for exhibition by the Official Censor of Cinematographs.

Amendment of section 10 of principal Ordinance.

4. Section 10 of the principal Ordinance is amended by inserting after the word "licenses" in line one of paragraph (*a*) the words "or censorship", and by adding after the word "licence" in paragraph (*b*) the words "and of the books to be kept".

Passed this 24th day of September, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 23 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

2nd October, 1917.

AN Ordinance to amend the Currency Note Ordinance, 1899.

[*3rd October*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Currency Note (Further Amendment) Ordinance, 1917. Short title.

2. Section 5 of the Currency Note Ordinance, 1899, is amended by inserting after the word "namely" in line 2 of subsection (1) the words "five cents, ten cents, twenty-five cents, fifty cents". Amendment of section 5 of Ordinance IV of 1899.

3. Section 6 of the Currency Note Ordinance, 1899, is amended by adding at the end thereof the words "but no currency notes of the denomination of five cents, ten cents or twenty-five cents shall be a legal tender for a greater sum than two dollars". Amendment of section 6 of principal Ordinance.

Passed this 1st day of October, 1917.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 24 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th October, 1917.

AN Ordinance to amend the Libel Ordinance 1915.

[*5th October*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Libel (Amendment) Ordinance 1917. Short title.

2. The following section shall be inserted after section 3 of the Libel Ordinance 1915:— New section 3A. Ordinance VII of 1915.

3A. A fair and accurate report published in any newspaper of the proceedings (except where neither the public nor any newspaper reporter is admitted) of any meeting of the Legislative Council shall be privileged unless it shall be proved that such report or publication was published or made maliciously. Reports of proceedings of Legislative Council.

3. Section 4 of the Libel Ordinance 1915 is amended by repealing the words "the Legislative Council" occurring in line 4 of subsection 1 and by adding at the end of that subsection the words "provided that the publication of any matter not of public concern and the publication of which is not for the public benefit shall not be protected". Amendment of section 4.

Passed this 1st day of October, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 25 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.
5th October, 1917.

AN Ordinance to provide for the regulation of Fire Insurance Companies.

[*12th October*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements by and with the advice and consent of the Legislative Council thereof as follows:—

Preliminary.

1. This Ordinance may be cited as the Fire Insurance Companies Ordinance 1917. Short title.

2. In this Ordinance unless there is something repugnant in the context— Interpretation.

"Fire Insurance business" means the issue of, or he undertaking of liability under, policies of insurance against loss by or incidental to fire.

"Chairman" means the person for the time being presiding over the Board of Directors or other governing body of a fire insurance company, and includes any managing partner of a firm.

"Director" includes any person acting in the position of director, by whatever name called, and includes a partner of a firm.

"Financial year" means each period of twelve months at the end of which the balance of the accounts of the fire insurance company is struck, or, if no such balance is struck, then the calendar year.

"Registrar" means the "Registrar of Companies."

"Policy-holder" means the person who for the time being is the legal holder of the policy for securing the contract with the fire insurance company.

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Companies to which Ordinance applies.

Companies to which Ordinance applies.

3.—(1) Save as hereinafter expressly provided, this Ordinance shall apply to all persons or bodies of persons whether corporate or unincorporate, which persons or bodies of persons are hereinafter referred to as fire insurance companies, whether established before or after the commencement of this Ordinance and whether established within or without the Colony, who carry on fire insurance business within the Colony.

(2) No company which does not keep its accounts in the English language shall, without the permission of the Governor in Council, carry on business in the Colony.

(3) A company registered or existing under the Companies Ordinance 1915, which carries on fire insurance business in any part of the world, shall for the purposes of this section be deemed to be a company carrying on such business within the Colony.

Deposits.

Deposit.

4.—(1) Every fire insurance company shall deposit and keep deposited with the Accountant-General or with an agent appointed by him securities to be approved by the Governor in Council to the value of one hundred thousand dollars Straits currency and the Accountant-General shall hold all such securities in trust for the policy-holders.

(2) The interest accruing due on the securities so deposited shall be paid to the company.

(3) The deposit may be made by the subscribers of the memorandum of association of a company or any of them in the name of a proposed company, and upon the incorporation of the company shall be deemed to have been made by, and to be part of the assets of, the company, and the Registrar shall not issue a certificate of incorporation of the company under the Companies' Ordinance 1915 until the deposit has been made.

(4) In the case of a company which is carrying on fire insurance business within the Colony at the commencement of this Ordinance, it shall be sufficient if the deposit is made by the thirty-first day of December, 1917.

Accounts and Documents.

Accounts and Balance-sheets.

5.—(1) Every fire insurance company shall at the expiration of each financial year prepare—

(*a*) a revenue account for the year in the form set out in Schedule *A*;

(*b*) a profit and loss account in the form set out in Schedule *B*;

(*c*) a balance-sheet in the form set out in Schedule *C*.

(2) Every such account or balance-sheet shall, unless the Governor in Council otherwise orders, be audited by an auditor approved by the Governor in Council, who shall for the purposes of section 6 be deemed to be the Company's auditor.

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6.—(1) Every such account or balance-sheet shall be printed, and a copy thereof signed by the company's auditor by the chairman and two directors of the company and by the principal officer of the company and, if the company has a managing director, by the managing director, shall be filed with the Registrar within 6 months after the close of the period to which the account or balance-sheet relates.

Deposit of accounts, etc. with Registrar.

(2) There shall be deposited with every revenue account and balance-sheet of a company any report on the affairs of the company submitted to the shareholders or policy-holders of the company in respect of the financial year to which the account and balance-sheet relate.

7. A printed copy of the last-deposited accounts, or balance-sheet shall, on the application of any shareholder or policy-holder of the company, be forwarded to him by the company by post or otherwise.

Right of shareholders, etc., to copies of accounts.

8. Where any notice advertisement or other official publication of a fire insurance company contains a statement of the amount of the authorised capital of the company, the publication shall also contain a statement of the amount of the capital which has been subscribed and of the amount paid up.

Publication of authorised, subscribed and paid-up capital.

9.—(1) Every unincorporate fire insurance company which at the commencement of this Ordinance has a place of business in the Colony or an agent in the Colony appointed with the object of obtaining fire insurance business, and every such company which after the commencement of this Ordinance establishes such a place of business within the Colony or appoints such an agent in the Colony, shall, within three months from the commencement of this Ordinance or within one month from the establishment of such place of business or the appointment of such agent, as the case may be, file with the Registrar—

Requirements as to unincorporate companies.

(*a*) a certified copy of the instrument defining the constitution of the company or of its partnership agreement and, if the instrument or agreement is not written in the English language, a certified translation thereof;

(*b*) a list of the shareholders or partners or, in the case of a company established in the United Kingdom before the year 1862, of the directors or managers of the company with their addresses and occupations;

(*c*) the names and addresses of some one or more persons resident in the Colony authorised to accept on behalf of the company service of process and any notices required to be served on the company.

(2) In the event of any alteration being made in any such instrument or partnership agreement or in the list of shareholders

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or partners or of the directors or managers as the case may be or in the names and addresses of any such persons as aforesaid, the company shall file with the Registrar a notice of the alteration.

(3) Notice of any alteration shall be filed with the Registrar within the time and according to the form prescribed under the Companies Ordinance 1915 for use under section 287 thereof.

(4) Any process or notice required to be served on the company shall be sufficiently served if addressed to any person whose name has been so filed as aforesaid and left at or sent by post to the address which has been so filed.

Special Provisions relating to Accounts and Documents.

Custody and inspection of documents.

10. Every document required to be filed or deposited under this Ordinance or certified copies thereof shall be kept by the Registrar and such documents and copies shall be open to inspection, and copies thereof may be procured by any person on payment of such fees as the Governor in Council may direct.

Evidence of documents.

11.—(1) Every document filed or deposited under this Ordinance with the Registrar, and certified by the Registrar to be a document so deposited, shall be deemed to be a document so filed or deposited.

(2) Every document purporting to be certified by the Registrar to be a copy of a document so filed or deposited shall be deemed to be a copy of that document, and shall be received in evidence as if it were the original document unless some variation between it and the original document be proved.

Alteration of forms.

12. The Governor in Council may, on the application or with the consent of a fire insurance company, alter the forms contained in the schedules to this Ordinance, as respects that company, for the purpose of adapting them to the circumstances of that company.

Companies carrying on business in the United Kingdom.

Application of Ordinance to companies which have made deposit in the United Kingdom.

13.—(1) A fire insurance company, which obtains from the Registrar of Companies a declaration that it has made a deposit in the United Kingdom in accordance with the Assurance Companies Act 1909, or that it is exempted by section 31 of that Act from making such deposit, shall, so long as it maintains such deposit or as such exemption continues, be exempted from the provisions of sections 4, 5 and 6, but shall within the time prescribed in section 6 file with the Registrar a copy of every account balance-sheet or other document which the company is required by the Assurance Companies Act 1909 to deposit at the Board of Trade.

(2) Every such copy shall be signed by the Chairman and two directors of the company and by the principal officer of the company and, if the company has a managing director, by the managing director.

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Penalties, Rules, etc.

14.—(1) Any fire insurance company, which makes default in complying with any of the requirements of this Ordinance, and every director, manager or secretary or other officer or agent of the company, who is knowingly a party to the default, shall be liable to a fine not exceeding one thousand dollars, or, in the case of a continuing default, to a fine not exceeding five hundred dollars for every day during which the default continues; and, if default continues for a period of three months after notice of default by the Governor in Council (which notice shall be published in one or more newspapers as the Governor in Council may, upon the application of one or more policy-holders or shareholders, direct), the default shall be a ground on which the Court may order the winding-up of the company, in accordance with the Companies Ordinance 1915. Penalties.

(2) If any account, balance-sheet, abstract, statement or other document required by this Ordinance is false in any particular to the knowledge of any person who signs it, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

15.—(1) Any notice or other document which is by this Ordinance required to be sent to any policy-holder may be addressed and sent to the person to whom notices respecting such policy are usually sent, and any notice so addressed and sent shall be deemed and taken to be notice to the holder of such policy. Service of notices.

(2) Where any person claiming to be interested in a policy has given to the company notice in writing of his interest, any notice which is by this Ordinance required to be sent to policy-holders shall also be sent to such person at the address specified by him in his notice.

16. In respect of the documents filed under section 6 or section 13 and in respect of each of the documents filed under section 9, a fee of three dollars shall be paid to the Registrar. Fees.

17. Section 109 of the Companies Ordinance 1915 relating to statements made in form *C* in schedule *A* to the said Ordinance is repealed so far as it relates to fire insurance companies. Repeal.

Passed this 1st day of October, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE *A*.

Form applicable to Fire Insurance Business.

Revenue Account of the.....for the year ending....., 19 , in respect of Fire Insurance Business.

	$ c.	$ c.		$ c.	$ c.
Amount of fire insurance fund at the beginning of the year :—			Claims under policies paid and outstanding		
Reserve for unexpired risks ...			Commission		
Additional reserve (if any) ...			Expenses of management		
			Contributions to fire brigades		
Premiums			Other payments (accounts to be specified)		
	$ c.			$ c.	
Interest, dividends, and rents			Amount of fire insurance fund at the end of the year as per Third Schedule :—		
Less income-tax thereon ...			Reserve for unexpired risks being.....per cent of premium income for the year.....		
			Additional reserve (if any).....		
Other receipts (accounts to be specified)					

Note 1.—Items in this Account to be the net amounts after deduction of the amounts paid in respect of re-insurances of the Company's risks.

Note 2.—If any sum has been deducted from the expenses of management account, and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Account.

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SCHEDULE *B*.

Profit and Loss Account of the..... .....for the year ending....., 19 .

	$ c.	$ c.		$ c.
Balance of last year's account			Dividends and bonuses to shareholders	
Interest and dividends not carried to other accounts			Expenses not charged to other accounts	
Less income tax thereon ...			Loss realized (accounts to be specified)	
			Other payments (accounts to be specified)	
Profit realized (accounts to be specified)			Balance as per Third Schedule	
Other receipts (accounts to be specified)				

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SCHEDULE C.

Balance Sheet of the.....on the....., 19 .

LIABILITIES.		$ c.	ASSETS.	$ c.
			Mortgages on property within the Colony	
Shareholders' capital paid up (if any) ... $			Do. do. out of the Colony	
Fire Insurance fund			Loans on securities (to be specified)	
Other funds (if any) to be specified ...			Investments :—	
			Deposit with the Government, Straits Settlements	
			Do. with other Governments	
			Other securities (to be specified)	
			Agents' balances	
Claims admitted or intimated but not paid ...			Outstanding premiums	
Fire Insurance			Do. interest, dividends and rents	
			Interest accrued but not payable	
			Bills receivable	
			Cash :—	
			On deposit	
			In hand and on current account	
Other sums owing by the Company* (to be stated separately under each head of business)			Other assets (to be specified)	

*These items are or have been included in the corresponding items in Schedule *A*.

Note 1.—A Balance Sheet in the above form must be rendered in respect of each separate fund for which separate investments are made.

Note 2.—The Balance Sheet must state how the values of the Stock Exchange securities are arrived at, and a certificate must be appended signed by the same persons as sign the Balance Sheet, to the effect that in their belief the assets set forth in the Balance Sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account.

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STRAITS SETTLEMENTS.

No. 26 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th November, 1917.

AN Ordinance for making provision for the Public Service for the year 1918.

[*9th November*, 1917.]

WHEREAS the expenditure for the service of the Government of the Straits Settlements for the year 1918 has been estimated at the sum of ten million seven hundred and twenty-four thousand two hundred and ninety dollars:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Supply Ordinance, 1917. Short title.

2. A sum not exceeding ten million seven hundred and twenty-four thousand two hundred and ninety dollars shall be and the same is hereby charged upon the revenues and other funds of this Colony for the service of the year 1918 in addition to the sums to which such revenues and other funds are liable under the provisions of The Widows' and Orphans' Pensions Ordinance, and The Defence Contribution Ordinance; and the said sums so charged may be expended as hereinafter specified, that is to say:— Supply. $10,724,290. Ord. xix of 1904. Ord. vi of 1899.

		$
1.	Charge on account of the Public Debt ...	37,106
2.	Pensions, Retired Allowances, and Gratuities ...	621,092
3.	Charitable Allowances	13,281
4.	Governor	84,210
5.	Colonial Secretary, Resident Councillor, and Residents	249,058
6.	Printing Office	82,223
7	Land and District Offices	270,976
	Carried forward ...	1,357,946

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		$
	Brought forward ...	1,357,946
8.	Forests	36,424
9.	Chinese and Indian Immigrants' Protection ...	85,430
10.	Treasury	117,563
11.	Audit	73,001
12.	Marine	490,104
13.	Legal	444,002
14.	Police	1,095,617
15.	Prisons	261,422
16.	Medical	321,827
17.	Hospitals and Dispensaries	623,093
18.	Veterinary	32,706
19.	Education	407,286
20.	Ecclesiastical	19,917
21.	Transport	24,700
22.	Military Expenditure	2,536,628
23.	Miscellaneous Services	2,556,892
24.	Post Office	850,284
25.	Government Monopolies	459,241
26.	Botanical Gardens and Museum	58,728
27.	Public Works Department	376,107
28.	Public Works, Annually Recurrent	357,577
29.	Public Works, Extraordinary	656,965
	Total ...	$13,243,460

Deduct sums provided in accordance with Law :—

	$	
Head 1	37,106	
Head 2	17,344	
Head 22	2,464,720	
		2,519,170
Balance ...		$10,724,290

Passed this 5th day of November, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 27 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th December, 1917.

AN Ordinance to amend the Malacca Lands Ordinance, 1886.

[*14th December*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance shall be cited as the Malacca Lands (Amendment) Ordinance, 1917. Short title.

2. Section 4 of the Malacca Lands Ordinance, 1886, (hereinafter called the principal Ordinance) is amended by deleting subsection (2) thereof and by substituting the following subsections therefor:— Amendment of section 4 of Ordinance IX of 1886.

(2) On the death of the customary land-holder being a Muhammadan his customary land shall not vest in his legal personal representative nor in any legatee under his will but shall descend upon the persons who according to Muhammadan law as varied by local custom (if any) would be entitled to the same in the shares and proportions by the said law so varied as aforesaid.

(3) On the death of a customary land-holder who is not a Muhammadan the Collector of Land Revenue may in his discretion partition his customary land among the persons entitled to the same or may direct them to apply to the Court for the grant of Probate or Letters of Administration.

(4) In dealing with applications under subsections (2) and (3) the Collector of Land Revenue shall decide all disputes and shall have all powers necessary for that purpose including the power to partition the said land and to assign

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the various shares to the persons entitled thereto but every such decision shall be subject to appeal in manner provided by sections seven and nine.

Amendment of section 6 of principal Ordinance.

3. Section 6 of the principal Ordinance is amended by inserting the words "subject to the provisions of section 4 (3)" between the word "shall" and the word "make" in line 12 thereof.

Passed this 3rd day of December, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 28 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.
8th December, 1917.

AN Ordinance to amend the Tamil Immigration Fund Ordinance, 1911.

[*14th December*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Tamil Immigration Fund (Amendment) Ordinance, 1917. Short title.

2. Subsection (1) of section 13 of the Tamil Immigration Fund Ordinance, 1911, is amended by— Amendment of section 13 (1) of Ordinance XII of 1911.

(*a*) inserting after the word "Johore" in paragraph (*a*) thereof the words "or Kedah or Perlis or Kelantan";

(*b*) adding at the end thereof the following paragraphs:—

(*e*) for the payment of recruiting allowances;

(*f*) for the payment of expenses reasonably incurred by members of the Immigration Committee in travelling to and from places where the Committee meets or other places necessary to be visited for the purposes of this Ordinance;

(*g*) for the payment of fees and charges incidental to legal proceedings and of the cost of legal advice and assistance incurred and obtained in and for administering the fund.

Passed this 3rd day of December, 1917.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 29 of 1917.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th December, 1917.

AN Ordinance to amend the Singapore Municipal Water Works (Loan) Ordinance, 1907, and the Penang Municipal Loan Ordinance, 1907.

[*14th December*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Municipal Loan (Amendment) Ordinance, 1917. Short title.

2. Section 4 of the Singapore Municipal Water Works (Loan) Ordinance, 1907, and section 4 of the Penang Municipal Loan Ordinance, 1907, are hereby amended by adding at the end of each section the words "and shall pay over the sum so appropriated to the Colonial Treasurer". Amendment of section 4 of Ordinance III of 1907 and section 4 of Ordinance XIII of 1907.

Passed this 3rd day of December, 1917.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS

No. 30 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th December, 1917.

AN Ordinance to make provision for the Registration and Medical Examination of certain residents in the Colony in connection with the present war.

[*14th December*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Registration and Medical Examination Ordinance, 1917. Short title.

2.—(1) Every male British subject of European descent between the ages of 18 and 41 years or between such ages as the Governor may by notification published in the *Gazette* direct, resident in the Colony, shall within one week of the coming into force of this Ordinance make a return in duplicate signed by him to the Chief Police Officer of the Settlement in which he is residing giving the following particulars:— Returns of certain British subjects residing in the Colony to be made to the Chief Police Officer.

(*a*) name; place of residence; age, place and date of birth; whether single, or married; number of dependants, if any, distinguishing wife, children and other dependants; profession or occupation, if any; name and business address of employer, if any, and nature of employer's business; length of residence in the Tropics and where;

(*b*) previous military service, if any; and

(*c*) general health;

according to the form in the schedule.

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(2) Copies of the form in the schedule shall be furnished to any such person as aforesaid applying for the same to the Chief Police Officer of the Settlement in which he is residing.

Computation of age.

3. For the purposes of this Ordinance a person shall be deemed to be between the ages of 18 and 41, who has attained the age of 18 and has not attained the age of 42.

Completion and correction of returns.

4. If in any case it appears to the Chief Police Officer that no return has been made or that the return is incomplete or incorrect and that it cannot be completed or corrected without the personal attendance of the person concerned, the Chief Police Officer may require his attendance at such place and at such time as may be appointed, and every person whose attendance is so required shall attend and answer such questions as may be addressed to him for the purpose of enabling the return to be filled up, completed or corrected.

Notification of changes of address, etc.

5.—(1) If any person after making such a return changes his place of residence he shall, unless such change is merely temporary, within fourteen days thereafter send or deliver to the Chief Police Officer of the Settlement in which the new place of residence is situate a statement containing the following particulars:—

(*a*) his new place of residence;

(*b*) his old place of residence;

(*c*) the fact that he had previously made a return under section 2 of this Ordinance and the approximate date of such return.

(2) If the new place of residence is in a different Settlement from that in which the previous place of residence was situate, the Chief Police Officer of the first-mentioned Settlement shall communicate the change to the Chief Police Officer of the last-mentioned Settlement.

Returns of certain persons arriving in the Colony to be made to the Chief Police Officer.

6. Within twenty-eight days after the arrival in the Colony of any such person as aforesaid he shall, if he had not previously made a return, send or deliver, by post or otherwise, to the Chief Police Officer of the Settlement in which he resides, notice of his arrival together with a return containing the particulars set out in section 2 according to the form in the schedule and shall, if so required, attend at such place and time as the Chief Police Officer may appoint and shall answer such questions as may be addressed to him for the purpose of enabling any necessary particulars or corrections to be entered in the return so made.

Exceptions.

7. The duty of making returns under this Ordinance shall not, except to such extent as may be prescribed, apply to the following persons or classes of persons:—

(*a*) persons in the naval or regular military forces of the Crown and persons serving with such forces, whose pay is borne by Navy or Army votes;

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(*b*) inmates of any hospital;

(*c*) persons certified lunatic;

(*d*) prisoners in prison.

Penalties for offences.

8. Any person required to make a return under this Ordinance who—

(*a*) refuses, or without lawful excuse neglects, to make or cause to be made a return to the best of his knowledge and belief, or to sign it as by this Ordinance required;

(*b*) refuses, or without lawful excuse neglects, to attend at any place or time at which his attendance is required under this Ordinance; or

(*c*) wilfully makes or signs, or causes to be made or signed, any false return of any matter specified in the return; or

(*d*) refuses to answer, or wilfully gives a false answer to, any question necessary for obtaining the information required to be obtained under this Ordinance; or

(*e*) refuses, or without lawful excuse neglects, to perform any other duty imposed on him by or under this Ordinance;

shall for each offence be liable on conviction before a Police Court to a fine not exceeding one hundred dollars and in the case of a continuing offence to a further fine not exceeding twenty-five dollars for each day during which the offence continues.

Medical examination of persons required to make returns.

9.—(1) Every person required to make a return under this Ordinance shall present himself for and submit to medical examination or re-examination by the Medical Board to be established under this Ordinance for the Settlement in which he is residing at such place and time as may be notified to him in writing by the Chief Police Officer of the Settlement.

(2) Written notice of the place and time for such examination or re-examination may be served by registered post at the place of residence, stated in the return made under section 2 or section 5, of the person on whom it is to be served.

(3) A Medical Board shall be established for each Settlement of the Colony consisting of not less than two duly qualified Medical practitioners to be appointed by the Governor.

(4) Any person who fails to present himself for medical examination or re-examination or to submit to medical examination or re-examination under this section shall be liable to a fine not exceeding one hundred dollars.

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Classification of persons medically examined.

10. Every person who is medically examined under section 9 shall be classified in the categories shown in the Army Council Instruction, published as Notification No. 489 in the *Gazette Extraordinary* of the twenty-fourth day of April, 1917, or in any other Army Council Instruction amending or repealing the same.

Rules.

11.—(1) The Governor in Council may make rules for carrying this Ordinance into effect.

(2) Any rules made under this section shall be published in the *Gazette*.

(3) Such rules shall be laid before the Legislative Council at the first meeting after such publication.

(4) Such rules shall remain in force until disapproved or altered by a resolution of the Legislative Council.

(5) Any rule altered by a resolution of the Legislative Council shall come into force as altered from the date of the passing of such resolution, and shall have the same force and effect as if enacted in this Ordinance.

Passed this 3rd day of December, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE.

NAME.	Place of Residence.	Age and Date of birth.	Place of birth.	Married or Single.	Dependants, distinguishing wife, children and other dependants.	Profession or Occupation. Employer and nature of business.	Length of Residence in the Tropics, and where.	Military Service and where.	General Health.

Dated this day of , 1917.

Signature.

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STRAITS SETTLEMENTS.

No. 31 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th December, 1917.

AN Ordinance to amend the Sale of Food and Drugs Ordinance, 1914.

[*14th December*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Sale of Food and Drugs (Amendment) Ordinance, 1917. Short title.

2. Section 29 of the Sale of Food and Drugs Ordinance, 1914, is hereby repealed and the following section is substituted therefor:— Repeal of section 29 and substitution of a new section. Ordinance XV of 1914.

29.—(1) All fees received under this Ordinance by any analyst of a Municipality or by any analyst appointed by the Governor under this Ordinance shall be paid to the credit of the Municipal fund or to the credit of the general revenue, as the case may be.

(2) All fines recovered under this Ordinance shall be paid to the Commissioners of the Municipality or to the Rural Board, within which the offence was committed, and form part of the Municipal or Rural Board fund, as the case may be.

3. Section 30 of the Sale of Food and Drugs Ordinance, 1914, is hereby repealed. Repeal of section 30.

Passed this 3rd day of December, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 32 of 1917.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th December, 1917.

AN Ordinance to amend the Volunteer Ordinance, 1888.

[*14th December*, 1917.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Volunteer (Amendment) Ordinance, 1917. Short title.

2. Section 6 of the Volunteer Ordinance, 1888, hereinafter called the principal Ordinance, is amended by inserting after the word "sustained" in line 11 of subsection (2) the words "such damages having been determined by the Commanding Officer". Amendment of section 6 of Ordinance VII of 1888.

3. The following section shall be inserted after section 9 of the principal Ordinance:— New section.

9A.—(1) The General Officer Commanding the Troops may by regulations to be approved by the Governor provide for the holding of special parades to be termed "compulsory parades" of the members of any Volunteer Corps. Compulsory parades.

(2) Every member of a Volunteer Corps, who is summoned to attend a compulsory parade, shall attend the same accordingly.

(3) Every member of a Volunteer Corps, who, without reasonable excuse the burden of proof whereof shall lie on him, neglects or refuses to attend a compulsory parade to which he has been summoned, shall be liable to pay on the order of the Commanding Officer, in the case of a first offence, a fine not exceeding twenty-five dollars and, in the case of a second or subsequent offence, a fine not exceeding one hundred dollars.

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(4) Every member of a Volunteer Corps who feels aggrieved by such order to pay a fine may appeal to the Governor within a reasonable time of such order and the Governor may cancel or confirm such order or reduce the amount of the fine or give such other directions with reference thereto as to him may seem just and proper and such determination shall be binding on all persons.

Repeal of section 14 of principal Ordinance and substitution of a new section.

4. Section 14 of the principal Ordinance is repealed and the following section is substituted therefor :—

14. All persons enrolled in any Volunteer Corps when called out on active service by the Governor shall be entitled—

(*a*) to such pay and allowances as may be fixed by the Governor ; and

(*b*) to be quartered or billeted in like manner in every respect and under and subject to the same regulations as His Majesty's other forces, so far as the same shall by the Governor be deemed applicable to the Volunteer Corps.

Amendment of section 18 of principal Ordinance.

5. Section 18 of the principal Ordinance is amended

(*a*) by inserting after the words "muster roll" in line 4 of paragraph (i) the words "or order him to pay a fine not exceeding fifty dollars and not less than five dollars" ; and

(*b*) by inserting after the words "aggrieved by such discharge" in line 8 of paragraph (ii) the words "or such order to pay a fine" ; and

(*c*) by inserting after the words "such discharge" in lines 9 and 10 of paragraph (ii) the words "or such order".

Amendment of section 19 of principal Ordinance.

6. Section 19 of the principal Ordinance is amended by adding at the end of subsection (1) the following paragraph :—

(*c*) that orders for the payment of fines not exceeding two hundred dollars and not less than ten dollars may be made in lieu of orders for forfeiture of pay under section 46 (2) (*d*) of such Act.

Amendment of section 22 of principal Ordinance.

7. Section 22 of the principal Ordinance is amended by repealing the words "a General Committee constituted in accordance with the rules framed under this Ordinance" and substituting therefor the words "the Commanding Officer".

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8. Section 24 of the principal Ordinance is repealed and the following section is substituted therefor:— Repeal of section 24 of principal Ordinance and substitution of a new section.

24.—(1) Any money recoverable under this Ordinance may be recovered by action in the District Court notwithstanding that the amount may be in excess of the jurisdiction of that Court.

(2) Whenever under the provisions of this Ordinance or any regulation thereunder an order is made for the payment of a fine and default is made in complying with such order, the Commanding Officer may send a copy thereof certified under his hand to a Police Court having jurisdiction in the place where the defaulter resides, and such Court shall thereupon, subject to any order made on appeal, make in its discretion both or either of the orders mentioned in section 273 (1) (*b*) of the Criminal Procedure Code subject to the other provisions of that section.

(3) All moneys and fines recovered under this Ordinance from a member of a Volunteer Corps shall be paid into the general fund of the Volunteer Corps of the Settlement to which such member belongs.

Passed this 3rd day of December, 1917.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 1 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

22nd January, 1918.

AN Ordinance to amend the Rubber Lands (Restriction) Ordinance, 1917.

[*22nd January*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Rubber Lands (Restriction) Amendment Ordinance, 1918. Short title.

2. Section 2 of the Rubber Lands (Restriction) Ordinance, 1917, hereinafter called the principal Ordinance, is amended by repealing paragraph (*c*) thereof. Amendment of section 2 of Ordinance 13 of 1917.

3. Section 3 of the principal Ordinance is amended by adding at the end of subsection (3) the following words:— Amendment of section 3.

"provided that any transaction whereby any interest in land is transferred through the official intervention of a competent Court or officer shall be deemed to be a transaction between the person whose interest is transferred and the person to whom such transfer is made".

and by adding at the end of the section the following subsections:—

(4) Nothing in this Ordinance applies to the acquisition of land from any liquidator appointed under the Alien Enemies (Winding-up) Ordinance, 1914 or from the Custodian of Enemy property; and nothing in this Ordinance shall prevent a person or corporation who or which has acquired land from

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such liquidator or Custodian of Enemy property from creating a mortgage of the land so acquired to any British subject or to any corporation which is incorporated in the United Kingdom or in any of His Majesty's Dominions or shall prevent registration pursuant to such transactions, provided that such mortgage is created within six months after the acquisition of the land from such liquidator or Custodian of Enemy property.

(5) Nothing in this Ordinance applies to the acquisition of land sold at the instance of the holder of any security against such land executed and stamped prior to the twenty-first day of December, 1917.

Amendment of section 4.

4. Section 4 of the principal Ordinance is amended by repealing all the words in the last seven lines thereof beginning with the words "excepting only" and substituting therefor the words "except as provided in section 4A".

New section.

5. The following section shall be inserted after section 4 of the principal Ordinance:—

Authority to acquire land in certain cases.

4A.—(1) The Governor may grant to any person or corporation a written authority under his hand to acquire land, provided it be proved to his satisfaction

(*a*) that such person or corporation was on the 21st day of December, 1917, engaged in written negotiations, or other formally recorded preliminaries, for the acquisition thereof, and

(*b*) that where land is proposed to be acquired by a corporation, whether for purposes of amalgamation, reconstruction, or otherwise, 95 per cent of the capital of such corporation is held by persons whose nationality is the same as that of the person from whom the land is to be acquired or, where the land is to be acquired from a corporation, is the same as that of the holders of 95 per cent of the capital of such corporation; and that where land is proposed to be acquired by a person from a corporation, the nationality of such person is the same as that of the holders of 95 per cent of the capital of such corporation.

(2) No authority granted under this section shall be transferable.

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6. Section 5 of the principal Ordinance is repealed, provided that any written authority granted under that section prior to the commencement of this Ordinance shall have the same effect as it would have had if this Ordinance had not been passed. Repeal of section 5.

Passed this 21st day of January, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 2 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th January, 1918.

AN Ordinance for imposing a War Tax on the basis of Income.

[*25th January*, 1918.]

WHEREAS it is desirable to impose a tax on income for the purpose of providing a contribution to the Imperial Government towards the expenses incurred in the prosecution of the present war:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

CHAPTER I.

PRELIMINARY.

1. This Ordinance may be cited as the War Tax Ordinance, 1918, and shall have effect as from the 1st day of January, 1918. Short title. Commencement.

2. In this Ordinance, unless there is something repugnant in the subject or context Interpretation.

"Annual value" means:—

(*a*) in the case of lands tenements or hereditaments let to a tenant the gross amount of rent actually received, including any fine premium or foregift demanded and given in connection with such letting;

(*b*) in the case of lands tenements or hereditaments occupied by the owner the gross amount at which they could reasonably be expected to let;

the landlord in each case paying the expenses of repair insurance maintenance or upkeep and all Municipal rates;

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"Net annual value" means the annual value less

(*a*) the amount actually paid by the landlord as Municipal rates; and

(*b*) a sum equal to one-eighth of the annual value in respect of the expenses of repair insurance maintenance and upkeep unless such expenses are payable by the tenant;

"Association" means any firm, and any body or association of persons, whether incorporated or not, other than a company;

"Business" includes profession, trade, manufacture, adventure, undertaking and concern;

"Company" means an association carrying on business in the Colony whose capital is divided into shares or stock and transferable, whether the company is incorporated or not, and whether its principal place of business is situated in the Colony or not, and includes any company incorporated in the Colony;

"Defaulter" includes a company or association making default under this Ordinance;

"Financial Year" means each period of 12 months at the end of which the balance of the accounts is struck or, if no such balance is struck, then the calendar year;

"Income" means

(1) in the case of a company, other than a life assurance company, incorporated in the Colony,

(*a*) the total net profits of its business wheresoever made;

(*b*) the net annual value of lands tenements or hereditaments owned by it wheresoever the same may be situated;

(*c*) interest from any source, whether within or without the Colony;

(*d*) dividends profits commissions or bonus credited or paid by any company, association or person whether within or without the Colony;

(*e*) its income from any other source wheresoever arising:

(2) in the case of a life assurance company incorporated in the Colony,

(*a*) the amount set aside for, credited or distributed to, the shareholders; and

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(*b*) an amount equal to ten per centum of the amount, if any, set aside for, credited or distributed to, policy holders in the way of bonus, abatement of premium or addition to the sum insured:

(3) in the case of a company, other than a life assurance company, which is not incorporated in the Colony or of an association,

(*a*) the net profits of its business arising or received in the Colony;

(*b*) the net annual value of lands tenements or hereditaments owned by it and situated in the Colony;

(*c*) interest from any source arising or received in the Colony;

(*d*) dividends profits commissions or bonus credited or paid by any company, association or person from any source arising or received in the Colony;

(*e*) its income from any other source arising or received in the Colony:

(4) in the case of a life assurance company which is not incorporated in the Colony,

(*a*) the net profits of its business arising or received in the Colony; or

(*b*) the interest on its investments in the Colony and from any other source arising or received in the Colony,

at the option of the Collector:

(5) in the case of an individual

(*a*) the net profits, derived by him from carrying on any business, arising or received in the Colony;

(*b*) the net annual value of lands tenements or hereditaments owned by him and situated in the Colony;

(*c*) his gross income from any other source arising or received in the Colony;

"Pension" includes annuity and gratuity;

"Principal Officer" includes—

(*a*) the Secretary, Treasurer, Manager or Agent of any company or association,

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(*b*) any person connected with a company or association upon whom the Collector has served a notice of his intention to treat him as the principal officer thereof;

"Salary" includes allowances, other than travelling allowances considered to be reasonable by the Collector, fees, commissions, bonuses, gratuities and perquisites or profits credited set aside or received in lieu of or in addition to a fixed salary in respect of an office or employment of profit;

"Total Income" means

(1) in the case of a company, other than a life assurance company, incorporated in the Colony, its income;

(2) in the case of a company, other than a life assurance company, which is not incorporated in the Colony or of an association,

(*a*) the total net profits of its business wheresoever made;

(*b*) the net annual value of lands tenements or hereditaments owned by it wheresoever the same may be situated;

(*c*) its gross income from any other source whether arising or received in the Colony or not:

(3) in the case of a life assurance company, whether incorporated in the Colony or not, the interest on its investments and from any other source wheresoever arising;

(4) in the case of an individual

(*a*) the total net profits, derived by him from carrying on any business, wheresoever made;

(*b*) the net annual value of lands tenements or hereditaments owned by him wheresoever the same may be situated;

(*c*) his gross income from any other source, whether arising or received in the Colony or not:

Provided that in any of these cases any sum paid in respect of Income Tax or of any tax specially imposed for the purposes of the present war in any

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part of His Majesty's Dominions or in any British Protectorate or Protected State or of any tax under this Ordinance or under the War Tax Ordinance 1917 shall be deemed to form part of total income.

CHAPTER II.

OFFICERS, ETC.

Divisions.

3.—(1) The Governor in Council may by notification in the *Gazette* establish such divisions in the Colony as he thinks necessary.

Collectors.

(2) The Governor shall appoint a Collector or Collectors for each such division, for the purpose of assessing, collecting, receiving and accounting for the tax and of giving effect generally to the provisions of this Ordinance.

Collector-General.

(3) The Governor shall also appoint a Collector-General under whose directions the Collectors shall act.

Assessors.

(4) The Governor in Council may also appoint Assessors to advise the Collectors in fixing assessments.

Delegation of powers.

4. All or any of the powers and duties conferred or imposed by this Ordinance on a Collector or the Collector-General may be exercised or performed by such other person as the Governor may appoint in this behalf.

CHAPTER III.

LIABILITY TO TAX.

Income liable to tax.

5. Subject to the provisions of this Ordinance there shall be paid for the year commenced the first day of January, 1918 to the Government in respect of all income a tax at the rate specified in schedule *A*.

Exemptions.

6.—(1) The incomes of the following Government, Boards, bodies of persons and persons shall be exempt from liability to the tax and to assessment under this Ordinance :—

(*a*) the Government of the Federated Malay States;

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(*b*) the Municipal Commissioners of the Town of Singapore, of George Town and of the Town and Fort of Malacca;

(*c*) the Singapore Harbour Board and the Penang Harbour Board;

(*d*) the Rural Boards;

(*e*) the Education Board;

(*f*) the Hospitals Board;

(*g*) the Government Savings Bank;

(*h*) the Council of King Edward VII Medical School;

(*i*) the Immigration Committee;

(*j*) any shipping company or association, not incorporated or registered in the Colony or any Malay State under British protection, having its principal place of business out of the Colony and such States and its ships ordinarily engaged in sea-going traffic out of the waters of the Colony and such States;

(*k*) any company, association or person whose total income is less than $3,000 per annum; and

(*l*) any other bodies or classes of persons declared by the Governor in Council from time to time to be exempt from liability to the tax and to assessment under this Ordinance.

(2) The exemption under this section shall be limited to the Government, Boards, bodies and persons herein referred to and shall not extend to the salaries of persons employed by them, although such salaries may be paid wholly or in part out of the incomes so exempt.

Deductions from income.

7. In calculating the income on which a company, association or person shall pay the tax a deduction shall be made in respect of the following:—

(*a*) such portion of the income of any religious, educational or charitable association as is solely employed for religious, educational or charitable purposes within the Colony;

(*b*) any income on which income-tax has been paid or on which it is proved to the satisfaction of the Collector income-tax will be paid in the United Kingdom or in any British Possession, Protectorate or Protected State at a rate not less than the rate specified in schedule *A*;

(*c*) any income derived by a cultivator of rubber from rubber on which it is proved to the satisfaction of the Collector that the additional duty imposed by section 3 of the Federated Malay States War Taxation Enactment 1916 has been levied and paid;

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(*d*) any income derived from interest on securities issued in respect of any loan raised in the Colony or in the United Kingdom or in any British Possession, Protectorate or Protected State for the prosecution of the present war;

(*e*) the official salary of a consular officer who is not a British subject and does not carry on business in the Colony; provided that reciprocal treatment is accorded by the country of such consular officer to British consular officers;

(*f*) the allowances paid from Navy or Army funds to any officer, non-commissioned officer or man of His Majesty's Forces;

(*g*) any income which a person enjoys as a member of an association when the association is liable to the tax;

(*h*) such portion not exceeding one-sixth of the total income of any person as is deducted by the Government as a contribution under the Widows' and Orphans' Pension Ordinance, 1904, or by any employer as a contribution to a Provident Fund recognized by the Governor or as is paid by him to a life assurance company in respect of an insurance effected for the purpose of securing for himself or his wife or any of his children either a provision or a deferred annuity;

(*i*) such travelling allowances as may be considered reasonable by the Collector;

(*j*) such sum as the Collector may think just and reasonable as representing the diminished value by reason of wear and tear of any machinery or plant used for the purposes of any business.

8. A deduction shall not, in any case, be made in respect of the following matters:— Deductions not allowed.

(*a*) money not wholly and exclusively laid out or expended for the purposes of the business carried on by a company, association or person;

(*b*) any loss or expense which is recoverable under any contract of insurance or indemnity;

(*c*) any sums credited or paid as salaries to partners, or any sums drawn by partners;

(*d*) any loss not connected with or arising out of any business, or any capital withdrawn from any business, or any loss or expenditure of a capital nature, or any sum used or intended to be used as capital in any business;

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(*e*) any capital used in the improvement of premises occupied for the purpose of any business;

(*f*) any sum written off for depreciation of land, buildings or leases;

(*g*) any expenses of maintenance of the persons liable to tax, their families or establishments, or any sum expended in any other domestic or private purpose;

(*h*) any sum exceeding two-thirds of the rent of any premises used partly as a dwelling and partly for the purposes of business;

(*i*) any sum expended for the supply or repairs or alterations of any implements, utensils or articles employed for the purposes of any business in excess of the average so expended in the last three financial years;

(*j*) any interest which might have been earned on any capital if lent out at interest; provided that the Collector shall allow the deduction of interest actually paid in respect of loans for the purposes of current business but not for use as capital at a rate not higher than ten per centum per annum;

(*k*) any bad debts, except bad debts proved to be such to the satisfaction of the Collector and to have been incurred in and actually written off in the year in which the income was derived; provided that all amounts at any time received on account of any such bad debts shall be credited in income in the year in which the same were received and be subject to the tax; provided also that bad debts incurred in the year preceding that in which the income was derived and not proved to be bad and written off until the year in which the income was derived may be deducted if the Collector considers they would have been deductible if they had been proved to be bad and actually written off in the year in which the income was derived; provided further that if it is shown to the satisfaction of the Collector that in any business the annual provision made to cover bad debts written off each year represents the equivalent of the amount that would be allowable as a deduction under this paragraph, the amount of such annual provision or such portion thereof as the Collector considers fairly represents the equivalent of the allowable deduction may be allowed as the deduction under this paragraph;

(*l*) any sum paid as tax under this Ordinance or under the War Tax Ordinance, 1917.

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CHAPTER IV.

ASSESSMENT AND COLLECTION.

A.—Salaries and Pensions.

Return of employees.

9.—(1) Every employer shall on or before the fifteenth day of March, 1918, deliver to the Collector a return in the prescribed form showing—

(*a*) the name of every person resident in the Colony who at the date of the return is receiving from him any salary or pension;

(*b*) the address of each such person;

(*c*) the amount of such salary or pension;

(*d*) the times at which such salary or pension becomes payable;

(*e*) the amount of salary or pension received by, and the period for which such salary or pension was paid to, each such person since the first day of January, 1918:

Provided that the return need not include any person who is in receipt of a salary or pension of less than two hundred dollars per mensem and who has no other employment.

Provided also that unless the Collector calls for the return no nil return need be delivered.

(2) Every employer shall as occasion arises notify the Collector when any person included in the return delivered under subsection (1) leaves his employment, and also deliver to the Collector a return in the prescribed form in respect of any person who enters his employment after the date of the return delivered under subsection (1).

Deduction from salary or pension.

10.—(1) Every employer shall, when he pays to any person resident in the Colony any salary or pension, deduct therefrom the proportionate part of the tax, if any, which would be payable under this Ordinance in respect of the salary or pension paid and to be paid to such person during the year if it formed his total income; provided that the Collector may at the request of or with the consent of the employee direct the employer not to deduct tax from such salary or pension or to deduct tax at a rate specified by the Collector.

(2) Every employer, other than the Government, shall within the prescribed time after such payment pay such tax to the Government.

(3) Any employer, who fails to deduct the tax, may and at the request of the Collector shall deduct it when he subsequently pays any salary or pension to the person who is liable to the tax.

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(4) The power to deduct under this section shall not prejudice any right to recover by other means.

(5) For the purposes of this section the word "salary" does not include any salary paid to an association or to a company.

B.—Mortgages.

Mortgagors.

11. Except where immoveable property has been mortgaged for the purpose of obtaining money for use as capital every mortgagor of immoveable property in the Colony may deduct from his income and total income for the purpose of assessment of the tax the amount of interest paid by him to his mortgagee; provided that the amount deducted shall not exceed the net annual value of the property mortgaged.

C.—Profits of Companies and Associations.

Return of income by companies and associations.

12.—(1) Every company and every association, whose income does not wholly fall within section 7 (*b*), shall on or before the thirtieth day of June, 1918, deliver to the Collector a true statement in writing signed by its principal officer of its income and of its total income during its last financial year prior to the 27th day of March, 1918, and of the manner in which they have been calculated.

(2) Such statement made by a company incorporated in the Colony shall if the Collector so requires be certified by auditors approved by the Governor in Council.

D.—Income Generally.

Determination as to persons and amounts chargeable.

13. The Collector shall from time to time determine what companies, associations and persons are chargeable with the tax and the rate and amount at which every such company, association and person is to be assessed.

Period for assessment.

14. The assessment shall be made

(*a*) as regards salaries or pensions; and

(*b*) as regards income derived from carrying on a business newly set up or commenced on or after the first day of January, 1918;

on the income received and to be received by the company, association or person in the year for which the assessment is made;

(*c*) as regards the income of any company, association or person to which paragraphs (*a*) and (*b*) do not apply; and

(*d*) as regards income derived from any other sources;

on the income received by each company, association or person during its or his last financial year;

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(*e*) as regards income derived by a company, association or person from carrying on a business in respect of which there has been a succession after the 31st day of December, 1917; and

(*f*) as regards income derived from carrying on a business by an association in respect of which any change shall have taken place among the members either by death or dissolution of partnership as to all or any of the members thereof, or by the admission of any other member therein, after the 31st day of December, 1917;

on the income of the business received during its or his last financial year notwithstanding such succession to such business or change therein as aforesaid, unless such company, association or person shall prove to the satisfaction of the Collector that the income of such business has fallen short or will fall short from a specific cause to be alleged by it or him since such succession or change took place or by reason thereof.

Sale of goods by resident on account of non-resident.

15.—(1) In the case of a company, association or person selling goods in the Colony on account of a company, association or person whose principal place of business is not situated in the Colony, the company, association or person on whose account such goods are sold shall, if the income cannot otherwise be ascertained to the satisfaction of the Collector, be deemed to have derived from such sale an income equal to five per centum of the price at which the goods were sold.

(2) Goods shall be deemed to be sold in the Colony under subsection (1) if any company, association or person in the Colony receives a commission in respect of the sale of the goods or is paid a salary for obtaining orders for or for influencing the sale of the goods.

(3) The assessment shall be made

(*a*) in the case of a business newly set up or commenced since the 31st day of December, 1917, on the income deemed to have been derived in the year for which the assessment is made;

(*b*) in other cases, on the income deemed to have been derived during the last financial year.

(4) Every company, association or person selling goods under subsection (1) shall when called upon by the Collector make a true and full return of the amount for which the goods have been sold together with a true statement of the total income of the company, association or person on whose account the goods have been sold.

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Return of income and total income by persons chargeable with the tax.

16.—(1) Every person who is in receipt of a total income amounting to three thousand dollars per annum or more shall in the month of April notify the Collector in the prescribed form that he is chargeable with the tax, and shall in such notification state if he claims to be assessed at a lower rate than six per centum.

(2) The Collector shall then send to each such person the necessary forms prescribed for declaration of income and total income.

(3) Every such person shall within the prescribed time after such forms have been sent to him make thereon a full and accurate return of his income and total income, sign them and deliver them to the Collector.

New or further and fuller returns.

17. Every company, association or person shall, when required by the Collector, furnish in the form required by him a statement or return or a further and fuller statement or return of income in respect either of the whole or of any part of the income received by such company, association or person, whether on its or his own behalf or in any of the capacities mentioned in sections 20, 21, 22, 23, 24 and 25, although a statement or return has been previously made by such company, association or person for the same annual period.

Collector may call for evidence in support of return.

18.—(1) If the Collector is dissatisfied with any statement or return delivered to him under any of the sections 12, 15, 16 or 17, he may serve on the company, association or person a notice requiring its principal officer or him on a date therein mentioned to attend at the Collector's office and support the figures of its statement or his return and, in the case of a company, to produce or to cause to be produced all such of its accounts as refer to the year to which the statement relates, and which are in its possession or power.

(2) On the day mentioned in the notice or as soon afterwards as may be the Collector shall determine the amount at which it or he is to be assessed.

Notification of assessment and payment.

19.—(1) The Collector shall as soon as he has assessed the amount of the tax with which a company, association or person is chargeable notify it or him, and it or he shall, unless it or he has presented a petition under section 29, within the prescribed time pay to the Government such assessed amount, less any sums that have been paid or will be paid to the Government under section 10 and, in case it or he is a member of a company which has paid tax under this Ordinance, less a sum equivalent to a percentage of the income received by it or him as a member of such company calculated at the rate at which such company has paid the tax.

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(2) A company so assessed shall be entitled to deduct a proportionate part of such assessment out of the dividends to be paid by it to its members.

TRUSTEES, GUARDIANS, CURATORS AND COMMITTEES.

20. Every company which or person who acts as trustee, guardian, curator or committee of another person being an infant, lunatic or idiot and has control of the property of such other person whether such other person resides in the Colony or not shall Trustees, etc.

(*a*) be chargeable in the like manner and to the like amount as such other person would be chargeable if he did not suffer from any incapacity;

(*b*) be itself or himself liable to perform the duties which such other person would be required to perform under this Ordinance if he did not suffer from any incapacity; and

(*c*) be subject to the penalties prescribed for a breach of such duties:

Provided that where two or more persons act as trustees, guardians, curators or committees of one such other person, they may notify the Collector in writing signed by them that they have elected one of themselves to be so chargeable and so liable under the Ordinance and thereafter, if the Collector signifies his consent to such election, the person so elected shall alone be so chargeable and so liable.

AGENTS, MANAGERS, ETC.

21. Every person who in any capacity not referred to in section 20 receives on behalf of another person not resident in the Colony any income liable to the tax shall Agents, etc.

(*a*) on or before the thirtieth day of June, 1918, declare to the Collector in the prescribed form signed by him all such income and the name and place of abode of such other person together with such other particulars as may be required to determine the person who is chargeable with the tax;

(*b*) be chargeable in the like manner and to the like amount as such other person would be chargeable if he were resident in the Colony;

(*c*) be himself liable to perform the duties which such other person would be required to perform under this Ordinance if he were resident in the Colony; and

(*d*) be subject to the penalties prescribed for a breach of such duties.

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Agents of companies, etc., whose principal place of business is not in the Colony.

22. Every person who receives on behalf of a company or association, whose principal place of business is not situated in the Colony, and every company and association which receives on behalf of any person who is resident outside the Colony or of another company or association whose principal place of business is not situated within the Colony, any income liable to the tax shall

(*a*) be chargeable in the like manner and to the like amount as such company, association or person would be chargeable if its principal place of business were situated, or he were resident, in the Colony;

(*b*) be liable to perform the duties which such company, association or person would be required to perform through its principal officer or personally under this Ordinance if its principal place of business were situated, or he were resident, in the Colony;

(*c*) be subject to the penalties prescribed for a breach of such duties.

Receivers and managers.

23. Receivers or managers appointed by any Court in the Colony shall be chargeable in respect of all income officially in their possession or under their control.

EXECUTORS AND ADMINISTRATORS.

Executors, etc.

24. Where any person liable to the tax dies, or where the estate of a deceased person is being administered, the executors and administrators of such deceased person shall

(*a*) be chargeable in the like manner and to the like amount as such deceased person would be chargeable if he were alive;

(*b*) be liable to perform the duties which such deceased person would be required to perform under this Ordinance if he were alive; and

(*c*) be subject to the penalties prescribed for a breach of such duties.

Full taxation not paid during lifetime.

25. Where any person has not made full and complete returns during his lifetime and has thereby escaped full taxation—

(*a*) the Collector shall have the same powers and remedies against the executors or administrators of such person, to the extent of the estate of such person in their hands, as he would have had against him in his lifetime;

(*b*) such executors or administrators shall make such returns as the Collector requires for the purpose of a full assessment;

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(*c*) the assessment shall be made at the rates at which the tax ought to have been paid, and the amount payable shall be treble the amount of the difference between the tax so assessed and the amount actually paid by such person, and shall be a first charge on all such person's estate in the hands of the executors or administrators;

(*d*) no lapse of time shall prevent the operation of this section, and the Collector may take all such proceedings and exercise all such powers and remedies for the purpose of giving effect to this section and recovering the treble tax as in the case of ordinary assessments and taxations.

TRUSTEES, AGENTS, EXECUTORS, ETC.

Declaration as to joint trustees, etc.

26.—(1) Every person who is acting for another person or for a company or association in any of the capacities mentioned in sections 20, 21 and 22 shall declare to the Collector in writing signed by him the capacity in which he is so acting and the name, occupation and place of abode or business

(*a*) of such other person, or of such company or association; and

(*b*) of any other person who is joined with him in acting in any such capacity.

(2) Every company or association which is acting for any person or for another company or association under sections 20 and 22 shall declare to the Collector in writing signed by its principal officer the name, occupation and place of abode or business of such person or such other company or association.

Power to retain amount of tax paid.

27. Every person who is chargeable in any capacity mentioned in sections 20, 21, 22, 23, 24 and 25 and every company or association which is chargeable under sections 20 and 22 may out of the moneys which he or it receives in that capacity retain the amount with which he or it is so chargeable.

EMPLOYERS, TRUSTEES, AGENTS, EXECUTORS, ETC.

Indemnity.

28. Every person who in pursuance of this Ordinance deducts, retains or pays any tax in respect of the income of another person or of a company or association, and every company or association which pays any tax under sections 20 or 22 is hereby indemnified for the deduction, retention or payment thereof.

CHAPTER V.

APPEAL FROM ASSESSMENT.

Petition to Commissioners.

29.—(1) Any person or principal officer who objects to the amount at which he or his company or association is assessed or

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denies that he or it is chargeable with the tax may petition the Commissioners hereinafter mentioned to reduce or cancel the assessment.

Form of petition.

(2) The petition shall as nearly as circumstances admit be in the form contained in schedule *B*.

Time for presentation of petition.

(3) The petition shall be presented within twenty-one days after receipt by the petitioner of a notification of assessment under section 19. But the Commissioners may receive a petition after the expiration of that period if they are satisfied that the petitioner had sufficient cause for not presenting it within that period.

Notice to Collector of appeal.

30. Notice in writing of the appeal together with a copy of the petition shall be served upon the Collector within seven days after the presentation of the petition.

Commissioners of taxes for hearing appeals from Collector.

31.—(1) The Governor in Council shall appoint a Commissioner or Commissioners of Taxes for each division established under section 3 (herein called "the Commissioners") for the purpose of hearing appeals from any assessment made by a Collector for such division under this Ordinance.

(2) Where more than one Commissioner is appointed, appeals shall be heard by not less than two of such Commissioners and shall be decided in accordance with the opinion of the majority of the Commissioners present, but if there is no such majority the assessment appealed from shall stand.

Hearing of petition.

32.—(1) The Commissioners shall fix a day and place for the hearing of the petition, and on the day and at the place so fixed or on the day and at the place, if any, to which they have adjourned the hearing shall hear the petition and make such orders thereon as they think fit.

Payment.

(2) The person chargeable with the assessment shall pay to the Government the amount of the assessment determined by the Commissioners' order within twenty-one days after such determination.

Summons to witnesses.

33. The Commissioners may, in order to determine how the petitioner should be assessed, summon and enforce the attendance of witnesses and compel them to give evidence and compel the production of documents by the same means and as far as possible in the same manner as is provided in the case of a Civil Court by the Civil Procedure Code:

Provided that the Commissioners shall not call for any evidence except at the instance of the petitioner.

Reduction or cancellation on proof of overcharge

34. The Commissioners shall not upon the hearing of any such appeal cancel, or make any reduction in, the assessment made by the Collector unless it shall upon the hearing of such

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appeal appear to the Commissioner or the majority of the Commissioners, as the case may be, by examination of the petitioner upon oath or affirmation or by other evidence to be produced by him, that he is not liable to, or has been overcharged by, such assessment. or non-liability.

35. At the hearing of any appeal the Collector may Collector may attend the hearing.

(*a*) attend during all the time of hearing such appeal;

(*b*) cross-examine the petitioner and any witnesses produced by him;

(*c*) give his reasons in support of the assessment appealed against;

(*d*) produce evidence in support of such assessment.

36. At the hearing of any appeal any advocate and solicitor of the Supreme Court shall be entitled to plead before the Commissioners either *vivâ voce* or by writing and any accountant approved by the Governor in Council shall be entitled to be heard by them on behalf of the petitioner or the Collector. Advocates and solicitors.

37. The provisions of the Evidence Ordinance for the time being in force shall apply to any proceedings under this Chapter. Evidence Ordinance to apply to proceedings.

CASE FOR THE OPINION OF THE SUPREME COURT.

38.—(1) Immediately upon the determination of any appeal to the Commissioners under this Chapter, provided that the amount of the assessment as upheld or fixed by the Commissioners be not less than two hundred dollars, the petitioner or the Collector may, if dissatisfied with the determination as being erroneous in point of law, declare his dissatisfaction to the Commissioners who heard the appeal and then may within 21 days after the determination by notice in writing require the Commissioners to state and sign a case for the opinion of the Supreme Court thereon, setting forth the facts and the determination. Statement of case by Commissioners.

(2) The party requiring the same shall within seven days after receiving the case so stated and signed transmit it to the Supreme Court and shall at the same time, unless he has previously done so, send a copy of the case to the other party.

(3) In relation to cases so stated and the hearing thereof the following provisions shall have effect:— Jurisdiction of the Supreme Court.

(*a*) The Supreme Court shall hear and determine the question or questions of law arising on a case transmitted under this section and shall thereupon reverse, affirm or amend the determination of the Commissioners or remit the matter to the Commissioners with its opinion thereon or may make such other order in relation to the matter and such order as to costs as it thinks fit;

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(*b*) The Supreme Court may cause the case to be sent back for amendment, and thereupon the same shall be amended accordingly and judgment shall be deferred pending such amendment;

(*c*) The authority and jurisdiction hereby vested in the Supreme Court may, subject to any rules and orders of the Supreme Court in relation thereto, be exercised by a Judge sitting in chambers.

(4) An appeal shall lie to the Court of Appeal from the decision of the Supreme Court or of any Judge thereof upon any case stated under this section.

(5) Although a case so stated is pending before the Supreme Court or the Court of Appeal the tax shall be paid according to the assessment of the Commissioners as if such case had not been required to be stated, and if the amount of the assessment is altered by the order or judgment of such Court, the difference in the amount, if too much has been paid, shall be repaid with such interest, if any, as such Court allows, and, if too little has been paid, shall be forthwith paid and may be recovered as if it were an arrear.

Bar to other proceedings.

39. No suit shall lie in any Civil Court to set aside or modify any assessment made under this Ordinance except as provided in this Chapter.

CHAPTER VI.

RECOVERY OF TAX.

Tax when payable.

40.—(1) The tax chargeable under this Ordinance shall be payable within the prescribed time.

Double tax may be recovered for default.

(2) In case of default under this Ordinance the Collector may recover a sum not exceeding double the amount of the tax either as if it were an arrear of land revenue or by any process enforceable for the recovery of an arrear of any Municipal tax or assessment imposed under any Ordinance for the time being in force or may make an order that a sum not exceeding double that amount shall be recovered from the defaulter.

Directions by Governor in Council.

(3) The Governor in Council may direct by what authority any powers or duties incident under any such Ordinance as aforesaid for the recovery of a Municipal tax or assessment shall be exercised and performed when that process is employed under subsection (2) for the recovery of the tax chargeable under this Ordinance.

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(4) An order made by the Collector under subsection (2) shall have the force of a decree of a Civil Court in a suit under the Crown Suits Ordinance, 1876, and may be enforced in manner provided by that Ordinance as well as in the manner provided by the Civil Procedure Code for the enforcement of judgments for the recovery of money: and the procedure under the said Code in respect of the following matters, namely:— Collector's order to have the force of a decree.

(*a*) writs of seizure and sale;

(*b*) arrest and examination and committal of judgment-debtors;

(*c*) claims to attached property; and

(*d*) execution of judgments out of the jurisdiction of the Courts by which they were passed

shall apply to every execution issued for levying the sum mentioned in the order; save that all the powers and duties conferred and imposed by the said Code upon the Court may be exercised and discharged by the Collector by whom the order has been made or to whom a copy thereof has been sent for execution.

CHAPTER VII.

MISCELLANEOUS.

41. When a company, association or person has several places of business or residences in different divisions the Collector-General may determine that it or he be assessed for the tax Assessment in one or more divisions.

(*a*) in each division separately; or

(*b*) in one or more divisions.

42. When any money is paid under this Ordinance to the Collector or is recovered thereunder by him, he shall give a receipt for the same in the prescribed form. Receipts to be in prescribed form.

43. If— Amendment of assessment.

(*a*) any person dies or is adjudged a bankrupt or is from any other specific cause deprived of or loses income; or

(*b*) any company, association or person ceases to carry on business

he or it or his or its representative in interest may apply to the Collector within nine months after the end of the year, and the Collector on proof to his satisfaction of any such cause as aforesaid shall amend the assessment as the case may require and refund such sum, if any, as has been overpaid.

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Refunds, etc., by Collector.

44.—(1) The Collector, on proof to his satisfaction that any sum paid as tax by deduction or otherwise under this Ordinance

(*a*) was not liable to be paid; or

(*b*) was paid in excess of the amount which is liable to be paid; or

(*c*) was paid in error,

shall on the application of the company, association or person charged with such tax made within nine months after the end of the year refund to it or him the whole amount paid or the amount paid in excess or in error.

(2) The Collector, on proof to his satisfaction that income-tax will be paid in the United Kingdom on any part of the income of any company, association or person which such company, association or person receives as a member of a company or an association which has paid tax under this Ordinance, shall on the application of such company, association or person, within nine months after the end of the year, pay to it or him a sum equivalent to a percentage of such part of its or his income calculated at the rate at which such company or association has paid such tax.

If too little tax paid deficiency to be made up.

45. If within three years after any tax has been paid under this Ordinance it is discovered that too little in amount has been paid, the company, association or person liable to the tax shall forthwith pay the deficiency.

Lists of lodgers and inmates.

46. Every person when he is required so to do by notice from a Collector shall within the time specified in such notice prepare in accordance with the directions of such notice and deliver to the Collector a list signed by him containing to the best of his belief the proper name, occupation and place of business or employment of every lodger and inmate in his dwelling-house.

PENALTIES, ETC.

Penalties.

47.—(1) Any person who fails—

(*a*) to deliver in due time to the Collector any return, statement, notification, declaration or list mentioned in sections 9, 12, 15, 16, 17, 21, 25, 26 and 46;

(*b*) to deduct or pay any tax as required by any of the sections 10, 19, 32 and 38;

(*c*) to produce or cause to be produced, on or before the date mentioned in a notice under section 18 (1), such accounts as are referred to in the notice,

shall on conviction before a Police Court be liable to a fine not exceeding five hundred dollars, or to double the amount of the tax

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chargeable and, in the case of a continuing offence, to a fine of five dollars for every day during which the default continues.

(2) The payment of such fines shall not affect the liability of any person to be assessed and to pay tax under this Ordinance.

False statements.

48. If a person includes in any such return, statement, notification, declaration or list as aforesaid or in any application for a refund under section 44 any information which is false and which he either knows or believes to be false or does not believe to be true, he shall be deemed to have committed the offence specified in section 177 of the Penal Code.

Restriction on prosecutions.

49.—(1) A person shall not be proceeded against for an offence under section 47 or 48 except at the instance of the Collector.

(2) The Collector-General may stay any such proceedings or compound any such offence.

Judicial proceedings.

50. Any proceeding under section 18 or Chapter V shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Penal Code.

Principal officer of a company responsible.

51. Where under this Ordinance a duty is imposed on a company or an association, its principal officer shall be responsible for the performance of the duty and may be proceeded against for any offence under this Ordinance.

Person failing to deduct or pay to be himself in default.

52. Any company, association or person whose duty it is under this Ordinance to deduct and to pay to the Government the tax, shall if it or he fails to deduct or pay such tax to the Government within the prescribed time, without prejudice to any other consequences, be deemed to be in default in respect of such tax.

SERVICE.

Service.

53. A notice under this Ordinance may be served on the company, association or person to whom it is addressed

(*a*) by registered post.

(*a*) by sending it through the post under registered cover addressed to it or him at the address given in its or his return or statement last delivered to the Collector or at the house at which it or he ordinarily carries on business or resides;

(*b*) personally.

(*b*) by tendering or delivering it under cover to

(i) any principal officer of the company or association;

(ii) any partner or to the person having the management or control of the firm;

(iii) the person

to which or whom it may be addressed.

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Substituted service.

54. If no such address is known or if no such person can be found, a notice may be served by affixing a copy of the notice on the outer door of the house in which the company, association or person was last known ordinarily to carry on business or reside.

RULES.

Rules.

55.—(1) The Governor in Council may make rules for ascertaining and determining income liable to assessment, for preventing the disclosure of documents or particulars delivered or produced or furnished with respect to assessments and generally for carrying out the purposes of this Ordinance.

(2) Breach by a public servant of any rule made under subsection (1) for preventing the disclosure of such documents or particulars as are therein referred to shall, unless it be otherwise provided in the rules, be deemed to be an offence under section 166 of the Penal Code.

(3) Any rules made under this section shall be published in the *Gazette*.

(4) Such rules shall be laid before the Legislative Council at the first meeting after such publication.

(5) Such rules shall remain in force until disapproved or altered by a resolution of the Legislative Council.

(6) Any rule altered by a resolution of the Legislative Council shall come into force, as altered, from the date of the passing of such resolution, and shall have the same force and effect as if enacted in this Ordinance.

Net amount of tax to be paid to Imperial Government.

56. The net amount of the tax received by the Government under this Ordinance after deduction of the expenses of and incidental to its assessment and collection, together with any fines and penalties imposed and paid under this Ordinance, shall be paid to the Imperial Government as a contribution towards defraying the expenses incurred in the prosecution of the present war.

Passed this 21st day of January, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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SCHEDULE *A*.

War tax shall be paid at the rates set out in the following scale, viz.:—

	Amount of total income per annum.				Rate per centum.
	$		$		
Not less than	3,000	but less than	3,600	...	1
do.	3,600	but less than	6,000	...	2
do.	6,000	but less than	7,200	...	3
do.	7,200	but less than	8,400	...	4
do.	8,400	but less than	12,000	...	5
do.	$12,000	...	...	...	6

SCHEDULE *B*.

FORM OF PETITION.

(*Section 29*).

To the Commissioners of

the day of , 191 .

The Petition of *A.B.* of
Sheweth as follows:—

1. Under the War Tax Ordinance, 1918, your petitioner has been assessed in the sum of dollars for the year commenced on the 1st day of January, 1918.

2. Your Petitioner's total income accruing and arising from (*here specify petitioner's profession, trade or other source of income or profits and the place or places at which such income or profits accrue or arise*) for the year ending the day of last was dollars *(as will appear from the documents of which a list is presented herewith).

3. Your Petitioner is chargeable with the tax on the sum of dollars only *or* is not chargeable with the tax.

4. Such income actually accrued and arose during a period of months and days (*here state the exact number of months and days in which the income and profits accrued and arose*).

5. During the said year your Petitioner had no other income or profits.

Your Petitioner therefore prays that he may be assessed accordingly (*or* that he may be declared not to be chargeable under the said Ordinance).

(Signed) *A.B.*

* These words are to be inserted if the petitioner relies on documents. The list, if the petitioner so wishes, may be presented in a sealed envelope.

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(*Vide Notification No. 223 in Gazette Extraordinary No. 19 of 19th February, 1918.*)

The War Tax Ordinance, 1918.

RULES MADE BY THE GOVERNOR IN COUNCIL UNDER SECTION 55.

Delivery of Returns.

1. Notification by employers under section 9 of persons leaving or entering employment shall be delivered to the Collector within one month after cessation or commencement of employment, as the case may be.

2. Returns of income and total income under section 16 of the Ordinance shall be delivered to the Collector within twenty-one days after the necessary forms have been sent to the person liable to make the returns.

3. Statements or returns called for or required by the Collector under sections 15 and 17 of the Ordinance shall be delivered to the Collector within twenty-one days after the Collector's written requisition has been sent to the person liable to furnish such statements or returns.

4. The declaration to be made in writing under section 26 of the Ordinance by companies, associations or persons shall be delivered to the Collector on or before the 31st May, 1918, or within one month from the date of appointment in any capacity mentioned in sections 20, 21 and 22.

Forms.

5. The return of employees to be delivered to the Collector under section 9 shall be substantially in Form 1 of the Schedule hereto.

6. The notification to the Collector under section 16 that a person is chargeable with the tax shall be substantially in Form 2 of the Schedule hereto.

7. Returns of income and total income under sections 16 and 21 of the Ordinance shall be in Form 4 of the Schedule hereto.

8. Receipts to be given by the Collector in respect of tax paid to him under the Ordinance shall be in Form 5 or 6, as the case may be, of the Schedule hereto.

Payment of Tax.

9. Every employer shall in the months of April, July, October, 1918, and January, 1919, pay to the Government the amount of tax deducted by him from the salaries or pensions paid by him during the preceding quarter to persons employed by, or in receipt of pensions from, him. Payment shall be made by remitting the amount to the Collector with a return in Form 3 of the Schedule hereto.

10. Every company, association or person upon whom a notification of assessment under section 19 of the Ordinance has been served shall pay the

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amount of the assessed tax stated in such notification to the Collector within the period stated in such notification, which period shall be either twenty-one days after service of such notification or the period ending on the 1st day of September, 1918, provided that the 1st day of September, 1918, does not fall within twenty-one days after the service of such notification.

11. In calculating the amount of tax payable, the amount due on a fraction of a dollar shall be neglected. Thus, the tax to be deducted on a monthly salary of $428.57 is $8.56.

Assessment in cases of business losses.

12. An association or person carrying on two or more distinct businesses in the Colony may set off a loss incurred in one or more of such businesses against the profits of the other or others.

13. An association or person, whose business head office is in the Colony, having a branch business in a neighbouring country carried on under the same name or style as the head office, which proves to the satisfaction of the Collector that it or he keeps one central account in the Colony into which profits or losses of the branch business have always been, and will always be, brought into account, may deduct losses of the branch business from the total net profits.

Prevention of Disclosure of Documents.

14. No return, statement, notification, declaration, list, or claim delivered to the Collector in accordance with the provisions of the Ordinance shall be admissible as evidence in any civil or criminal proceeding, except at the instance of the person making or delivering the same or except in the case of a prosecution under section 48 of the Ordinance.

15. Except in the case of a prosecution under the Ordinance, the Collector-General, the Collectors and all persons employed by them for the purposes of the Ordinance are forbidden to disclose the contents of entries made in records kept, or of documents delivered, in connection with carrying out the purposes of the Ordinance.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 18*th February*, 1918.

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Form 1.

RETURN OF EMPLOYEES UNDER SECTION 9.

To be delivered to the Collector on or before the 15th March, 1918.

NAME OF EMPLOYER.....

PLACE OF BUSINESS.....

Name of Employee or Pensioner.	Description of Employment.	Address of Employee.	Amount of fixed yearly Salary or Pension.	Allowances, fees, commissions, bonuses, gratuities, perquisites or profits received or to be received in lieu of or in addition to fixed salary.		Periods of payment of Salary or Pension.	Amount of Salary or Pension paid from 1st January, 1918 to date of return.	REMARKS.
				Amount.	Nature of Allowance.			
1.	2.	3.	4.	5.	6.	7.	8.	9.
			$	$			$	

I hereby certify that the above is a full and correct list of the persons resident in the Colony employed by me or receiving pension from me, exclusive of such persons as are in receipt of a salary or pension of less than $200 per mensem and have not to my knowledge any other employment.

Signature of Employer.....

Date.....

Notes.—Column 2. If pensioner so state.
Column 5. The amount of such allowances, etc., paid or to be paid to the employee during the year must be entered in this column and the description of the nature of the allowance, etc., stated in Column 6.
Column 7. State whether weekly, monthly, quarterly, etc.
Column 8. If any person on the list has entered your employment since the first day of January, 1918, give commencing date in Column 9.

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Form 2.

Notification under Section 16.

(*a*) Full name. I (*a*).....

(*b*) Detailed address. residing at (*b*).....

(*c*) All occupations to be given. by occupation (*c*).....

(*d*) Name of Chop, if any, as well as English name of firm. employed by (*d*).....

of (*b*).....

or carrying on business at (*b*).....

do hereby give you notice that I am chargeable with War Tax.

I ALSO use for the purposes of investments and business interests the following names :—

.....

I ALSO have residences at (*b*).....

I ALSO carry on business at (*b*).....

(*e*) If your total income is less than $12,000 per annum strike out the words "do not". I *do not* (*e*) claim to be assessed for War Tax at a lower rate than 6 per centum.

DATE,....., 191 .

Signed.....

TO THE COLLECTOR OF WAR TAX,

.....DIVISION.

NOTE.—This form duly filled in must be returned on or before the 30th April, 1918.

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Form 3.

Return of deductions made by Employers under Section 10.

To be furnished in April, July, October, 1918, and January, 1919.

Name of Employer.....

Period, from.....*to*.....*inclusive*.

Name of Employee or Pensioner.	Salary (*a*) or pension (*b*) paid in above period.	Rate of Tax %	Amount of tax deducted.	REMARKS.
		TOTAL ...		

I enclose cheque for $.....being the deductions of tax from salaries or pensions paid by me as set out in the above return.

Signature of Employer.....

Place of business.....

Date.....

(*a*) Salary includes allowances, other than travelling allowances considered to be reasonable by the Collector, fees, commissions, bonuses, gratuities and perquisites or profits credited set aside or received in lieu of or in addition to a fixed salary.

(*b*) Pension includes annuity and gratuity.

ILLUSTRATION.

	Amount per annum.
	$
A draws a fixed salary of $500 per mensem	6,000
.....fixed allowance for Motor Car of $75* per mensem	
.....house allowance of $50 per mensem	600
.....allowance for servants $25 per mensem	300
.....has drawn prior to the first deduction by the employer a bonus of, say	1,000
Total ...	$7,900

In so far as his salary is concerned *A* is chargeable with War Tax at the rate † of 4 per centum and on all payments of salary the employer must deduct, and include in his returns, tax at that rate.

Assume that, although *A* normally draws a yearly bonus, it is varying in amount and is not paid until the latter part of the year, say, October :—

Taking the above illustration, the employer on all payments of salary up to and including September would have deducted tax as though *A's* salary during the year were $6,900, that is, at the rate of 3 per centum. The payment of the bonus in October brings *A* within the 4 per cent rate and it will be the duty of the employer to deduct tax not only at the rate of 4 per cent on payments of salary in and after October, but also at the additional rate of 1 per centum in respect of all payments of salary from the 1st January to the end of September inclusive.

A note explaining such additional deductions should be made in the remarks column of the return accounting for such additional deductions.

* Such an allowance will be shown in the employer's return under section 9, but need not be taken into account in fixing the rate at which deductions are to be made, or as part of the salary on which tax is to be deducted, unless the Collector has notified the employer that such allowance is not reasonable in amount.

† The rates at which tax is to be deducted are:—

On an annual salary of not less than	$ 3,000	but less than	$ 3,600	1 per cent
"	$ 3,600	"	$ 6,000	2 "
"	$ 6,000	"	$ 7,200	3 "
"	$ 7,200	"	$ 8,400	4 "
"	$ 8,400	"	$ 12,000	5 "
"	$ 12,000	"	"	6 "

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Form 4.

WAR TAX ORDINANCE, 1918.

Return of Income and Total Income under Section 16

OFFICE OF COLLECTOR OF WAR TAX,

.....DIVISION.

To.....

of..... .....

IN pursuance of the provisions of the War Tax Ordinance, 1918, you are hereby required to make a full and accurate return of your total income * and of your income † in the form set out on pages 2 and 3 of this form.

The form, duly signed by you, must be delivered to me at my Office **within twenty-one days after this date.**

Your attention is invited to the notes set out on page 4 of this form.

Dated this .....day of....., 191 .

....

Collector of War Tax.

---

* "Total Income" means—

in the case of an individual

(*a*) the total net profits, derived by him from carrying on any business, wheresoever made;

(*b*) the net annual value of lands tenements or hereditaments owned by him wheresoever the same may be situated;

(*c*) his gross income from any other source, whether arising or received in the Colony or not:

Provided that any sum paid in respect of Income Tax or of any tax specially imposed for the purposes of the present war in any part of His Majesty's Dominions or in any British Protectorate or Protected State or of any tax under this Ordinance or under the War Tax Ordinance, 1917, shall be deemed to form part of total income.

Income" (*i.e.*, Taxable Income) means—

in the case of an individual

(*a*) the net profits, derived by him from carrying on any business, arising or received in the Colony;

(*b*) the net annual value of lands tenements or hereditaments owned by him and situated in the Colony;

(*c*) his gross income from any other source arising or received in the Colony.

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Form 4.—*Continued.*

DETAILS OF INCOME AND TOTAL INCOME.

Source of Income.	Total Income.	Taxable Income.
SALARY:—(Note A, page 4.)	$	$
1. Salary or Pension including allowances fees, commissions, bonuses, etc., drawn and to be drawn in 1918.		
ALL OTHER SOURCES INCOME OF 1917.		
BUSINESS PROFITS:—(Note B, page 4.)		
2. Net profits of business.....		
3. Shares in Associations.....		
RENTS:—(Note C, page 4.)		
4. Net Annual Value of immoveable property owned by you and situated in the Colony		
5. Rents from immoveable property owned by you and situated out of the Colony.....		
INTEREST:—(Note D, page 4.)		
6. Interest on War Loan Securities.....		
7. Interest on debenture Securities.....		
8. Interest on Mortgages.....		
9. Interest on Loans.....		
10. Interest on fixed deposits with Banks.....		
11. Interest from any other source.....		
DIVIDENDS:—		
12. Dividends paid by Companies incorporated in the Colony		
13. Dividends paid by Companies not incorporated in the Colony		
Carried forward ...		

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Form 4.—*Continued.*

DETAILS OF INCOME AND TOTAL INCOME.

SOURCE OF INCOME.	Total Income.	Taxable Income.
Brought forward ...	$	$
MISCELLANEOUS:—		
14. Directors' Fees.....		
15. Income from Sources other than those set out above and on page 2 arising or received in the Colony.....		
16. Income from Sources other than those set out above and on page 2 arising elsewhere and not received in the Colony.....		
TOTAL ...		

CLAIMS.

Life Insurance:—(NOTE E, page 4.)

I claim to deduct from my taxable income the sum of $..... paid or to be paid by me in respect of the year 1918 as premiums on life insurance policies and $.....to be deducted from my salary as contribution under the Widows' and Orphans' Pension Ordinance *or* to the Provident Fund established by the.....

Mortgages:—(NOTE F, page 4.)

I further claim to deduct from my total income and from my taxable income the sum of $.....paid by me in 1917 as interest on mortgages of my immoveable property situated in the Colony.

Allowance for tax paid by Companies:—(NOTE G, page 4.)

I further claim that Companies incorporated in the Colony have deducted from me or paid on my behalf tax of $.....on the dividends received by me from such Companies in the year 1917 and apply for this amount to be deducted from my assessment.

Please do not write in this space.

DECLARATION.

I declare that I have, to the best of my judgment and belief, set out on the preceding page and above a full and accurate statement of my total income and income and I further declare that my claims for deduction from income and from assessment are based on proper grounds.

GIVEN under my hand this.....day of....., 191 .

If the return is not made on your own behalf state in what capacity it is made and for whom } .....*Signature.*
.....*Address.*

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Form 4.—*Concluded.*

NOTES.

N.B. **In the total income column against appropriate items all your income wheresoever it arises or is received must be entered. The amount entered must in each case be the gross income without deduction of any tax.**

In the taxable income column such income only as arises or is received in the Colony and has not yet borne income tax in any part of the British Empire need be entered.

A. *Item* 1.—In the **total** income column must be entered the total salary (including allowances, bonus, etc.,) which you expect to receive or to have credited to or set aside for you during the year 1918, wherever it may arise, be received, credited or set aside.

In the **taxable** income column must be entered all salary (including allowances, etc.,) which arises in the Colony wherever it is received, credited, or set aside except such part as has already borne income tax in another part of the British Empire.

B. *Item* 2.—This item must be supported by a statement showing how the net profits have been calculated.

Item 3.—If the Association is liable to tax under the Ordinance the amount received as your share must be shown in the **total** income column but need not be shown in the **taxable** income column.

C. *Item* 4.—The rent, including any premium, received by you from letting immoveable property is the annual value of such property; from this may be deducted the Municipal rates actually paid by you and one-eighth of the annual value towards the expenses of maintenance and repair **only if such expenses are borne by you.** In the case of property owned and occupied by you the figure to be entered is seven-eighths of the Municipal annual value less the Municipal Assessment.

D. *Item* 6.—Interest on War Loan securities wherever issued must be entered in the **total** income column. Interest on such securities issued in any part of the British Empire should be omitted from the **taxable** income column.

E. The total amount allowed under this claim may not exceed one-sixth of your declared total income. Receipts for premiums must be transmitted to the Collector if required.

F. The claim for deduction of mortgage interest must be supported by a list giving (*a*) the name and address of the mortgagee, (*b*) the description of the property mortgaged, (*c*) the date of the indenture of mortgage, (*d*) the amount secured by the mortgage, (*e*) the rate of interest and (*f*) the amount of interest actually paid by you on the mortgage in 1917.

This claim must be supported, if the Collector so requires, by the dividend notices (the usual upper halves of dividend warrants) issued by the Companies.

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Form 5.

(Form of receipt under Section 42.)

OFFICE OF COLLECTOR OF WAR TAX,
.....DIVISION.
the.....day of....., 191 .

RECEIVED from.....
the sum of dollars.....
in payment of the amount stated in assessment notice No.....dated.....
.....to be due by.....
on account of War Tax for the year 191 .
$.....

.....
Collector of War Tax.

Form 6.

(Form of receipt under Section 10.)

OFFICE OF COLLECTOR OF WAR TAX,
.....DIVISION.
the.....day of....., 191 .

RECEIVED from.....of.....
the sum of Dollars.....being the
amount of tax deducted from pensions and salaries of employees for the period.....
.....to.....as per
return dated....., registered in this Office
as No.....
$.....

.....
Collector of War Tax.

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(*Vide Gazette Extraordinary No.* 13 *of* 1st *February*, 1918.)

No. 157.—THE WAR TAX ORDINANCE, 1918.

UNDER the provisions of section 3 of the War Tax Ordinance, 1918, the Governor in Council establishes the following divisions:—

The Settlement of Singapore excluding Christmas Island;
The Settlement of Penang;
The Settlement of Malacca;
The Settlement of Labuan; and
The District of Christmas Island.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 30*th January*, 1918.

No. 158.—THE WAR TAX ORDINANCE, 1918.

THE Governor in Council approves of the following firms and persons as auditors for the purpose of certifying statements delivered under section 12 of the War Tax Ordinance, 1918, and approves of such persons or of any Chartered or Incorporated Accountant who is a partner in or is employed by such firms, as Accountants who may be heard by the Commissioners under section 36 of that Ordinance:—

Messrs. Brown, Phillips & Stewart.
Mr. H. H. Cook.
Messrs. Derrick & Co.
Mr. A. H. Donaldson.
Messrs. Evatt & Co.
Messrs. Gattey & Bateman.
Mr. G. H. Harrop.
Messrs. E. R. Henderson & Co.
Messrs. Lowe, Bingham & Matthews.
Messrs. McAuliffe, Davis & Hope.
Messrs. Neill & Bell.

E. C. H. WOLFF,
Clerk of Councils.

COUNCIL CHAMBER,
SINGAPORE, 30*th January*, 1918.

APPOINTMENTS.

No. 159.—THE WAR TAX ORDINANCE, 1918.

IT is hereby notified that, in accordance with the provisions of section 3 of the War Tax Ordinance, 1918, His Excellency the Governor has been pleased to make the following appointments:—

Mr. A. M. POUNTNEY as Collector-General and as a Collector for all the divisions established in the Colony.
Mr. E. L. TALMA as a Collector for all the divisions established in the Colony.
Mr. G. F. TURNER as a Collector for the Settlement of Penang.
Mr. R. INGHAM as a Collector for the Settlement of Malacca.
Mr. C. G. OSBORNE as a Collector for the Settlement of Singapore.
The Resident of Labuan as a Collector for the Settlement of Labuan.
The District Officer, Christmas Island, as a Collector for the District of Christmas Island.

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STRAITS SETTLEMENTS.

No. 3 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

23rd January, 1918.

AN Ordinance to provide for the preservation of Coconut Palms.

[ ]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Coconut Palms Preservation Ordinance, 1918, and shall come into operation within such area or areas and at such date or dates as the Governor by notification in the *Gazette* directs and appoints. **Short title and commencement.**

2. Subject to the provisions of section 2 of the Coconut Trees Preservation Ordinance, 1890, no person shall intentionally destroy any living coconut palm, unless **No coconut palm to be destroyed without sanction.**

(*a*) he is acting in pursuance of a lawful order given by a public officer under the provisions of any Ordinance for the time being in force, or

(*b*) he shall first have obtained sanction in writing in that behalf from the Director of Gardens or from the Collector or Deputy Collector of Land Revenue of the place where such coconut palm is situate or from an officer authorized by the Administrative Head of the Settlement or by such Collector to give such sanction.

3. Every person who acts in contravention of the provisions of section 2 shall be guilty of an offence and liable on conviction to a fine not exceeding twenty dollars in respect of every coconut palm which he has unlawfully destroyed. **Penalty.**

[*Price: 5 cents.*]

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Presumption against occupier.

4. Where any coconut palm has been destroyed in contravention of the provisions of section 2, it shall be presumed until the contrary is proved that such coconut palm was destroyed by the person having actual charge of the land where the same was situate at the time of its destruction.

Access to lands.

5. All District Officers and all officers referred to in section 2 shall within the areas over which their powers respectively extend have access at all reasonable hours into and upon any land whereon any coconut palm is situate for the purpose of inspecting such coconut palm.

Passed this 21st day of January, 1918.

E. C. H. WOLFF,
Clerk of Councils.

Printed at the Government Printing Office, Singapore, by J. E. Tyler, Government Printer.

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STRAITS SETTLEMENTS.

No. 4 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

23rd January, 1918.

AN Ordinance to reduce the capital Debt of the Penang Harbour Board.

[*25th January*, 1918.]

WHEREAS the capital debt due by the Penang Harbour Board to His Majesty on the 1st day of July, 1917, was the sum of $2,897,892.40 and the interest due thereon on the said date was the sum of $125,053.69 which remains unpaid: AND WHEREAS the said Board is unable to pay the said interest due and will be unable to pay interest hereafter due on a capital debt greater than $2,310,999.33: AND WHEREAS it is desirable to forego payment of the above sum due as interest and to reduce the above said capital debt due by the said Board to the sum of $2,310,999.33 as from the 1st day of July, 1917:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Penang Harbour Board (Reduction of Debt) Ordinance, 1918. Short title.

2. The interest due by the Penang Harbour Board to His Majesty on the 1st day of July, 1917, is hereby discharged. Interest discharged.

3. The capital debt due by the Penang Harbour Board to His Majesty on the 1st day of July, 1917, is hereby reduced as from that date to the sum of $2,310,999.33 and on that sum and from that date interest shall be payable. Reduction of capital debt.

Passed this 21st day of January, 1918.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 5 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

28th March, 1918.

AN Ordinance to amend the Quarantine and Prevention of Disease Ordinance, 1915.

[*2nd April*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Quarantine and Prevention of Disease (Amendment) Ordinance, 1918. Short title.

2. Section 2 of the Quarantine and Prevention of Disease Ordinance, 1915, hereinafter referred to as the principal Ordinance, is amended Amendment of section 2 of principal Ordinance. Ord. XXXIII of 1915.

(*a*) by inserting after the definition of "Infectious Disease" the following words :—

"Dangerous Infectious Disease" means any of the following diseases, namely, small-pox, cholera, plague, yellow fever, typhus, cerebro-spinal fever and any other disease which the Governor may by order in the *Gazette* declare to be included within the said expression.

(*b*) by repealing the words "plague, cholera, small-pox or yellow fever" wherever occurring in the definition of "epidemic state", "sporadic state" and "prescribed case" and substituting therefor the words "a dangerous infectious disease".

3. Subsection (2) of section 6 of the principal Ordinance is amended by repealing the word "remain" and substituting therefor the words "be detained". Amendment of section 6 of principal Ordinance.

[*Price : 5 cents.*]

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Amendment of section 7 of principal Ordinance.

4. Subsection (1) of section 7 of the principal Ordinance is amended by inserting the words "detained and" immediately before the word "treated".

Amendment of section 8 of principal Ordinance.

5. Section 8 of the principal Ordinance is amended by adding at the end of paragraph (*c*) the words "Such Health Officer or Medical Practitioner is the Examining Officer mentioned in Schedule *B*".

Amendment of section 11 of principal Ordinance.

6. Subsection (1) of section 11 of the principal Ordinance is amended

(*a*) by inserting after the words "Health Officer" in line 2 the words "or, where the death occurred on a ship, the Port Health Officer"; and

(*b*) by repealing the words "the Health Officer" in line 4 and substituting therefor the words "such Health Officer".

Amendment of section 42 of principal Ordinance.

7. Section 42 of the principal Ordinance is amended

(*a*) by repealing the word "has" in line 2 of subsection (1) and substituting therefor the words "might have"; and

(*b*) by inserting after the word "arrested" in paragraph (*a*) of subsection (3) the words "without warrant".

Amendment of section 43 of principal Ordinance.

8. Section 43 of the principal Ordinance is amended by repealing subsection (3) thereof and substituting therefor the following subsection:—

(3) The master shall detain on the ship every immigrant from such port until such immigrant has been permitted by the Port Health Officer to land, and may use any means reasonably necessary for that purpose.

Amendment of section 45 of principal Ordinance.

9. Subsection (3) of section 45 of the principal Ordinance is amended by repealing the word "susceptibility" and substituting therefor the word "insusceptibility".

Amendment of section 46 of principal Ordinance.

10. Section 46 of the principal Ordinance is amended

(*a*) by repealing the words "either Certificate III or Certificate IV" occurring in paragraph (*b*) thereof and substituting therefor the words "a certificate according to either Form III or Form IV in Schedule *C*"; and

(*b*) by repealing the words "Certificate II" occurring in paragraph (*c*) thereof and substituting therefor the words "a certificate according to Form II in Schedule *C*".

Amendment of section 48 of principal Ordinance.

11. Section 48 of the principal Ordinance is amended

(*a*) by repealing the words "plague, cholera, small-pox or yellow fever" wherever occurring therein and

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substituting therefor the words "a dangerous infectious disease"; and

(*b*) by inserting the words "by the Governor" after the word "declared" wherever occurring therein.

12. Section 50 of the principal Ordinance is amended

Amendment of section 50 of principal Ordinance.

(*a*) by inserting after the words "presence for" in line 7 of subsection (2) the words "inspection and"; and

(*b*) by inserting after the words "to see the" in line 8 of subsection (2) the words "journal or".

13. Section 53 of the principal Ordinance is amended by repealing the words "the crew and passengers" in paragraph (*e*) and substituting therefor the words "all persons on board".

Amendment of section 53 of principal Ordinance.

14. Section 58 of the principal Ordinance is amended by repealing the words "or pests" in line 1 of subsection (2) and by inserting after the word "goods" in line 1 of subsection (2) the word "or".

Amendment of section 58 of principal Ordinance.

15. Section 61 of the principal Ordinance is amended

Amendment of section 61 of principal Ordinance.

(*a*) by adding at the end of subsection (1) the words "by order of the Governor";

(*b*) by inserting after the word "declared" in line 7 of subsection (3) the words "by the Governor";

(*c*) by adding at the end of subsection (3) the words "by order of the Governor";

(*d*) by repealing the word "conductor" in subsection (4) and substituting therefor the word "guard"; and

(*e*) by adding at the end of the section the following subsection:—

(5) If any articles the exportation of which is prohibited under the provisions of this section are exported from any port in the Colony, the master or chinchew of the ship in which such articles are exported or the exporter of such articles shall be liable to a fine not exceeding one hundred dollars.

16. Subsection (3) of section 65 of the principal Ordinance is amended by repealing the word "remain" and substituting therefor the words "be detained".

Amendment of section 65 of principal Ordinance.

17. Schedule *C* of the principal Ordinance is amended

Amendment of Schedule *C* of principal Ordinance.

(*a*) by inserting the words "Deputy Superintendent of Vaccination or" before the words "Public Vaccinator" and adding the words "or Person appointed by the Governor" after the words "Medical Practitioner" in Form II;

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(*b*) by adding the words "or Person appointed by the Governor" after the words "Medical Practitioner" in Form III;

(*c*) by repealing the words "by me" in Form IV; by repealing the words "Public Vaccinator of the District" occurring in the said Form and substituting therefor the words "Deputy Superintendent of Vaccination"; by adding the words "or Person appointed by the Governor" after the words "Medical Practitioner" in the said Form; and by repealing the words "or Public Vaccinator" in the Notice to the said Form.

Amendment of Schedule *G* of principal Ordinance.

18. Schedule *G* of the principal Ordinance is amended by repealing the figures "10" occurring in Form I and Form II and substituting therefor the figures "$20".

Passed this 28th day of March, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 6 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

6th June, 1918.

AN Ordinance to provide for raising money for the present war.

[*7th June*, 1918.]

WHEREAS it is desirable that a further opportunity be afforded for the local investment of moneys with the Government by way of loan in order that such moneys may be available for the purposes of the present war : Preamble.

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the War Loan Ordinance, 1918. Short title.

2. The Governor may raise any sum which he thinks fit by the issue in the Colony of bonds payable to bearer or payable to registered holder and the sum so raised shall be lent to His Majesty's Government for the prosecution of the war. Authority to raise loan by bearer bonds and registered bonds.

3. The principal moneys and interest represented by the bonds issued under the provisions of this Ordinance are hereby charged upon and shall be payable out of the general revenues and assets of the Colony. Loan to be a charge on general revenue.

4. The bonds shall be issued by the Treasurer upon the terms approved by the Governor and shall be authenticated either by the signatures of the Colonial Secretary and Treasurer or by a facsimile of such signatures or in such manner as is approved by the Governor. Issue of bonds.

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Sums for which bonds may be issued.

5. The bonds shall be issued in denominations of one hundred, five hundred, one thousand and ten thousand dollars and such other denominations as the Governor thinks fit and shall bear interest at the rate of five and one-half per centum per annum.

Interest coupons.

6. Coupons shall be attached to every bond for the payment of the interest to become due in each half-year upon the principal represented by the bond.

Form of bond and coupons.

7. The bonds and the coupons attached thereto shall be in such form as the Governor or the Crown Agents for the Colonies in England acting on his behalf may approve.

Register to be kept at Treasury.

8. Every bond payable to registered holder shall be registered in a register book to be kept for that purpose at the Treasury.

Transfer of bonds and coupons.

9.—(1) Every bond payable to bearer and the right to receive the principal represented thereby shall be transferable by delivery.

(2) Every bond payable to registered holder and the right to receive the principal represented thereby shall be transferable by an instrument of transfer registered in a book to be kept for that purpose at the Treasury.

(3) Every coupon and the right to receive the interest represented thereby shall be transferable by delivery.

Exchange of bearer bond for registered bond and *vice versâ*.

10.—(1) The holder of any bond to bearer may, at his option, have his name registered as a bond holder in the register book at the Treasury and a registered bond issued to him in exchange for such bond to bearer.

(2) The holder of a registered bond may at his option have such registration cancelled by the Treasury and a new bond payable to bearer issued to him in exchange for the registered bond.

Payment of interest.

11. The interest upon the principal represented by each bond shall run from the day named in that behalf in the bond and shall be paid half-yearly on the days named in that behalf in the coupons at the Treasury.

Provision for payment of interest.

12. The Governor shall in each half-year ending with the day on which the interest on the bonds falls due appropriate out of the general revenues and assets of the Colony a sum equal to the interest due for each half-year in order that such interest may be paid therefrom.

Redemption.

13. The bonds shall be redeemable at par on the twentieth day of July, 1928, from and after which date all interest on the principal money represented thereby shall cease and determine whether payment of the principal shall have been demanded or not.

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14.—(1) The principal moneys represented by any registered bond shall be paid without regard to any equities between the Government and the original or any intermediate holder thereof, and the receipt of the registered holder for the time being for such principal moneys shall be a good discharge to the Government for the same. Exclusion of equities.

(2) No notice of any trust, express, implied or constructive, shall be entered on the register book or be receivable by the Treasurer.

15. Upon the repayment of the principal moneys represented by any bond the bond shall be delivered up to the Treasurer. Delivery up of bond on payment.

16. The issue of bonds authorized by this Ordinance shall be exempt from all duties other than estate duty and all taxes levied or leviable or which may hereafter be levied or leviable in the Colony. Exemption from duties and taxes.

17. The bonds shall be accepted at par in payment of estate duty due to the Government. Payment of estate duty in bonds.

18. The Governor in Council may make rules— Rules.

(*a*) to fix the fees to be charged for

(i) the registration,

(ii) the registration of the transfer, and

(iii) the cancellation of the registration,

of the bonds; and

(*b*) to carry out generally the purposes of this Ordinance.

Passed this 27th day of May, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 7 of 1918.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.
6th June, 1918.

AN Ordinance to amend the Straits Settlements Ports Ordinance, 1912.

[*7th June,* 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Straits Settlements Ports (Amendment) Ordinance, 1918. Short title.

2. Section 64 of the Straits Settlements Ports Ordinance, 1912, hereinafter called the principal Ordinance, is amended by repealing the words "two months" in line 7 of subsection (1) and substituting therefor the words "ninety days". Amendment of section 64 of Ordinance V of 1912.

3. The last paragraph of the sub-schedule to Part II of the second schedule of the principal Ordinance relating to the description of the land therein numbered 3 is amended by deleting the words "Mukim No. 13 N.D." occurring in the second column thereof and by substituting therefor the words "Mukim No. 15 N.D.". Amendment of last paragraph of sub-schedule to Part II of second schedule.

Passed this 27th day of May, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 8 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th June, 1918.

AN Ordinance to amend the Increase of Rent (War Restriction) Ordinance, 1917.

[*7th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Increase of Rent (War Restriction) Amendment Ordinance, 1918. Short title.

2. Section 1 of the Increase of Rent (War Restriction) Ordinance, 1917, hereinafter referred to as the principal Ordinance, is amended— Amendment of section 1 of principal Ordinance.

(*a*) by deleting the words "which was" in line 1 in paragraph (*a*);

(*b*) by substituting the words "any of which is used as a dwelling" for the words "as separate dwellings or partly as separate dwellings and partly as a shop or shops" in lines 2 and 3 of paragraph (*b*).

3. Section 4 of the principal Ordinance is repealed and the following sections are substituted therefor:— New sections 4 and 4A.

4.—(1) From and after the thirty-first day of July, 1917, it shall be unlawful for any landlord or sublandlord to Receipt after 31st July, 1917, of rent increased between 31st December, 1915, and 1st August, 1917, and increase of rent after 31st July, 1917, without

(*a*) receive or recover the increased rent of any dwelling-house or part of a dwelling-house to which this Ordinance applies, where the rent has been increased between the thirty-first day of December, 1915, and the first day of August, 1917; or

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order of Board prohibited.

(*b*) to increase the rent of any dwelling-house or part of a dwelling-house to which this Ordinance applies

without an order of the Board.

Recovery of rent unlawfully received.

(2) Any tenant or subtenant may recover from a landlord or sublandlord, who has unlawfully received from him any such increased rent, the difference between any such increased rent unlawfully received and the rent payable at the thirty-first day of December, 1915, and when the Board has fixed the rent may, without prejudice to any other method of recovery, deduct from the rent payable by him to such landlord or sublandlord all sums paid by him since the thirty-first day of July, 1917, in excess of the rent so fixed.

Penalty.

(3) Any landlord or sublandlord or agent of a landlord or sublandlord who receives or recovers or attempts to receive or recover such increased rent or unlawfully increases any rent without an order of the Board shall be liable to a fine not exceeding two hundred and fifty dollars.

Orders of the Board.

4A.—(1) Any landlord or tenant or other person interested may apply to the Board for an order fixing the rent of a dwelling-house.

(2) When an application is made to the Board under this section, the Board may refuse to make an order or may make an order authorising the receipt or recovery of the whole or any part of the increased rent or an order fixing the amount by which the rent may be increased.

(3) The Board may also make any such order without application.

(4) Where an order has been made by the Board fixing the rent of any dwelling-house or part of a dwelling-house, the order shall be binding on all present and subsequent landlords or sublandlords, tenants or subtenants and mortgagees.

(5) The Board shall have full powers of rehearing, reconsideration and revision in any case, in which it thinks fit to exercise such powers, and at any time.

Amendment of section 5 of principal Ordinance.

4. Section 5 of the principal Ordinance is amended—

(*a*) by substituting the words "thirty-first day of July" for the words "first day of August" in line 1;

(*b*) by inserting after the words "ejectment of" in line 4 the words "or take any step towards ejecting".

Amendment of section 6 of principal Ordinance.

5. Section 6 of the principal Ordinance is amended—

(*a*) by inserting the number "(1)" at the beginning of line 1;

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(*b*) by substituting the words "thirty-first day of July" for the words "first day of August" wherever occurring therein; and

(*c*) by inserting at the end thereof a new subsection:—

(2) Any person who does any act which is made unlawful by this section shall be liable to a fine not exceeding one thousand dollars. Penalty.

Passed this 27th day of May, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 9 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

6th June, 1918.

AN Ordinance to amend the Volunteer Ordinance, 1888.

[*7th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Volunteer (Amendment) Ordinance, 1918. Short title.

2. Section 9 of the Volunteer Ordinance, 1888, hereinafter called the principal Ordinance, is amended by repealing the word "efficient" in line 2 and substituting therefor the word "effective". Amendment of section 9 of Ordinance VII of 1888.

3. Section 9A of the principal Ordinance is amended by repealing subsection (4) and by adding at the end of the section the following subsection:— Amendment of section 9A of principal Ordinance.

(4) Five days' notice of holding a compulsory parade given in orders posted in a suitable place in the quarters of a Volunteer Corps shall be deemed to be a summons to every member of the Corps to attend such parade.

4. The following sections shall be inserted after section 9A of the Volunteer Ordinance, 1888:— New sections.

9B. Every volunteer who, without reasonable excuse the burden of proof whereof shall lie on him, fails to attend the number of drills or parades, other than compulsory parades, prescribed for any period of the year by the regulations made under this Ordinance, shall be liable to pay on the order of the Commanding Officer a fine not exceeding twenty-five dollars. Failure to attend drills.

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Appeal to Governor.

9C. Every member of a Volunteer Corps who feels aggrieved by an order to pay a fine made either under section 9A or under section 9B may appeal to the Governor within a reasonable time of such order and the Governor may cancel or confirm such order or reduce the amount of the fine or give such other directions with reference thereto as to him may seem just and proper and such determination shall be binding on all persons.

Repeal of section 28 of principal Ordinance.

5. Section 28 of the principal Ordinance is hereby repealed.

Amendment of section 31 of principal Ordinance.

6. Section 31 of the principal Ordinance is amended by repealing the word "efficient" in line 6 of subsection (1) and substituting therefor the word "effective".

Passed this 27th day of May, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 10 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

8th June, 1918.

AN Ordinance to amend the Municipal Ordinance, 1913.

[*14th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Municipal (Amendment) Ordinance, 1918. Short title.

2. Subsection (1) of section 81 of the principal Ordinance is amended by deleting the words "specified in the Third Schedule" and by substituting therefor the words "prescribed by the Governor in Council". Amendment of section 81 of Ordinance VIII of 1913.

3. Subsection (4) of section 88 of the principal Ordinance is amended by deleting the words "the fees specified in the Fourth Schedule" and by substituting therefor the words "such fees as are prescribed by the Governor in Council". Amendment of section 88.

4. Section 256 of the principal Ordinance is amended Amendment of section 256.

(*a*) by inserting after the word "carriage" in the definition of "Hackney Carriage" in subsection (1) the words "or motor vehicle";

(*b*) by deleting the words "of the second or third class" in the definition of "Driver" in subsection (1) and substituting therefor the words "of a class other than the first class", and by adding at the end thereof the words "or a person driving, pulling or pushing a cart";

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(*c*) by deleting the words "of the second or third class" in the definition of "Conductor" in subsection (1) and substituting therefor the words "of a class other than the first class"; and

(*d*) by deleting the number "269" in subsection (3) and substituting therefor the number "268".

Amendment of section 259.

5. Section 259 of the principal Ordinance is amended by inserting after the word "carriages" in line 2 the word "carts".

Amendment of section 260.

6. Section 260 of the principal Ordinance is amended by adding at the end of subsection (1) the words "provided that no carriage shall be classified as first class except carriages which do not ply for hire on the public streets".

Amendment of section 264.

7. Subsection (1) of section 264 of the principal Ordinance is repealed and the following subsection is substituted therefor:—

(1) The Registrar of Vehicles shall keep a register of all hackney carriages, carts and jinrikishas and shall enter therein the following particulars:—

(*a*) In the case of hackney carriages other than motor vehicles, carts and jinrikishas

(i) the class and number assigned;

(ii) the duration of the licence;

(iii) the name and residence of the owner.

(*b*) In the case of motor vehicles which are hackney carriages—

(i) the class assigned to the motor vehicle;

(ii) the number assigned by the Licensing Officer under the Traction Engines and Motor Cars Ordinance, 1911;

(iii) the duration of the licence;

(iv) the name and residence of the owner.

Amendment of section 265.

8. Section 265 of the principal Ordinance is amended

(*a*) by deleting the words "driver of a cart or" in subsection (1);

(*b*) by inserting the words "of a class other than the first class" after the word "carriage" in subsection (1);

(*c*) by inserting the words "of a class other than the first class" after the word "carriage" in subsection (5); and

(*d*) by deleting the words "or cart" in subsection (5).

Amendment of section 266.

9. Section 266 of the principal Ordinance is amended by inserting after the word "conductor" in line 2 the words "of a hackney carriage of a class other than the first class" and after the words "and every" in line 8 the word "such".

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10. Subsection (1) of section 267 of the principal Ordinance is amended by deleting the words "security by the deposit of money with the Registrar of Vehicles in accordance with the scale contained in the Fifth Schedule" and by the substitution therefor of the words "such security by the deposit of money with the Registrar of Vehicles as is prescribed by the Governor in Council by notification in the *Gazette*". Amendment of section 267.

11. Section 270 of the principal Ordinance is amended by deleting the words "or is not at the time resident in the Municipality". Amendment of section 270.

12. Section 272 of the principal Ordinance is deleted and the following is substituted therefor:— Amendment of section 272.

272. Such fees as are prescribed from time to time by the Governor in Council by notification in the *Gazette* shall be payable for registration and licences under this Part in addition to the taxes, if any, prescribed under section 81 (1).

13. Section 274 of the principal Ordinance is amended Amendment of section 274.

(*a*) by inserting at the commencement thereof the numeral 1 in brackets;

(*b*) by inserting the words "of a class other than the first-class not being a motor vehicle and every" after the word "carriage" in line 1; and

(*c*) by adding at the end thereof the following subsection:—

(2) Every motor vehicle which is a hackney carriage of a class other than the first-class shall, in addition to the identification mark fixed thereon under the Traction Engines and Motor Cars Ordinance, 1911, have painted thereon such letter or letters, indicating that it is a hackney carriage, of such size, and in such position as the Registrar of Vehicles directs.

14. Section 276 of the principal Ordinance is amended Amendment of section 276.

(*a*) by inserting the words "in the case of a cart, its driver" after the words "harness and fittings" in line 5 of subsection (1);

(*b*) by inserting the word "cart" after the word "carriage" in line 1 of subsection (2) and by deleting the words "found in the custody of a licensed driver or a puller plying for hire" in lines 1 and 2 of the said subsection.

15. Section 277 of the principal Ordinance is amended by inserting after the word "conductor" in subsections (1) and (2) the words "of a hackney carriage of a class other than the first class". Amendment of section 277.

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Amendment of section 278.

16. Section 278 of the principal Ordinance is amended by inserting the word "cart" after the word "carriage" in line 4.

Amendment of section 280.

17. Section 280 of the principal Ordinance is amended by inserting after the word "jinrikisha" in line 2 the words "or shall allow any letter or letters printed on any hackney carriage in pursuance of section 274 to remain thereon".

New section 281A.

18. The following section shall be inserted after section 281 of the principal Ordinance:—

Alteration, etc., of plate, badge or letters.

281A. Any person who alters, obliterates, obscures or defaces the number on any plate or badge issued under this Part or the letter or letters painted on any hackney carriage in pursuance of section 274 shall be liable to a fine not exceeding one hundred dollars.

Amendment of section 282.

19. Subsection (2) of section 282 of the principal Ordinance is amended by inserting after the words "fittings thereof" in line 3 the words "or paints any letter or letters on any hackney carriage".

Amendment of section 283.

20. Section 283 of the principal Ordinance is amended by inserting after the word "harness" in the first line the words "or its fittings".

Amendment of section 284.

21. Section 284 of the principal Ordinance is amended

(*a*) by deleting the word "cart" in line 1;

(*b*) by inserting after the word "hire" in line 2 the words "and any cart being used on any public street";

(*c*) by inserting after the words "prescribed by this Part" in line 3 the words "or without the letters prescribed by this Part painted thereon".

Amendment of section 286.

22. Section 286 of the principal Ordinance is amended by inserting after the word "carriage" wherever occurring the words "of a class other than the first class" and by deleting the words "driver or" occurring in subsection (4).

Amendment of section 288.

23. Subsection (1) of section 288 of the principal Ordinance is amended by deleting the words "a radius of ten miles of the Chief Police Station of the Settlement" and by substituting therefor the words "the Municipal limits", and by adding at the end thereof the words "or, in the absence of any special agreement, be required to draw his jinrikisha a greater distance than ten miles in any one day".

Amendment of section 295.

24. Section 295 of the principal Ordinance is amended

(*a*) by inserting after the word "carriage" in paragraphs (*a*), (*d*) and (*f*) of subsection (2) the words "or cart"; and

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(*b*) by inserting the word "cart" after the word "carriage" wherever occurring in subsections (6) and (7).

25. Section 302 of the principal Ordinance is amended Amendment of section 302.

(*a*) by inserting after the word "pullers" wherever occurring in paragraphs (*a*), (*b*), (*c*) and (*d*) the words "and cart-drivers"; and

(*b*) by inserting after the word "pullers'" occurring in paragraphs (*b*) and (*e*) the words "and cart-drivers'".

26. Section 303 of the principal Ordinance is amended by inserting the word "cart" after the word "carriage". Amendment of section 303.

27. The third, fourth and fifth Schedules of the principal Ordinance are hereby repealed. Repeal.

Passed this 27th day of May, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 11 of 1918.

I assent,

(L. S.)

ARTHUR YOUNG,
Governor and Commander-in-Chief.

25th June, 1918.

AN Ordinance to amend the Federated Malay States Export Duties Collection Ordinance, 1913.

[*28th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title.

1. This Ordinance may be cited as the Federated Malay States Export Duties Collection (Amendment) Ordinance, 1918.

Amendment of section 2 of Ordinance X of 1913.

2. Section 2 of the Federated Malay States Export Duties Collection Ordinance, 1913, is amended by inserting after the definition of "Collection Station" the following words:

"Export Duties" includes fees charged for weighing articles on which export duties are imposed and also overtime allowances payable for the services of persons required to work beyond the appointed hours at the request of an exporter of dutiable articles.

Passed this 17th day of June, 1918.

D. BEATTY,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 12 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

25th June, 1918.

AN Ordinance to amend the Registrar of Imports and Exports (War Powers) Ordinance, 1915.

[*28th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Registrar of Imports and Exports (War Powers) Amendment Ordinance, 1918. Short title.

2. The following section shall be inserted after section 2A of the Registrar of Imports and Exports (War Powers) Ordinance, 1915, hereinafter referred to as the principal Ordinance:— Addition of new section to principal Ordinance. Ord. XXXII of 1915.

2AA. Licences to export or import any goods, the exportation or importation of which is prohibited, may be granted by the Colonial Secretary. Licences relating to prohibited goods grantable by Colonial Secretary.

3. Section 6B of the principal Ordinance is amended by inserting the words "or any other" before the word "Ordinance". Amendment of section 6B of principal Ordinance.

4. Section 8 of the principal Ordinance is amended by inserting at the commencement thereof the numeral "1" in brackets and by adding at the end thereof the following subsections:— Amendment of section 8 of principal Ordinance.

(2) If it is not proved that such goods are not imported in contravention of the law relating to trading with the enemy, the goods shall be declared to be forfeited by the

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Court and the importer shall be ordered to pay a fine of treble the value of the goods, or one thousand dollars, at the election of the Registrar.

(3) The goods declared to be forfeited may be destroyed or otherwise disposed of as the Governor in Council directs.

Addition of new sections.

5. The following sections shall be inserted after section 8B of the principal Ordinance:—

Power to inspect books and documents, etc.

8C.—(1) Where it is suspected that any offence against this Ordinance or the Arms and Explosives Ordinance, 1913, as extended by any subsequent enactments or against any law in force relating to the exportation or importation of goods has been or is likely to be committed by any person, firm or company, the Colonial Secretary may by written order authorize any person named therein—

(*a*) to inspect the books and documents belonging to or under the control of such person, firm or company;

(*b*) to require any person able to give information respecting the business or trade of such person, firm or company to give such information;

(*c*) if accompanied by a Police Officer, to search the premises used in connection with such business or trade and to seize any such books and documents as aforesaid; and

(*d*) if accompanied by a Police Officer, to search any building, tent, vessel or other place suspected of containing any goods, with regard to which it is suspected that any such offence has been committed and to seize any such goods as aforesaid.

(2) Any person who—

(*a*) having the control of or access to the books or documents of such person, firm or company fails or neglects to produce such books or documents; or

(*b*) being required to give such information as aforesaid refuses or neglects to give such information

shall be liable to imprisonment of either description for a term which may extend to twelve months or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

Power to use information in evidence against informant.

8D. Where a person has given any information to a person appointed to inspect the books and documents of a person, firm or company under section 8C, the information so given may be used in evidence against him in any pro-

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ceedings relating to an offence against any of the Ordinances mentioned in section 8C, notwithstanding that he only gave the information on being required so to do by the inspector in pursuance of his powers under the said section.

Penalty for false statements, etc.

8E. If, for the purpose of obtaining a licence to export or import under section 2AA, or for the purpose of obtaining the permission of the Registrar under section 2A, any person—

(*a*) makes or presents any declaration or statement or representation which is false in any material particular; or

(*b*) produces a guarantee, certificate or undertaking which is false in any material particular, or has not been given by the person by whom it purports to have been given, or which has been in any way altered or tampered with,

he shall be liable to a fine of treble the value of the goods or five thousand dollars, at the election of the Registrar, or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment, unless he proves that he had taken all reasonable steps to ascertain the truth of the statements made or contained in any document so presented or produced or to satisfy himself of the genuineness of the guarantee, certificate or undertaking.

Passed this 17th day of June, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 13 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

25th June, 1918.

AN Ordinance to amend the Companies Ordinance, 1915.

[*28th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Companies (Amendment) Ordinance, 1918. Short title.

2. Section 12 of the Companies Ordinance, 1915, hereinafter referred to as the principal Ordinance, is amended by deleting the words "a certified" in subsections (6) and (7) and by substituting therefor the words "an office". Amendment of section 12 of principal Ordinance.

3. Subsection (3) of section 13 of the principal Ordinance is amended by deleting the words "or a company limited by guarantee". Amendment of section 13.

4. Section 21 of the principal Ordinance is amended by inserting after the words "every member" in line 1 the words "and to the Registrar". Amendment of section 21.

5. Section 30 of the principal Ordinance is amended by deleting the words "in the case of Companies registered in this Colony". Amendment of section 30.

6. Subsection (3) of section 35 of the principal Ordinance is amended by deleting the words "may direct the Company to pay" and by substituting therefor the words "for payment by the Company of". Amendment of section 35.

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Amendment of section 41.

7. Subsection (2) of section 41 of the principal Ordinance is amended by inserting the words "and cancellation" after the word "subdivision".

Repeal of section 62 and substitution of a new section.

8. Section 62 of the principal Ordinance is repealed, and the following section is substituted therefor:—

62.—(1) Every company shall have an office, in this Ordinance called the registered office, to which all communications and notices may be addressed.

(2) Every company shall file with the Registrar a notice of the full address of its registered office when it delivers to the Registrar its memorandum of association and thereafter as often as there is any change in the situation or address of such office.

(3) Any company which makes default in complying with the requirements of this section shall be liable to a fine not exceeding fifty dollars for every day during which the default continues.

New subsection (10) of section 65.

9. Section 65 of the principal Ordinance is amended by inserting after subsection (9) the following subsection:—

(9A) If the Statutory meeting is not held and if the Statutory report is not filed in accordance with the provisions of this section the company and every director, manager, secretary and other officer of the company who is knowingly a party to the default, shall be liable to a penalty of five hundred dollars.

Amendment of section 85.

10. Section 85 of the principal Ordinance is amended—

(*a*) by deleting the word "is" in line 3 of subsection (2) and by substituting therefor the word "are";

(*b*) by deleting the word "thereof" in line 1 of subsection (6).

New subsection (5) of section 88.

11. Section 88 of the principal Ordinance is amended by adding thereto the following subsection:—

"(5) No proceedings under section 31 of the Companies Ordinance, 1889, shall be commenced after the commencement of this Ordinance."

Amendment of section 89.

12. Subsection (2) of section 89 of the principal Ordinance is amended by deleting the word "share" in line 2 and substituting therefor the word "shares".

Amendment of section 93.

13. Subsection (1) of section 93 of the principal Ordinance is amended by deleting the words "registered in the Colony" in lines 2 and 3.

Amendment of section 109.

14. Subsection (1) of section 109 of the principal Ordinance is amended by deleting the word "on" in line 3 and by substituting therefor the words "in each half-year on or before".

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15. Section 118 of the principal Ordinance is amended— New subsection (2) of section 118.

(*a*) by inserting the number "(1)" at the beginning of line 1;

(*b*) by inserting at the end thereof a new subsection:—

"(2) A company shall authenticate every return, notification or other document which it delivers to the Registrar for filing".

16. Section 119 of the principal Ordinance is amended by adding at the end thereof the following subsection:— New subsection (3) of section 119.

"(4) The Governor in Council may make rules prescribing the form in which the prescribed Forms shall be printed or written, the size and quality of paper used therefor and other matters affecting the filing of documents".

17. Section 158 of the principal Ordinance is amended by repealing the word "any" occurring after the words "presented by" in line 2 of subsection (5) and substituting therefor the words "the Official Receiver as well as by any other". Amendment of section 158.

18. Section 211 of the principal Ordinance is amended by adding thereto the following subsection:— New subsection (6) of section 211.

"(6) For the purposes of this section the expression "transferee Company" shall include a Company incorporated under and subject to the laws of some part of His Majesty's dominions or of any British Protected State, and having its principal place of business in those dominions or any British Protected State".

19. Section 265 of the principal Ordinance is amended by deleting the words "Act of Parliament or Ordinance" and by substituting therefor the words "Ordinance or by Act of Parliament". Amendment of section 265.

20. Subsection (8) of section 287 of the principal Ordinance is amended by deleting the word "two" and by substituting therefor the word "three". Amendment of section 287.

21. Section 293 of the principal Ordinance is amended by deleting the words "shall unless duly incorporated with limited liability" and by substituting therefor the words "or which being in a foreign language implies that they are duly incorporated with limited liability, shall, unless so incorporated". Amendment of section 293.

Passed this 17th day of June, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 14 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

25th June, 1918.

AN Ordinance to amend the Life Assurance Companies Ordinance, 1914.

[*28th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Life Assurance Companies (Amendment) Ordinance, 1918, and shall be read and construed as one with the Life Assurance Companies Ordinance, 1914, hereinafter called the principal Ordinance.

Short title and construction. Ordinance XXXIII of 1914.

2.—(1) Every unincorporate life assurance company which at the commencement of this Ordinance has a place of business in the Colony or an agent in the Colony appointed with the object of obtaining life insurance business, and every such company which after the commencement of this Ordinance establishes such a place of business within the Colony or appoints such an agent in the Colony, shall, within three months from the commencement of this Ordinance or within one month from the establishment of such place of business or the appointment of such agent, as the case may be, file with the Registrar—

Requirements as to unincorporate companies.

(*a*) a certified copy of the instrument defining the constitution of the company or of its partnership agreement and, if the instrument or agreement is not written in the English language, a certified translation thereof;

(*b*) a list of the shareholders or partners or, in the case of a company established in the United Kingdom before the year 1862, of the directors or managers of the company with their addresses and occupations;

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(c) the names and addresses of some one or more persons resident in the Colony authorised to accept on behalf of the company service of process and any notices required to be served on the company.

(2) In the event of any alteration being made in any such instrument or partnership agreement or in the list of shareholders or partners or of the directors or managers, as the case may be, or in the names and addresses of any such persons as aforesaid, the company shall file with the Registrar a notice of the alteration.

(3) Notice of any alteration shall be filed with the Registrar within the time and according to the form prescribed under the Companies Ordinance, 1915, for use under section 287 thereof.

(4) Any process or notice required to be served on the company shall be sufficiently served if addressed to any person whose name has been so filed as aforesaid and left at or sent by post to the address which has been so filed.

(5) There shall be paid to the Registrar for registering any document, required by this section to be filed, a fee of three dollars or such smaller fee as the Governor in Council may prescribe.

Repeal of section 16 of principal Ordinance.

3. Section 16 of the principal Ordinance is repealed.

Passed this 17th day of June, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 15 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

25*th June*, 1918.

AN Ordinance to amend the Arms and Explosives Ordinance, 1913.

[28*th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title and duration. Ordinance IX of 1913.

1.—(1) This Ordinance shall be construed as one with the Arms and Explosives Ordinance, 1913, as amended and extended by any subsequent enactments, hereinafter called the principal Ordinance, and may be cited as the Arms and Explosives (Amendment) Ordinance, 1918.

(2) This Ordinance shall have effect only during the continuance of the present war.

Liability for acts of servants.

2. Whenever any offence punishable by section 5 or section 6 of the principal Ordinance is committed by any person in the course of his employment by another person, such other person shall also be punishable as if he had himself committed the offence.

Extension of sections 7 and 27 of principal Ordinance.

3. Sections 7 and 27 of the principal Ordinance shall have effect, whilst a state of war in which His Majesty is engaged exists, as if in addition to the articles therein mentioned there were included all other articles which are the subject of any prohibition made under section 5 or section 6 of the principal Ordinance.

Passed this 17th day of June, 1918.

D. BEATTY,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 16 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

25th June, 1918.

AN Ordinance to amend the Registration of Aliens Ordinance, 1917.

[*28th June*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Registration of Aliens (Amendment) Ordinance, 1918. Short title.

2. Section 2 of the Registration of Aliens Ordinance, 1917, hereinafter referred to as the principal Ordinance, is amended by inserting after the word "subject" wherever occurring therein the words "who has attained the age of fourteen years". Amendment of section 2. Ordinance 2 of 1917.

3. The following section shall be inserted after section 4 of the principal Ordinance:— Insertion of new section.

4A.—(1) No alien shall leave or attempt to leave the Colony unless his passport or, in cases where no passport is required, his certificate of registration, obtained in pursuance of this Ordinance, has within seven days of the date of his departure been endorsed by the Chief Police Officer or an officer authorized by him in that behalf. Alien's passport, etc., to be endorsed before leaving Colony.

(2) No owner, agent, charterer or master of a ship shall receive on board the ship for carriage from the Colony any alien unless his passport or certificate of registration has been endorsed as aforesaid.

(3) Nothing in this section shall apply to any alien who has arrived as a member of the crew of any ship and who leaves as a member of the crew of the same ship.

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(4) Any person who acts in contravention of or fails to comply with any of the provisions of this section shall be deemed to be guilty of an offence against this Ordinance.

Amendment of section 5.

4. Section 5 of the principal Ordinance is amended

(*a*) by repealing the words "as soon as may be" occurring in paragraph (*a*) of subsection (1) and substituting therefor the words "within forty-eight hours of the commencement of his residence";

(*b*) by inserting after the word "change" in line 1 of paragraph (*b*) of subsection (2) the words "and before he changes".

Insertion of new section.

5. The following section shall be inserted after section 6 of the principal Ordinance:—

Certificate of registration to be issued to alien.

6A.—(1) Upon the registration of an alien in accordance with the provisions of section 6, a certificate of registration in the form in Schedule A^1 shall be issued to him by the Chief Police Officer.

(2) The certificate of registration of any alien shall be produced to the Chief Police Officer, whenever particulars are furnished in accordance with section 5 with respect to such alien, and to any of the officers mentioned in section 3, whenever demanded by such officer.

(3) Any alien who fails to produce his certificate of registration as required by this section or produces a certificate issued to another alien shall be deemed to be guilty of an offence against this Ordinance.

New Schedule.

6. Schedule A^1 shall be inserted after Schedule *A* of the principal Ordinance.

Passed this 17th day of June, 1918.

D. BEATTY,
Clerk of Councils.

SCHEDULE A^1.

THE REGISTRATION OF ALIENS ORDINANCE, 1917.

(2 OF 1917.)

Certificate of Registration.

Mr.....

Address.....

Settlement of.....

Was registered as a.....

subject, on the.....day of....., 19 .

.....

Chief Police Officer.

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NOTICE.

1. This certificate shall be produced within 48 hours to the Chief Police Officer whenever any circumstance occurs which affects in any manner the particulars previously furnished by you regarding your registration.

2. It shall be produced on demand to any Commissioned Officer of His Majesty's Naval or Military Forces, or any person authorised by such officer, or to any Port Officer, Health Officer, Police Officer, or Boarding Officer.

3. If you change your residence within a District or from one District to another District you must before the change inform the Chief Police Officer of the District in which you are residing; and, in the case of change of residence from one District to another, you must also inform the Chief Police Officer of the latter District on arrival therein.

4. Within 7 days before leaving the Colony you must take your passport to be endorsed to the Chief Police Officer. Neglect of this instruction might cause you to lose your passage.

Registered Changes of Abode.

New address.....
Registered at.....Date.....
Signature of C. P. O.

New address.....
Registered at.....Date.....
Signature of C. P. O.

New address.....
Registered at.....Date.....
Signature of C. P. O.

New address.....
Registered at.....Date.....
Signature of C. P. O.

New address.....
Registered at.....Date.....
Signature of C. P. O.

New address.....
Registered at.....Date.....
Signature of C. P. O.

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STRAITS SETTLEMENTS.

No. 17 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th July, 1918.

AN Ordinance to amend the Traction Engines and Motor Cars Ordinance, 1911.

[*12th July*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Traction Engines and Motor Cars (Amendment) Ordinance, 1918. Short title.

2. Section 5 of the Traction Engines and Motor Cars Ordinance, 1911, hereinafter referred to as the principal Ordinance, is amended Amendment of section 5 of principal Ordinance. Ordinance XIX of 1911.

(*a*) by repealing the words "to drive a traction engine or motor car" occurring in line 5 of subsection (2);

(*b*) by adding at the end of subsection (2) the words "to drive any type of traction engine or motor car or only such particular type or types as he may see fit to specify in the licence;"

(*c*) by inserting after the word "person" in subsection (5) the words "who drives for hire or payment unless he permits impressions of his fingers to be taken by any police officer nor to any person."

3. The following subsection shall be added at the end of section 6:— New subsection added to section 6.

(5) When any person, who drives for hire or payment, is charged with any offence committed by him in respect of his use of a traction engine or motor car, he shall permit impressions of his fingers to be taken by any police officer;

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and any Court by which such person is convicted of such offence and sentenced to pay a fine may order that the finger impressions of such person shall be taken in the presence of such officer of the Court as may be named, and a statement in any certificate purporting to be signed by any officer of the Court and sealed with the seal of the Court that a person has been convicted and that the finger impressions which appear on such certificate are those of the person so convicted shall be evidence of the facts so stated.

Passed this 1st day of July, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 18 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

18*th July*, 1918.

AN Ordinance to make provision with respect to Military Service in connection with the present War.

[20*th July*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Military Service Ordinance, 1918. Short title.

2.—(1) Every person who is classified in category *A* upon re-examination made under section 9 of the Registration and Medical Examination Ordinance, 1917, before or after the commencement of this Ordinance or upon examination or re-examination made under the said section after the commencement of this Ordinance shall, unless he has attained the age of 41 years before the appointed date, be deemed as from the appointed date to have been duly enrolled in, and to belong to, the Force referred to in section 3. Obligation of Class A men to serve in Overseas Force. Ordinance 30 of 1917.

(2) The appointed date shall, as respects the persons who come within the operation of this section on the commencement of this Ordinance, be the thirtieth day after the commencement of this Ordinance and, as respects the persons who come within the operation of this section after the commencement of this Ordinance, be the thirtieth day after the date on which they so come within the operation of this section.

3.—(1) The said Force shall be called the Overseas Force of the Straits Settlements. Application of Army Act to Overseas Force.

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(2) All the provisions of the Army Act, and of all orders and regulations for the time being in force thereunder, and of all other Acts for the time being amending the Army Act, shall apply to the Overseas Force of the Straits Settlements, and to all persons belonging to the Force, whether within or without the limits of the Colony, and whether such persons shall have been transferred or attached to some other corps or not.

(3) Every person belonging to the said Force, who is a member of a Volunteer Corps, shall remain a member of such Corps from the appointed date to the date that he is called out for active service under section 4 and shall during that period attend such drills, undergo such training and undertake such military duties as may be prescribed for such Corps.

Calling out of Force by Governor for active service outside Colony.

4.—(1) The Governor may by order at any time during the war call out all or any of the persons belonging to the said Force for active service beyond the limits of the Colony.

(2) From and after the date of the said order every person so called out shall be deemed to have been duly enlisted in His Majesty's regular forces for general service with the colours for the period of the war, and shall as soon as practicable be appointed to some corps of His Majesty's regular forces, and may thereafter be transferred or attached to any other corps.

Certificates of exemption.

5.—(1) An application may be made at any time before the appointed date to the Exemption Tribunal established under this Ordinance by or in respect of any man, who is not in the service of the Government, for the issue to him of a certificate of exemption from the provisions of this Ordinance—

(*a*) on the ground that it is expedient in Imperial interests, or in the interests of such British trade as should in the opinion of the Tribunal be maintained during the war, that he should, instead of being enrolled in the Force, be engaged in other work in which he is habitually engaged or in which he is with the approval of the Tribunal prepared to engage; or

(*b*) on the ground that serious hardship would ensue, if he were enrolled in the Force, owing to his exceptional financial or business obligations or domestic position

and the Exemption Tribunal, if they consider the grounds of the application established, shall grant such certificate.

(2) The Tribunal may allow an application to be made after the appointed date in any case in which it is shown to their satisfaction that the failure to make the application within the required time has arisen owing to the absence of the applicant from the Colony or owing to any cause which appears to the Tribunal to afford a reasonable ground for allowing the application to be so made.

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(3) Certificates of exemption from the provisions of this Ordinance may also be granted by the Colonial Secretary with the approval of the Governor to men or classes or bodies of men in the service of the Government.

(4) Every certificate of exemption shall be conditional or temporary, or both conditional and temporary, as the authority by whom it was granted thinks best suited to the case, and the conditions upon which or the time for which it is granted shall be stated on the certificate.

(5) Where a certificate of exemption is destroyed, missing, or defaced, the authority by whom it was granted shall, upon the application of the man to whom it was granted and upon payment of a fee of one dollar, issue a duplicate of the certificate to him.

Exemption Tribunal.

6.—(1) An Exemption Tribunal shall be established for each Settlement in the Colony consisting of such persons, not less than five and not exceeding seven in number, as may be appointed by the Governor.

(2) In the event of the death, resignation, absence from the Colony, or inability to act, of any member of a Tribunal, the Governor may appoint any person whom he may think fit to fill the place of such member, either temporarily or permanently.

(3) The Governor may appoint a Chairman of each Tribunal, who shall preside at all sittings of the Tribunal at which he is present. In the absence of the Chairman the members of the Tribunal present shall choose one of their number to preside at that sitting.

(4) Three members of the Tribunal shall form a quorum.

(5) The opinion of the majority of the Tribunal present shall be decisive upon any matter, and in the event of an equality of votes the Chairman or the member presiding shall have a second or casting vote.

(6) The decision of the Tribunal shall be final and conclusive.

(7) The Governor may also appoint a clerk to each Tribunal, in whose name any order, summons, subpœna, notice or other document issued or published by the Tribunal may be issued and published.

Supplemental provisions to certificates of exemption.

7.—(1) A certificate of exemption may be reviewed or renewed at any time by the authority by whom it was granted on application made either by or in respect of the holder of the certificate or by any person generally or specially authorized for the purpose by the Officer for the time being commanding the troops in the Colony, and may be withdrawn or varied if the authority by whom the certificate is reviewed is of opinion that, in the circumstances of the case, the certificate should be withdrawn or varied.

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(2) It shall be the duty of any man holding a certificate, if the conditions on which the certificate was granted are no longer satisfied, to give notice to the authority mentioned in the certificate that the conditions are no longer satisfied; and if he fails without reasonable cause or excuse to do so, he shall be liable on conviction before a Police Court to a fine not exceeding five hundred dollars.

(3) When a certificate of exemption ceases to be in force owing to the withdrawal of the certificate or the failure to comply with the conditions on which the certificate was granted or the expiration of the time for which the certificate was granted, the man to whom the certificate was granted shall, as from the expiration of two weeks after the date on which the certificate so ceases to be in force, be deemed to be in the same position as if no such certificate had been granted unless in the meantime the man has made an application for a renewal of his certificate.

(4) If for the purpose of obtaining a certificate of exemption for himself or any other person, or for the purpose of obtaining the renewal, variation, or withdrawal of such certificate, any person makes any false statement or false representation, he shall be liable on conviction before a Police Court to a fine not exceeding five hundred dollars or to imprisonment of either description for a term which may extend to six months or to both.

(5) Where an application has been made by or in respect of any man for a certificate of exemption or for a renewal of such a certificate, he shall not be ordered on service beyond the limits of the Colony until the application has been finally disposed of.

Penalty for altering, etc., certificate of exemption.

8. Any person who alters or tampers with a certificate of exemption or personates or falsely represents himself to be a person to whom such a certificate has been granted, or improperly allows any other person to have possession of any such certificate issued for his use alone, shall be liable on conviction to imprisonment of either description for a term which may extend to six months.

Powers of Tribunal.

9. The Tribunal shall have all the powers of the Supreme Court in respect of the following matters:—

(*a*) enforcing the attendance of witnesses and examining them on oath or otherwise;

(*b*) compelling the production of documents; and

(*c*) punishing persons guilty of contempt.

Mode of service of documents.

10. Any order, summons, subpœna, notice or other document, issued for the purpose of carrying out the provisions of this Ordinance, may be served either by being delivered personally to the person to whom such document is addressed, or by leaving it with some adult at such person's last known residence or place of business, or by sending it by registered post to such person at his last known residence or place of business.

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11.—(1) The Governor in Council may make regulations with respect to

Power of Governor in Council to make regulations.

(*a*) the functions and procedure of the Exemption Tribunal established under this Ordinance, and, so far as provision is not made for procedure by those regulations, the procedure of each Tribunal shall be such as may be determined by the Tribunal; and

(*b*) granting an allowance out of the public funds to or for the benefit of the wife and children, or any of them, of any man called out for active service under section 4 and to or for the benefit of any person whom the man so called out is legally liable to maintain and towards whose support he has regularly contributed.

(2) All regulations made under this Ordinance shall be published in the *Gazette* and from the date of such publication shall have the same force and effect as if they had been enacted in this Ordinance.

(3) All regulations shall be laid before the Legislative Council at the first meeting after such publication and shall cease to have any force or effect if disallowed by resolution of the said Council.

(4) Any regulation may be altered by a resolution of the Legislative Council and shall come into force as altered from the date of the passing of such resolution, and shall have the same force and effect as if it had been enacted in this Ordinance.

Passed this 15th day of July, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 19 of 1918.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

1st August, 1918.

AN Ordinance to amend the Penal Code, the Criminal Procedure Code and the law relating to the Forgery of Currency Notes.

[*9th August*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Criminal Law (Currency Notes Forgery) Ordinance, 1918. Short title.

2. After section 489 of the Penal Code the following sections shall be inserted:— Insertion of new sections after section 489 of Penal Code. No. IV of 1871.

Of Currency Notes and Bank Notes.

489A. Whoever forges or counterfeits, or knowingly performs any part of the process of forging or counterfeiting, any currency note or bank note shall be punished with penal servitude for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine. Forging or counterfeiting currency notes or bank notes.

Explanation.—For the purposes of this section and of sections 489B, 489C and 489D, the expression "bank note" means a promissory note or engagement for the payment of money to bearer on demand issued by any person

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carrying on the business of banking in any part of the world, or issued by or under the authority of any State or Sovereign Power, and intended to be used as equivalent to, or as a substitute for, money.

Using as genuine forged or counterfeit currency notes or bank notes.

489B. Whoever sells to, or buys or receives from, any other person, or otherwise traffics in or uses as genuine, any forged or counterfeit currency note or bank note, knowing or having reason to believe the same to be forged or counterfeit, shall be punished with penal servitude for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Possession of forged or counterfeit currency notes or bank notes.

489C. Whoever has in his possession any forged or counterfeit currency note or bank note, knowing or having reason to believe the same to be forged or counterfeit and intending to use the same as genuine or that it may be used as genuine, shall be punished with imprisonment of either description for a term which may extend to ten years.

Making or possessing instruments or materials for forging or counterfeiting currency notes or bank notes.

489D. Whoever makes, or performs any part of the process of making, or buys or sells or disposes of, or has in his possession, any machinery, instrument or material for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for forging or counterfeiting any currency note or bank note shall be punished with penal servitude for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Heading to Chapter XVIII of Penal Code amended.

3. The words "Trade or Property Marks" in the heading to Chapter XVIII of the Penal Code are hereby repealed and the words "Currency Notes and Bank Notes" are substituted therefor.

Sections 13 and 14 of Ordinance IV of 1899 repealed.

4. Sections 13 and 14 of the Currency Note Ordinance, 1899, are hereby repealed.

Sections 19 and 20 of Ordinance V of 1915 repealed.

5. Sections 19 and 20 of the Currency Ordinance, 1915, are hereby repealed.

Schedule I of Criminal Procedure Code amended.

6. The words "Trade or Property Marks" in the heading to Chapter XVIII of the Penal Code occurring in Schedule I of the Criminal Procedure Code after the entries relating to section 462 of the Penal Code are repealed and the words "Currency Notes and Bank Notes" are substituted therefor.

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7. In Schedule I of the Criminal Procedure Code after the entries relating to section 477 of the Penal Code the following shall be inserted:— Addition to Schedule I of Criminal Procedure Code.

Of Currency Notes and Bank Notes.

489A	Forging or counterfeiting currency notes or bank notes.	May arrest without warrant.	Warrant.	Not bailable.	Not compoundable.	Penal Servitude for life, or imprisonment of either description for 10 years, and fine.
489B	Using as genuine forged or counterfeit currency notes or bank notes.	Do.	Do.	Do.	Do.	Do.
489C	Possession of forged or counterfeit currency notes or bank notes.	Do.	Do.	Do.	Do.	Imprisonment of either description for 10 years.
489D	Making or possessing instruments or materials for forging or counterfeiting currency notes or bank notes.	Do.	Do.	Do.	Do.	Penal Servitude for life, or imprisonment of either description for 10 years, and fine.

Passed this 29th day of July, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 20 of 1918.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

2nd August, 1918.

AN Ordinance to amend the Minor Offences Ordinance, 1906.

[*9th August*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Minor Offences (Amendment) Ordinance, 1918. Short title.

2. Section 14 of the Minor Offences Ordinance, 1906, is amended Amendment of section 14 of Ordinance XIII of 1906.

(*a*) by repealing subsection (7) and substituting therefor the following subsections:—

(7) Drives, pushes or pulls any vehicles, other than a motor car, traction engine or cycle, on any public road at any time between half an hour after sunset and one hour before sunrise

(*a*) without a sufficient light placed on the extreme right or off side of the vehicle in such a position as to be free from all obstruction and to be clearly visible as a white light within a reasonable distance in the direction towards which the vehicle is proceeding and as a red light in the opposite direction, and

(*b*) where the load carried by the vehicle projects more than three feet from the rear of the vehicle, without a second light attached to the end of such projecting load on the right or off side thereof so as to be clearly visible as a red light within a reasonable distance to the rear.

[*Price*: 5 *cents*.]

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(7A) Rides or pushes any cycle on any public road at any time between half an hour after sunset and one hour before sunrise

(*a*) without a sufficient light attached to the front part of the cycle in such a position as to be free from all obstruction and to be clearly visible as a white light within a reasonable distance in the direction towards which the cycle is proceeding, and

(*b*) if the Governor so directs by notification in the *Gazette*, without a second light attached to the rear of such cycle so as to be clearly visible as a red light within a reasonable distance to the rear or a red reflector or other similar device of reasonable dimensions affixed to the rear of such cycle.

(*b*) by repealing subsection (15) and substituting therefor the following subsection :—

(15) Drives any horse or pony from the left or near side of the vehicle drawn by such horse or pony or drives any motor cycle otherwise than from the seat of such cycle.

(*c*) by adding at the end thereof the following subsection :—

(17) Being the rider of a cycle seated for one person permits another person to be carried on such cycle on any public road.

Passed this 29th day of July, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 21 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

6th September, 1918.

AN Ordinance to make provision for the collection of money to be applied for any purpose in connection with the present War.

[*9th September*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title.

1. This Ordinance may be cited as the War Funds Ordinance, 1918.

Collection of moneys for war funds by authorized persons.

2.—(1) No person shall, without the approval of the Governor, invite subscriptions, or organize any scheme for raising money, for any fund having for its object or amongst its objects the relief of suffering or distress, the supply of needs or comforts or any other charitable purpose connected with the present war.

(2) Any person who raises money for any such fund by promoting any bazaar, sale, entertainment or exhibition or by any similar means shall render to the Colonial Secretary an account of all receipts and expenditure in connection with the bazaar, sale, entertainment or exhibition or in connection with the means adopted for raising money for any such fund.

(3) Any person who contravenes the provisions of this section shall be liable on conviction before a Police Court to a fine not exceeding one thousand dollars.

(4) This section shall not apply to any collection at divine service in a place of public worship for any such fund.

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Licence to authorized persons to hold lotteries for collection of moneys for war funds.

3.—(1) If any person, who has obtained the approval of the Governor under section 2, applies for permission to hold a public lottery for the purpose of raising money for any fund referred to in section 2, the Governor may, if he thinks fit, grant a licence for such purpose subject to the condition hereinafter mentioned and to such other conditions and restrictions as he thinks right to impose.

(2) If a licence is granted under this section, the condition which the Governor shall impose shall be that not less than one-fourth of the proceeds of the sale of the tickets issued in such lottery shall be paid into the fund specified in the application for such licence or into two or more such funds in such proportions as may be specified in such application.

(3) If such conditions and restrictions are complied with the provisions of the Common Gaming Houses Ordinance, 1888, or any other law for the time being in force relating to gaming and lotteries shall not apply to such person or any other persons who may be concerned in such lottery.

Exemption from penalties of persons concerned before commencement of Ordinance in lotteries for war funds.

4. If any person before the commencement of this Ordinance has made an announcement relating to, or has taken any part whatever in, any lottery, which has been or is being held within or without the Colony for the purpose of raising money for any fund referred to in section 2, the provisions of the Common Gaming Houses Ordinance, 1888, or any other law for the time being in force relating to gaming and lotteries shall not apply to such person.

Passed this 2nd day of September, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 22 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

23rd October, 1918.

AN Ordinance to vest in the Chief Secretary to Government, Federated Malay States, the Railway known as the Singapore Railway and to provide for the passage of Railway Traffic over the Johore Straits.

[*25th October*, 1918.]

WHEREAS an agreement has been concluded between the Government of the Colony and the Government of the Federated Malay States for the transfer to the Government of the Federated Malay States of the Railway known as the Singapore Railway, whereof the terminal stations are situated at Pasir Panjang and at Woodlands respectively: AND WHEREAS the Government of the Federated Malay States through the Crown Agents for the Colonies has by way of consideration for such transfer placed to the credit of the Government of the Colony securities valued at $1,864,571.43 and paid to the credit of the Government of the Colony a sum equal to $2,271,428.57, making in all a payment by the Government of the Federated Malay States to the Government of the Colony of $4,136,000 in respect of the transfer of the said Railway: AND WHEREAS it is expedient and the Government of the Federated Malay States is desirous that the said Railway be vested in the Chief Secretary to Government, Federated Malay States, as incorporated by the Chief Secretary to Government, Federated Malay States Incorporation Ordinance, 1913:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Singapore Railway Transfer Ordinance, 1918. Short title.

[*Price: 10 cents.*]

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Vesting of the Singapore Railway in the Chief Secretary to Government, Federated Malay States.

2. The Railway known as the Singapore Railway whereof the terminal stations are situated at Pasir Panjang and at Woodlands, respectively, together with

(*a*) all lands delineated and coloured pink on a plan deposited in the Colonial Secretary's Office dated the eighteenth day of March, 1913, and signed by R. H. YOUNG, Chief Surveyor, and described thereon as "Singapore Railway Lands";

(*b*) all lines of rail, bridges, sidings, fencing, retaining walls, stations, offices, residences, quarters, coolie-lines, warehouses, stores, engine sheds, carriage sheds, workshops, plant, machinery, telegraph and telephone lines, wharves, landing-stages, and other buildings and works constructed or used for the purposes of or in connection with the said Singapore Railway;

(*c*) all ships, wagon-ferry-boats and other boats and craft, engines, passenger coaches, wagons and other rolling stock which were on the 31st day of December, 1912, the property of the Colony and used or maintained for the purposes of or in connection with the said Singapore Railway;

(*d*) the cable across the Johore Straits which was laid for railway purposes exclusively

are hereby vested, free from encumbrances, in the Chief Secretary to Government, Federated Malay States, absolutely.

Provision of additional lands for railway purposes.

3.—(1) If and so often as the Government of the Federated Malay States require additional Crown land in the Settlement of Singapore for the improvement or widening of the said Singapore Railway or for the due maintenance thereof or as sites for new sidings, stations, offices, quarters, coolie-lines, warehouses or other works or for the improvement or extension of existing sidings, stations, offices, quarters, coolie-lines, warehouses or works or otherwise in connection with the maintenance or improvement of the said Singapore Railway and such requirement is approved either in whole or in part by the Governor in Council, such land shall be surveyed and demarcated to the satisfaction of the Collector of Land Revenue, Singapore, and the Registrar of Deeds shall, on receipt of an order in that behalf under the hand of the Colonial Secretary, make an entry in the books of the Registry that such land has vested in the Chief Secretary to Government, Federated Malay States.

(2) Upon the making of any such entry as in this section is mentioned the land to which such entry relates shall vest free from incumbrances in the Chief Secretary to Government, Federated Malay States, absolutely.

(3) No payment, other than for the cost of survey and demarcation, shall be required to be made by or on behalf of the Government of the Federated Malay States to the Government of the Colony in respect of any such land as is in this section referred to

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Resumption of lands vested under sections 2 and 3 not used for railway purposes.

4.—(1) If any land,

(*a*) which has become vested in the Chief Secretary to the Government, Federated Malay States, pursuant to the provisions of section 2, or

(*b*) which has become vested in the Chief Secretary to the Government, Federated Malay States, pursuant to the provisions of section 3,

is not used and will not be required to be used or ceases to be used by the Government of the Federated Malay States for the purposes of the said Singapore Railway, such land may, if the Governor in Council so directs, be resumed on six months' notice under the hand of the Colonial Secretary being given to the Chief Secretary to Government, Federated Malay States, of the desire of the Governor in Council to resume such land.

(2) On the expiration of the term of such notice the Governor in Council may authorize the Collector of Land Revenue to enter and take possession of such land on behalf of the Crown.

(3) When any land mentioned in paragraph (*a*) of subsection (1) is resumed—

(*a*) Such sum shall be paid from the public funds to the Government of the Federated Malay States as was paid by such Government to the Government of the Colony for the purchase of the land so resumed together with such sum as represents the value, at the date of resumption, of all buildings erected by or on behalf of the Government of the Federated Malay States upon such land.

(*b*) Nothing shall be paid to the Government of the Federated Malay States for such land, if such Government, in pursuance of the agreement for the transfer of the Railway, paid nothing to the Government of the Colony for such land, provided, however, that there shall be paid to the Government of the Federated Malay States such sum as represents the value, at the date of resumption, of all buildings erected by or on behalf of such Government upon such land.

(4) When any land mentioned in paragraph (*b*) of subsection (1) is resumed, nothing shall be paid to the Government of the Federated Malay States for such land, provided, however, that there shall be paid to such Government such sum as represents the value, at the date of resumption, of all buildings erected by or on behalf of such Government upon such land.

(5) If the Government of the Colony and the Government of the Federated Malay States do not agree as to the value of any such buildings as aforesaid, the valuation thereof shall be referred to the decision of a person, to be selected by the Governor, who shall be a member or associate member of the Institution of Civil Engineers, or a fellow or associate of the Royal Institu-

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tion of British Architects, and the decision of such person on a matter referred to him under this section shall be final and binding on both parties.

Resumption of other lands not used for railway purposes.

5.—(1) If any land, not being land vested in the Chief Secretary to Government, Federated Malay States, pursuant to the provisions of section 2 or 3, which has been acquired by the Government of the Federated Malay States for the purposes of the said Singapore Railway, is not used and will not be required to be used or ceases to be used for the purposes of the said railway, such land together with any buildings thereon may be purchased by the Governor in Council on six months' notice under the hand of the Colonial Secretary being given to the Chief Secretary to Government, Federated Malay States, of the desire of the Governor in Council to purchase such land and buildings.

(2) On the expiration of the term of such notice the Governor may authorize the Collector of Land Revenue to enter and take possession of such land and buildings on behalf of the Crown.

(3) If the Government of the Colony and the Government of the Federated Malay States do not agree as to the price of such land together with the buildings thereon, the price thereof shall be ascertained by a person to be selected by the Governor, who shall be a member or associate member of the Institution of Civil Engineers, or a fellow or associate of the Royal Institution of British Architects, and the decision of such person on a matter referred to him under this section shall be final and binding on both parties.

Construction of causeway or embankment over Johore Straits.

6. The Government of the Federated Malay States may, with the approval of the Legislative Council, construct or authorize to be constructed over or in and across the Straits, which divide the territory of the Colony from the territory of the State of Johore, a causeway or embankment, in accordance with a plan to be approved by the Legislative Council, suitable for the passage of railway traffic, and construct or authorize to be constructed on such causeway or embankment, as the case may be, a railway by way of extension of the said Singapore Railway and such roadways and footways as to the Government of the Colony may seem expedient, and carry on or authorize to be carried on railway and other traffic upon and over the said causeway or embankment.

Authority for necessary operations.

7. For the purposes of preliminary examination of the bed of the said Straits with a view to determining the nature of the work to be constructed in pursuance of section 6 and the site and the mode of construction thereof and for the purpose of any operations incidental to the construction thereof or to the due protection, maintenance and use thereof during construction or after completion, the Government of the Federated Malay States or any person authorized by it in that behalf may take borings and construct piers and abutments and carry on and construct all other necessary operations and works, notwithstanding that

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obstruction be thereby caused to the passage of ships, boats or other craft through or upon the said Straits.

8. Except as in section 9 provided, no person shall be entitled to claim and no action or proceeding shall be brought against the Government of the Federated Malay States to recover any compensation in respect of any lands or of any interest therein which shall have been injuriously affected by anything done in pursuance of the provisions of this Ordinance or in respect of any obstruction to the flow of water or to the passage of ships or boats or other craft through or upon the said Straits or any alteration in the tides in the said Straits where such obstruction or alteration is due to anything done in pursuance of the provisions of this Ordinance.

No action to be brought for obstruction of the Straits.

9.—(1) There shall be a right of compensation in respect of any lands or of any interest therein which has been injuriously affected by anything done in pursuance of the provisions of this Ordinance, if the damage, in respect of which the compensation is claimed, is

Compensation for damage.

(*a*) damage caused by reason of what has been authorized by this Ordinance; and

(*b*) damage arising from the execution of the works authorized by this Ordinance and not by their subsequent use; and

(*c*) damage arising from that which would, if done without the authority of this Ordinance, have given rise to a cause of action; and

where the compensation is claimed in respect of any interference with a public or private right, is

(*d*) damage arising from a physical interference with a right, public or private, which the owner or occupier of property is by law entitled to make use of in connection with such property, and which gives an additional market value to such property apart from the uses to which any particular owner or occupier might put it.

(2) The right to or the amount of compensation shall be settled in accordance with the provisions of sections 7, 8 and 9 of the Harbour Works and Foreshores Reclamation Ordinance, 1912.

(3) In applying the provisions of section 7 of the Harbour Works and Foreshores Reclamation Ordinance, 1912, the words "Chief Secretary to Government Federated Malay States" shall be substituted for the words "Attorney-General", and the words "The Singapore Railway Transfer Ordinance, 1918" shall be substituted for the words "The Harbour Works and Foreshores Reclamation Ordinance, 1912".

(4) The originating summons referred to in section 7 of the Harbour Works and Foreshores Reclamation Ordinance, 1912, may be served by sending it by registered post to the Chief Secretary to Government, Federated Malay States.

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Application of sections 6 and 10 of Ordinance X of 1912.

10.—(1) The provisions of sections 6 and 10 of the Harbour Works and Foreshores Reclamation Ordinance 1912 shall apply in the case of anything done or about to be done in pursuance of the provisions of this Ordinance, which may, in the opinion of the Governor in Council, give rise to claims for compensation on account of injury to any land or interest therein, in the same way as if the thing done or about to be done were works executed or about to be executed under the said Ordinance.

(2) In the application of section 10 of the Harbour Works and Foreshores Reclamation Ordinance 1912 the words "Government of the Federated Malay States" shall be substituted for the word "Government", and the words "Chief Secretary to Government Federated Malay States" shall be substituted for the words "Attorney-General" wherever occurring therein.

Private Ordinance for the purposes of Ordinance VI of 1915.

11. For the purposes of the Registration of Deeds Ordinance 1915 this Ordinance shall be deemed to be a private Ordinance.

Passed this 14th day of October, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 23 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21st November, 1918.

AN Ordinance for making Final Provision for the Public Service for the year 1917.

[*22nd November*, 1918.]

WHEREAS by the Supply Ordinance, 1916, (No. 21 of 1916) a sum not exceeding nine million nine hundred and fifty-one thousand, seven hundred and fifty-four dollars was charged upon the revenues and other funds of this Colony for the service of the year 1917 in addition to the sums to which such revenues and other funds were liable under the provisions of the Widows' and Orphans' Pensions Ordinance and the Defence Contribution Ordinance to be appropriated for each service as detailed in that Ordinance: Preamble.

AND WHEREAS the expenditure in respect of certain of such services during the year 1917 exceeded the amount so charged upon the revenue of this Colony by ninety-nine thousand one hundred and eighty-seven dollars and ninety-one cents in the proportions as hereinafter specified:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Final Supply Ordinance, 1918. Short title.

2. The further sum of ninety nine thousand one hundred and eighty-seven dollars and ninety-one cents shall be charged upon the revenues and other funds of this Colony for certain Public Services for the year 1917 to be appropriated in the proportions detailed in the schedule hereto annexed. Supply. $99,187.91.

[*Price: 5 cents.*]

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SCHEDULE.

	$ c.
2. Pensions, Retired Allowances, Gratuities, etc. ...	3,558 00
3. Charitable Allowances	250 00
5. Colonial Secretary, Resident Councillor and Residents	51 35
6. Government Printing Office	12,259 04
7. Land and District Offices	875 89
8. Forests	145 19
9. Chinese and Indian Immigrants' Protection ...	4,139 78
10. Treasury	885 27
12. Marine	5,714 60
13. Legal	725 87
14. Police	3,663 59
15. Prisons	1,157 91
16. Medical	2,638 53
17. Hospitals and Dispensaries	2,027 17
22. Military Expenditure	847,385 45
23. Miscellaneous Services	19,907 32
24. Post Office	21,565 58
25. Government Monopolies	3,623 90
26. Botanical Gardens and Museum	319 85
28. Public Works, Recurrent Expenditure ...	1,516 70
29. Public Works, Extraordinary	11,819 85
Total ...	$944,230 84

Deduct sums paid in accordance with Law:—

	$ c.	
Head 2 (Pensions, etc.) ...	623 53	
,, 22 (Defence Contribution) ...	844,419 40	
		845,042 9[illegible]
Balance ...		$99,187 91

Passed this 11th day of November, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 24 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21st November, 1918.

AN Ordinance to amend the Copyright Ordinance, 1914.

[*22nd November*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Copyright (Amendment) Ordinance, 1918. Short title.

2. Section 2 of the Copyright Ordinance, 1914, hereinafter called the principal Ordinance, is hereby repealed and the following section is substituted therefor:— Repeal of section 2 of Ordinance XVIII of 1914 and substitution of new section.

2. For the purpose of the application of section 14 of the Imperial Copyright Act, 1911, to the importation into the Colony of copies of works made out of the Colony—

(*a*) The Registrar of Imports and Exports shall perform the duties and may exercise the powers thereby imposed on or given to the Commissioners of Customs and Excise of the United Kingdom.

(*b*) Regulations made by the Registrar of Imports and Exports under that section shall require the approval of the Governor in Council.

(*c*) Such Regulations may provide that notices given to the Commissioners of Customs and Excise of the United Kingdom, if communicated by them to the Registrar of Imports and Exports, shall be deemed to have been given by the owner of the Copyright to the Registrar of Imports and Exports.

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(*d*) The works prohibited to be imported by that section shall, if imported into the Colony, be forfeited and may be destroyed or otherwise disposed of as the Governor in Council directs, and every person who

(i) imports or brings or is concerned in importing or bringing into the Colony any such works whether the same be unshipped or not; or

(ii) unships or assists or is otherwise concerned in unshipping any such works; or

(iii) knowingly harbours, keeps or conceals, or knowingly permits or suffers or causes to be harboured, kept or concealed any such works; or

(iv) knowingly acquires possession of such works;

shall for each such offence forfeit treble the value of such works or one thousand dollars at the election of the Registrar of Imports and Exports.

Passed this 11th day of November, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 25 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21st *November*, 1918.

AN Ordinance to provide for the Protection of Trees, Plants and Cultivated Products from Disease and Pests.

[22nd *November*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—.

Short title, etc.

1.—(1) This Ordinance may be cited as the Agricultural Pests Ordinance, 1918.

(2) Subsection (2) of section 14 shall not come into force until such date as the Governor by notification in the *Gazette* prescribes in that behalf, and the operation thereof may from time to time thereafter be suspended by the Governor by such notification as aforesaid for such periods as he thinks fit.

Interpretation.

2. In this Ordinance, unless there is something repugnant in the subject or context—

"Director" means the Director of Agriculture, Federated Malay States;

"Diseased" means attacked by or affected with any pest;

"Inspecting Officer" includes the Director and any officer appointed under section 3 to be an Inspecting Officer under this Ordinance and also any officer to whom an Inspecting Officer has delegated by writing under his hand the exercise or performance of any power or duty conferred or imposed by this Ordinance on an Inspecting Officer, to the extent of the powers or duties so delegated;

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"Owner" includes, with reference to any land, all lessees or tenants of such land, and "Occupier" includes, with reference to any land, all persons in actual occupation or charge thereof;

"Pest" includes every insect, invertebrate animal, rodent, plant and fungus which is destructive or injurious, or apt to be destructive or injurious, to cultivated plants;

"Plant" means any tree, shrub or vegetation, whether living or dead, and includes the stem, root, leaf, flower or fruit and any product or part thereof whatsoever, whether severed or attached;

"Red beetle" means the beetle designated *rhynchophorus ferrugineus;* and "Rhinoceros beetle" means the beetle designated *oryctes rhinoceros*, commonly known also as the elephant or black beetle and belonging to the group *Lamellicornia*;

"Supervising Committee" means the committee referred to in section 4.

Appointment of officers; delegating power.

3.—(1) The Governor may from time to time appoint by name or office and when appointed remove so many Inspecting Officers and other officers as he considers necessary for carrying out the purposes of this Ordinance. The appointment of Inspecting Officers shall be notified in the *Gazette*.

(2) The Governor may also, if he thinks fit, limit the area within which such officers or any of them shall exercise the powers and perform the duties assigned to them by this Ordinance or any rules thereunder.

(3) With the previous written approval of the Director, which may be given generally or be restricted to specified cases, an Inspecting Officer may by writing under his hand delegate to any officer subordinate to him the exercise and performance of any powers or duties assigned to an Inspecting Officer by this Ordinance or any rules thereunder, and such subordinate officer may thereupon exercise and perform the powers and duties so delegated.

(4) All officers appointed under this section, and all officers to whom powers or duties have been delegated under this section when acting within the scope of the powers or duties so delegated, shall be deemed to be public servants within the meaning of the Penal Code.

Supervising Committee.

4.—(1) For the purposes of this Ordinance there shall be a Supervising Committee consisting of not less than three persons, of whom one shall be the Director and the others shall be nominated from time to time by the Governor; of the persons to be so nominated not more than half shall be officers employed in the public service of the Colony or of the Federated Malay States;

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all nominations under this section shall be notified in the *Gazette*. The Director shall be Chairman of the said Committee.

(2) Members of the Supervising Committee nominated by the Governor shall, unless expressly nominated for a shorter term, ordinarily retain their membership thereof for a period of five years but shall be at liberty to resign their membership at any time and may at any time be removed from the Committee by the Governor by notification in the *Gazette*.

Entry, inspection and removal.

5.—(1) Every Inspecting Officer shall within the area, if any, limited by his appointment have power to enter at all reasonable times with or without assistants upon any land alienated for agricultural purposes or whereon any plants are or have been cultivated and to remain there so long as is reasonably necessary for the purposes of this section and

(*a*) to inspect and examine such land and all plants thereon for the purpose of ascertaining whether any of such plants are diseased or whether such land or any plant thereon is in a condition favourable to the introduction or spread of any pest; and

(*b*) to remove by cutting, digging or otherwise such portions of any plant as he thinks expedient to remove for purposes of examination or investigation.

(2) The owner and occupier of such land shall permit every Inspecting Officer to have access thereto for the said purposes and shall supply to such officer all such information as is requested by him and is reasonably necessary for the said purposes.

Power to direct destruction or treatment of plants or pests or treatment of land.

6.—(1) If on or as a result of any inspection or examination of land or plants by an Inspecting Officer it appears to such officer that any plant is diseased, such officer may by notice in writing under his hand, addressed to the owner or occupier of the land whereon such plant is, direct him to take within a time to be stated in the notice such measures, either by destruction of such plant or by treatment in a manner to be specified in the said notice of such plant or of any pest whereby such plant is attacked or wherewith it is affected, as seem to the Inspecting Officer necessary or expedient for the eradication or the prevention of the spread of any pest.

(2) If on or as a result of any inspection or examination of land or plants by an Inspecting Officer it appears to such officer that any land or plant is in a condition favourable to the introduction or spread of any pest, such officer may by notice in writing under his hand, addressed to the owner or occupier of the land whereon such condition exists, direct him to take within a time to be stated in the notice such measures as are in the said notice specified for the treatment of such land or plant

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with a view to the bringing of the same into a condition not favourable to the introduction or spread of any pest.

Application to Supervising Committee.

7.—(1) If any owner or occupier of land on whom a notice under the provisions of section 6 has been served is of opinion that any act or thing required by such notice to be performed or done is unreasonable or unnecessary, he may by an application in writing addressed to the Supervising Committee and despatched by registered post to or otherwise delivered at the office of the Director of Agriculture in Kuala Lumpur within seven days from the service of the said notice and setting forth the grounds on which such application is based apply to the said Committee for an order cancelling or varying the said notice and shall forthwith notify the Inspecting Officer by whom the said notice was signed that the said application has been made.

(2) The said Committee may on receipt of such application suspend the operation of the notice or make such other order in the premises as it thinks just; provided that if the notice in respect of which an application is made has been signed by a member of the Supervising Committee, such member shall take no part in the proceedings of the Committee upon such application; provided further that, pending any order by the said Committee to the contrary, the said notice shall remain in force as if such application had not been made.

Enforcement of the action directed.

8.—(1) If any owner or occupier of land on whom a notice under the provisions of section 6 has been served fails to comply therewith within such time as may be stated in the notice for the performance of the acts thereby required to be done, the Inspecting Officer may, subject to any order made under section 7 by the Supervising Committee, enter upon the land to which the notice refers and may cause to enter thereon such persons with such instruments and things as may be necessary and may proceed to perform and do thereon all acts and things required by the said notice to be performed or done, and the cost thereof shall be recoverable from the said owner or occupier by the Director, or any person authorized in that behalf by the Director, by civil suit.

(2) Nothing in this section contained shall affect any liability of any person to prosecution and punishment under section 9.

Penalty for wilful default.

9. If any owner or occupier of land on whom a notice under the provisions of section 6 has been served wilfully neglects to comply therewith within the time therein stated, he shall be liable to fine not exceeding five hundred dollars: provided that no person shall be punishable under this section for neglect to comply with any notice the operation of which has been suspended or cancelled by the Supervising Committee under the provisions of section 7, and provided further that, where the said Committee has under the provisions of section 7 made an order

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varying the terms of any such notice, the notice as so varied shall for the purposes of this section and of section 8 be deemed to be the notice under the provisions of section 6.

Placing land in quarantine.

10.—(1) Whenever the Director is of opinion that plants on any land are diseased, he may with the approval of the Resident Councillor or Resident of the Settlement wherein such land is situate make an order placing such land or any part thereof in quarantine for such period as is prescribed by the order.

(2) So long as an order of quarantine applies to any land no person shall remove any plant therefrom except with the permission and under and in accordance with the direction of an Inspecting Officer.

(3) Any land placed in quarantine under subsection (1) shall continue in quarantine until the Director certifies that no plants thereon are diseased.

Application for examination of quarantined area.

11. Any owner or occupier of land quarantined under section 10 may apply to an Inspecting Officer to examine the quarantined area with a view to obtaining from the Director the certificate referred to in subsection (3) of section 10, and the Inspecting Officer shall as soon as convenient after receipt of such application visit and examine the said area; provided that every such application except the first shall be accompanied by a deposit of ten dollars towards the cost of such visit and examination, and if the cost thereof amounts to less than ten dollars the balance remaining after deduction of the said cost shall be refunded to the depositor.

Power to order immediate destruction of plants.

12. If in the opinion of the Director the destruction of any diseased plant is a matter of necessity and extreme urgency, he may forthwith make an order in writing directing the immediate destruction of such plant by any person referred to in the order, and the said plant shall be destroyed accordingly and the cost of such destruction, if incurred by any person other than the owner or occupier of the land whereon such diseased plant was, shall be defrayed by such owner or occupier.

Entry for inspection or action with regard to locusts' eggs and locusts.

13.—(1) Every Inspecting Officer shall within the area, if any, limited by his appointment have power

(*a*) to enter at all reasonable times with or without assistants upon any land and to remain there so long as is reasonably necessary for the purpose of ascertaining whether any locust's eggs or any locusts in the stage in which they are known as hoppers are in or upon such land;

(*b*) to enter with or without assistants and with such instruments and things, if any, as he deems necessary upon any land on or in which there are any locust's eggs or any locusts in the stage in

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which they are known as hoppers and to take and cause to be taken thereon any action, whether by means of poison or of mechanical apparatus or otherwise howsoever, which he deems proper for the destruction of such eggs or locusts; provided that where the powers mentioned in this paragraph are exercised in pursuance of authority delegated under section 3 (3) the action to be taken for the destruction of eggs or locusts shall be restricted to such action as has been expressly authorized in writing by the delegating officer.

(2) No person shall obstruct or interfere with any thing done or in course of being done under the provisions of this section.

Duty of owner or occupier on appearance of locusts' eggs or hoppers.

14.—(1) Whenever locusts' eggs are found or locusts in the stage in which they are known as hoppers appear on any land, the occupier or if there be no occupier the owner thereof shall, as soon as he becomes aware that such eggs have been found or such locusts have appeared thereon, forthwith

(*a*) give notice thereof in writing or otherwise to an Inspecting Officer or at the nearest Land Office or Police Station, with such particulars as are prescribed by rule under this Ordinance; and

(*b*) use his utmost endeavours immediately to destroy the eggs or locusts, as the case may be; and

(*c*) carry into effect all instructions given to him in that behalf by an Inspecting Officer; and

(*d*) render all assistance in his power towards carrying out any action taken or directed by an Inspecting Officer for the purpose of destroying the eggs or locusts and, in particular, place at the disposal of the Inspecting Officer, on demand, for such period not exceeding one week as the Inspecting Officer requires, so many of the labourers, if any, employed by him on the land whereon such action is or is to be taken, or on any other land owned or occupied by him which is distant not more than three miles by direct measurement from the land whereon such action is or is to be taken, as the Inspecting Officer requires, not exceeding one-half of the total number so employed.

(2) Any owner or occupier who places labourers at the disposal of an Inspecting Officer in pursuance of the provisions of paragraph (*d*) of subsection (1) shall be entitled to recover from public funds in respect of every such labourer whose services have been utilised by the Inspecting Officer such amount as is from time to time prescribed by rule under

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section 22; and any other expenditure incurred by an owner or occupier in the destruction of eggs or locusts which is certified as reasonable by an Inspecting Officer shall, subject to the approval of the Resident Councillor or Resident of the Settlement in which such destruction of eggs or locusts was effected, be recoverable by him from public funds.

(3) Any person who commits a breach of the provisions of this section shall be liable to fine not exceeding two hundred and fifty dollars.

Driving of locusts.

15. Any person, who wilfully drives or abets the driving of locusts in the stage in which they are known as hoppers off land owned or occupied by any person on to other land owned or occupied by a different person, shall be liable to fine not exceeding five hundred dollars unless he proves to the satisfaction of the Court that growing crops on the land off which the locusts were driven were in danger from them and that in driving them off such land he used his utmost endeavours to destroy them and did not drive them towards the growing crop of any other person.

Duty of owners of coconut trees attacked by beetles.

Sections 2 and 3 of Ordinance IV of 1890.

16.—(1) It shall be the duty of every owner of coconut trees which are attacked by beetles to clear the trees of beetles within one month from the service upon him of a notice in that behalf signed by a Collector or Deputy Collector of Land Revenue in the place where such trees are situated.

(2) It shall be the duty of the owner or person in charge of every coconut tree which is dead or is attacked beyond recovery by the rhinoceros beetle or the red beetle forthwith to uproot such tree and either to consume it with fire or to bury it in the ground at a depth of not less than three feet so that the beetle and all eggs and larvæ thereof may be totally destroyed and that the tree may not serve as a breeding place for rhinoceros beetles or red beetles.

(3) Any person who without reasonable excuse (the burden of proof whereof shall lie on him) neglects or refuses to perform any duty imposed upon him by this section, shall be liable to fine not exceeding two dollars for every tree in respect of which such neglect or refusal occurs, and any such officer as is in section 17 referred to may cause to be performed the duty so neglected or refused to be performed and may recover the cost of such performance by civil suit from the person so neglecting or refusing as aforesaid.

Inspection of coconut trees by Penghulu.

17.—(1) All coconut trees in every mukim shall be periodically inspected by the Penghulu of the mukim, who shall report to a Collector or Deputy Collector of Land Revenue in the place where such trees are situated or to such other officer as the Resident Councillor or Resident of the Settlement may by notification in the *Gazette* appoint in that behalf such trees as are infected with rhinoceros beetles or red beetles.

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(2) Any Collector or Deputy Collector as aforesaid or any other officer appointed as aforesaid may order that any coconut tree infected with rhinoceros beetles or red beetles be cleaned or cut down or be burned or buried in the manner prescribed in section 16, and the Penghulu of the mukim wherein such tree is situated shall see that such order is carried out.

(3) The duties assigned by this section to penghulus of mukims shall in any mukim for which there is no penghulu be performed by such native officer as may be directed by such Collector or Deputy Collector as aforesaid to perform the said duties.

Compensation for destruction of coconut trees.

Section 6 of Ordinance IV of 1890.

18. The Governor may from time to time make such compensation as he thinks fit to any owner of a coconut tree who, being in needy circumstances, is required to destroy such tree: provided that the compensation in respect of any one tree shall not exceed five dollars and that the compensation given in one year to any one person shall not exceed one hundred dollars.

Destruction of matter likely to harbour beetles.

Section 4 of Ordinance IV of 1890.

19. Any person who keeps on his premises dead coconut trees or stumps, coconut timber, rubbish heaps, accumulations of dung, vegetable refuse or other matter likely to harbour or become breeding places for rhinoceros beetles or red beetles and neglects or refuses to remove or destroy the same, when required so to do by a notice in writing from any such officer as is in section 17 referred to, shall be liable to fine not exceeding one hundred dollars, and any such officer as is in section 17 referred to may cause such trees, stumps, timber, rubbish heaps or other accumulations to be removed or destroyed and may recover the cost of such removal or destruction by civil suit from the person so neglecting or refusing as aforesaid.

Access to coconut plantations, etc.

Section 5 of Ordinance IV of 1890.

20. All District Officers, all Collectors and Deputy Collectors of Land Revenue and all officers appointed by the Resident Councillor or Resident of any Settlement by notification in the *Gazette* to exercise any powers under section 17 shall within the areas over which their powers extend have access at all reasonable times into and upon any land whereon any coconut tree is growing for the purpose of inspecting such tree and also into and upon any land or premises where there is reason to suppose that there are kept any such things as in section 19 are referred to.

Compensation.

21.—(1) Subject to the provisions of section 18, no owner or occupier of land or other person shall be entitled to compensation for any expense incurred or damage occasioned by any order given or act done in pursuance of the provisions of this Ordinance or any rule thereunder unless such damage were occasioned by negligence or maliciously and without reasonable cause; but the Governor may, in his discretion, order that such compensation as he thinks fit be paid to the owner or occupier of any land who is required to destroy as a measure of precaution any plant thereon not being diseased.

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(2) No application for compensation shall be entertained unless it is in writing and is received in the office of the Colonial Secretary within three months from the date of the notice requiring the destruction of such plant, and in no case shall compensation be paid in excess of the actual value of the plant destroyed at the date of such notice.

(3) If any question arises as to such actual value, the decision of the Director thereon shall be final and conclusive.

Rules.

22.—(1) The Governor may make rules for preventing the introduction of pests into the Colony or any part thereof and for preventing the spread of pests therein. Such rules may provide, amongst other things, for

(*a*) prohibiting the landing in the Colony from places outside the Colony of any plant or animal the landing of which may appear to the Governor to be likely to introduce any pest;

(*b*) the treatment or destruction of any plant or animal which has been landed and of the packages, cases, pots or coverings in which the same may be packed.

Any such rule may be absolute or subject to such conditions and exceptions as may be expressed therein and may apply to the introduction of plants or animals either generally or from any specified place.

(2) The Governor may also make rules for fully and effectually carrying out and giving effect to the various provisions and powers in this Ordinance contained. Such rules may provide for

(*a*) the powers and duties of officers appointed under section 3;

(*b*) the convening of meetings of the Supervising Committee and the conduct of the business thereof;

(*c*) the manner of entry upon lands under the provisions of this Ordinance and the notice, if any, to be given prior to such entry;

(*d*) the conduct of examinations and inspections of plants and of other proceedings authorized by this Ordinance;

(*e*) the notification by owners and occupiers of land of any plant found to be diseased;

(*f*) the form of orders, applications and certificates under this Ordinance;

(*g*) all other matters connected with the enforcement of this Ordinance.

(3) All rules made under this section shall be published in the *Gazette* and shall thereupon have the force of law.

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Penalty for breach of rule.

(4) Any person contravening the provisions of any rule made and published under this section shall be liable to fine not exceeding five hundred dollars.

(5) An Inspecting Officer or any subordinate officer acting under the directions of an Inspecting Officer may destroy or cause to be destroyed any plant introduced into the Colony in contravention of any rule made and published under this section.

Service of notices.

23.—(1) When any notice is required by this Ordinance to be given to the owner or occupier of any land, such notice addressed to the owner or occupier may be served in manner following:—

(*a*) if the owner or occupier of such land is within the Settlement wherein such land is situate, the notice may be delivered to him or left with some adult member of his family (other than a servant) residing with him within such Settlement;

(*b*) if the notice cannot be served in the manner described in paragraph (*a*) or if the owner or occupier is not resident within the Settlement wherein the land is situate, it may be sent by registered post addressed to him at his residence in the Colony or in any part of the Federated Malay States;

(*c*) if the notice cannot be served in the manner described in paragraph (*a*) or paragraph (*b*) or if there is no known owner or occupier of such land, the notice may be put up on some conspicuous place on the said land.

(2) It shall not be necessary in any such notice to name the owner or occupier, if the land to which the notice relates is therein referred to.

(3) Every such notice shall be in the English language and also, if the person for whom it is intended be an Asiatic not known to understand the English language, in such other language as may in the opinion of the officer signing the notice be likely to render it intelligible to such Asiatic; provided that no notice shall be deemed to be bad or insufficient by reason merely of the language wherein the same is rendered.

Penalty for misuse of material.

24. Whenever the Government has supplied any material free of charge for the prevention or eradication of any pest, any person who wilfully appropriates or uses the same for any purpose other than that for which the said material was supplied shall be liable to fine not exceeding two hundred and fifty dollars.

General penalty.

25. Every person who commits any breach of the provisions of this Ordinance for the breach whereof no penalty is otherwise

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expressly provided shall be liable to fine not exceeding two hundred dollars.

26. No proceedings shall be instituted in any Court against any person under any provision of this Ordinance other than sections 16 and 19 except with the written authority of the Director.

Proceedings to be authorized by Director.

27. The Coconut Trees Preservation Ordinance, 1890, and the Destructive Pests Ordinance, 1908, are hereby repealed.

Repeal. Ordinance IV of 1890 and Ordinance XIII of 1908.

Passed this 11th day of November, 1918.

E. C. H WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 26 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21*st November*, 1918.

AN Ordinance to amend the Courts Ordinance, 1907.

22*nd November*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Courts (Amendment) Ordinance, 1918. Short title.

2. Section 6 of the Courts Ordinance, 1907, is amended— Amendment of section 6 of Ordinance XXX of 1907.

(*a*) by repealing subsection (2) thereof and substituting therefor the following:—

(2) The Judicial Commissioners of the Federated Malay States, who are possessed of the qualifications aforesaid, shall be supernumerary Judges of the Supreme Court, if provision is made by the law of such States that such Judicial Commissioners may be declared by the law of the Colony to be supernumerary Judges of the Supreme Court;

(*b*) by adding at the end thereof the following subsection:—

(5) The Judges of the Supreme Court may be declared by the law of the Federated Malay States to be supernumerary Judicial Commissioners of the Federated Malay States, and, in the event of such declaration being made, such Judges shall be deemed to be supernumerary Judicial Commissioners of the Federated Malay States.

Passed this 11th day of November, 1918.

E. C. H. WOLFF,
Clerk of Councils.

[*Price*: 5 *cents*.]

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STRAITS SETTLEMENTS.

No. 27 of 1918.

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21st *November*, 1918.

AN Ordinance for making provision for the Public Service for the year 1919.

[22nd *November*, 1918.]

WHEREAS the expenditure for the service of the Government of the Straits Settlements for the year 1919 has been estimated at the sum of twelve million nine hundred and thirty-three thousand nine hundred and twenty-one dollars :

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Supply Ordinance, 1918. Short title.

2. A sum not exceeding twelve million nine hundred and thirty-three thousand nine hundred and twenty-one dollars shall be and the same is hereby charged upon the revenues and other funds of this Colony for the service of the year 1919 in addition to the sums to which such revenues and other funds are liable under the provisions of The Widows' and Orphans' Pensions Ordinance, and The Defence Contribution Ordinance; and the said sums so charged may be expended as hereinafter specified, that is to say :— Supply. $12,933,921. Ord. xix of 1904. Ord. vi of 1899.

		$
1. Charge on account of the Public Debt	...	37,106
2. Pensions, Retired Allowances, and Gratuities	...	647,656
3. Charitable Allowances	...	13,281
4. Governor	...	87,704
5. Colonial Secretary, Resident Councillor, and Residents	...	272,699
6. Printing Office	...	96,178
7. Land and District Offices	...	276,933
Carried forward	...	1,431,557

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		$
	Brought forward ...	1,431,557
8.	Forests	37,726
9.	Chinese and Indian Immigrants' Protection ...	87,053
10.	Treasury	123,822
11.	Audit	60,564
12.	Director of External Audit	58,449
13.	Marine	515,697
14.	Legal	440,254
15.	Police	1,174,356
16.	Prisons	274,505
17.	Medical	331,604
18.	Hospitals and Dispensaries	702,564
19.	Veterinary	33,580
20.	Education	446,196
21.	Ecclesiastical	19,917
22.	Transport	36,700
23.	Military Expenditure	2,871,042
24.	Miscellaneous Services	3,259,823
25.	Post Office	820,192
26.	Government Monopolies	488,566
27.	Botanical Gardens and Museum	83,799
28.	Public Works Department	430,791
29.	Public Works, Annually Recurrent	516,461
30.	Public Works, Extraordinary	1,544,513
	Total ...	$15,789,731

Deduct sums provided in accordance with Law :—

		$	
Head 1	... ...	37,106	
Head 2	... ...	17,344	
Head 23	... ...	2,801,360	
			2,855,810
	Balance ...		$12,933,921

Passed this 11th day of November, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 28 of 1918.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

21*st November*, 1918.

AN Ordinance to give to Courts in connection with the present war powers of granting relief to members of the Overseas Force of the Straits Settlements.

[22*nd November*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Courts (Emergency Powers) Ordinance, 1918. Short title.

2.—(1) Any member of the Overseas Force called out for active service beyond the limits of the Colony, who is tenant of any premises under a tenancy from year to year or for any longer period may apply to the District Court for the District in which he usually resides or in which such premises are situate for leave to determine such tenancy, and, upon such application being made, the Court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, by order authorise the applicant to determine the tenancy by such notice and upon such conditions as the Court thinks fit, and thereupon such tenancy may, notwithstanding any provision in the tenancy agreement or lease, be determined accordingly. Power of District Court to determine leases to members of the S. S. Overseas Force.

(2) An application under this section shall be made by means of a summons according to form *A* in the Schedule.

(3) A summons under this section shall be served on every person affected thereby four clear days at least before

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the day fixed for the hearing of the summons, unless the Judge gives leave for shorter service. Service shall be effected in accordance with the provisions of the Civil Procedure Code relating to the service of summonses issued by a District Court.

(4) The Court may in any case order the applicant to pay the costs of any such application.

(5) The form *B* in the Schedule, with the necessary modifications, may be used for orders made on summonses issued under this section.

Power of Court to suspend or annul contracts entered into by members of the Overseas Force.

3.—(1) Where any member of the Overseas Force called out for active service beyond the limits of the Colony is a party to any contract the terms whereof are in writing and which was made prior to the fifteenth day of July, 1918, such member may apply to the Court that such contract be varied, suspended or cancelled, and the Court, if it is satisfied that the applicant cannot carry out his part of such contract without suffering serious hardship, may, after considering all the circumstances of the case and the position of all parties to the contract and any offer which may have been made by any party for a variation of such contract, suspend, amend or cancel the contract or stay any proceedings for the enforcement of the contract or any term thereof or any rights arising thereunder on such conditions, if any, as the Court may think fit.

For the purpose of this subsection where an offer made before the fifteenth day of July, 1918, was binding on a contracting party if accepted within a specified period expiring after that date and was so accepted after that date, the contract shall be deemed to have been entered into before that date.

(2) For the purposes of this section the Court to which application is made may be

(*a*) in any case whatever, the Supreme Court;

(*b*) alternatively, in cases where the value of the subject matter of the application does not exceed $1,000, the District Court.

(3) Applications shall in the absence of special circumstances be made to a District Court where application to such a Court is permitted by subsection (2).

(4) The Supreme Court may order any increased costs occasioned by disregard of subsection (3) to be borne by the applicant.

(5) The application to the Supreme Court shall be made by way of originating summons and shall be dealt with in Chambers, but any such application may be adjourned into Court at any stage of the proceedings or during the hearing.

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(6) The application to the District Court shall be made by means of a summons entitled "In the matter of the Courts (Emergency Powers) Ordinance, 1918."

(7) No appeal shall lie from the decision of either Court.

(8) Where any contract or any term or condition thereof is suspended by virtue of this section, the operation of the Limitation Ordinance, 1896, with respect to such contract or term or condition thereof shall be suspended for the same period for which such contract or term or condition thereof is suspended.

Passed this 11th day of November, 1918.

E. C. H. WOLFF,
Clerk of Councils.

SCHEDULE.

FORM *A*.

Summons by Members of the Overseas Force of the Straits Settlements for Leave to Determine Tenancy.

In the District Court of holden at
In the matter of the Courts (Emergency Powers) Ordinance, 1918.

Between

A. B.
(*address and description*) Applicant

and

C. D.
(*address and description*) Respondent.

To
of

Take Notice, that you are hereby summoned to attend this Court on the day of , at the hour of in the noon, on the hearing of an application on the part of a member of the Overseas Force of the Straits Settlements,

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for an order under section 2 of the above-mentioned Ordinance authorising the Applicant to determine his tenancy of certain premises known as and situate at , of which you are the landlord and the Applicant is the tenant, under a tenancy from year to year [*or* (*state terms of tenancy*)] by such notice and under such conditions as the Court shall think fit, and for an order providing for the cost of the application.

And further take Notice, that if you do not attend in person or by your solicitor at the time and place above-mentioned such proceedings will be taken and order made as the Court may think just.

Dated this day of

By the Court.

To

(*the Respondent naming him.*)

FORM *B*.

Order on Application for Leave to Determine Tenancy.

In the District Court of holden at

In the matter of the Courts (Emergency Powers) Ordinance, 1918.

Between

A.B.
(*address and description*) Applicant

and

C.D.
(*address and description*) Respondent.

On the application of , a member of the Overseas Force of the Straits Settlements, and upon hearing

This Court doth pursuant to section 2 of the above-mentioned Ordinance order that the Applicant be at liberty and he is hereby authorised to determine the tenancy of certain premises known as and situate at , of which the Respondent is landlord and the Applicant is tenant under a tenancy from year to year [*or* (*state terms of tenancy*)] upon giving to the Respondent notice in writing of his intention to determine the same, and upon the following conditions, that is to say:—

(*here set out any conditions imposed.*)

[*or* This Court doth order that the application of the Applicant for an order under section 2 of the above-mentioned Ordinance authoris-

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ing the Applicant to determine his tenancy of certain premises known as and situate at of which the Respondent is landlord and the Applicant is tenant under a tenancy from year to year [*or* (*state terms of tenancy*)]

be and the same is hereby dismissed.]

[*Add, if so ordered,*

And it is ordered that the Applicant A. B. [*or* the Respondent C. D.] be allowed as against the Respondent C. D. [*or* the Applicant A. B.] his costs of this Application which are hereby allowed at the sum of $

And it is ordered that the Respondent [*or* the Applicant] do pay the said sum of $ to the Applicant [*or* the Respondent] on or before the day of .

Dated this day of .

By the Court,

To

(*the Applicant and the Respondent, naming them.*)

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STRAITS SETTLEMENTS.

No. 29 of 1918.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

21*st November*, 1918.

AN Ordinance to restrict temporarily the persons who may engage in business connected with certain non-ferrous metals and metallic ores.

[22*nd November*, 1918.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title and duration.

1.—(1) This Ordinance may be cited as the Non-Ferrous Metal Industry Ordinance, 1918.

(2) This Ordinance shall continue in force only during the continuance of the present war and for a period of five years after the termination thereof.

Metals or ores to which Ordinance applies.

2. The metals and ores to which this Ordinance applies are zinc, copper, tin, lead, nickel, aluminium, and any other non-ferrous metals and ores to which this Ordinance may be applied by order of the Governor in Council; the expression "metal" shall not include metal which has been subjected to any manufacturing process except such as may be prescribed; and the expression "ore" shall include concentrates, mattes, precipitates and other intermediate products.

Prohibition against dealing in certain metals and ores without a licence.

3.—(1) No company, firm, or individual shall after the expiration of six months from the passing of this Ordinance, or such longer period as the Governor in Council may generally or in any particular case allow, carry on the business of winning, extracting, smelting, dressing, refining, or dealing by way of wholesale trade, in metal or metallic ore to which this Ordinance applies, unless licensed to do so by the Governor in Council, such licence being in the form set out in

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Schedule *B* to this Ordinance; provided that the purchase or sale of metal shall not be deemed to be dealing in such metal where such purchase or sale is incidental only to the trade carried on by the purchaser or seller; and provided also that no licence shall be required when the winning, extracting, smelting, dressing, refining or dealing is carried on wholly outside the Colony.

(2) In the case of a company, firm, or individual with respect to which any of the conditions set forth in the Schedule *A* to this Ordinance apply, or which is controlled by a company, firm, or individual in respect of which any such conditions apply, no licence shall be granted unless the Governor in Council is of opinion that the grant of a licence is expedient, but save as aforesaid any company, firm, or individual carrying on or proposing to carry on such business as aforesaid shall on making application in the prescribed manner, and on furnishing such information and allowing inspection of such books and documents as may be reasonably required, and on payment of the prescribed fee, which shall not exceed ten dollars, be entitled to a licence under this Ordinance.

(3) A licence under this Ordinance shall remain in force unless and until it is suspended or revoked.

(4) The Governor in Council, if satisfied by evidence not before him at the time when the licence was granted that such company, firm, or individual is, or has become, subject to any of the conditions set forth in the Schedule *A* to this Ordinance, or, in the case of a company, firm, or individual to which a licence has been granted notwithstanding that it is subject to any such conditions as aforesaid, that it is expedient that the licence should be revoked or suspended, may revoke or suspend the licence.

(5) If any question arises between the Governor in Council and any company, firm, or individual—

(*a*) as to whether or not the business carried on by the company, firm, or individual is such as to require a licence under this Ordinance; or

(*b*) as to whether or not any of the conditions set forth in the Schedule *A* of this Ordinance apply in respect of the company, firm, or individual; or

(*c*) as to whether or not the company, firm, or individual is controlled by a company, firm, or individual in respect of which any such conditions apply; or

(*d*) as to the requirements of the Governor in Council for the production of books or documents for inspection,

the question shall, subject to rules of court, be referred by the Governor in Council to the Supreme Court for determination,

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and the decision of a Judge of the Supreme Court on any such reference shall be final, and no appeal therefrom shall lie to the Court of Appeal.

(6) Where at the expiration of the said six months or longer period allowed by the Governor in Council proceedings on any such application are pending in the Supreme Court, the Court shall, on application being made for the purpose, extend the said period of six months or longer period as respects that company, firm, or individual for such period as may be necessary to allow the question to be determined by the Court, and where the application is made with reference to the suspension or revocation of a licence the licence shall not be suspended or revoked until the question has been determined by the Court.

(7) The Governor in Council shall publish in the prescribed manner the name of any company, firm, or individual to whom a licence has been granted under this Ordinance or whose licence has been suspended or revoked.

Power to require information and inspection of documents.

4. The Governor in Council shall have power at any time to require the applicant for a licence or a licensee, or any person who, being a director, partner, manager, or officer of, or the holder of, or a person interested in, shares or securities of, any company, or firm, which has applied for the grant of a licence, or to which a licence has been granted under this Ordinance, or by which the applicant or licensee is controlled, or being the manager of the business carried on by an individual applicant or licensee, is able to give any information as to the constitution control or management of the company or firm, or the business carried on by the company, firm, or individual, or the beneficial interest of any person in such business, or in any shares or securities of the company or firm, to furnish such information within such time as the Governor in Council may direct, and for the purpose of obtaining or verifying such information any person appointed by the Governor in Council in that behalf shall be entitled to inspect any books and documents belonging to or under the control of such company, firm, or individual, the inspection of which may reasonably be required for the purpose aforesaid.

Offences.

5.—(1) Any person who carries on the business of winning, extracting, smelting, dressing, refining, or dealing in any metal or metallic ore in contravention of this Ordinance without a licence, shall, on an information being laid by or on behalf of the Colonial Secretary, be liable on conviction before a District Court or Police Court to imprisonment of either description for a term which may extend to three months, or to a fine not exceeding one thousand dollars for each day during which the offence continues, or to both such imprisonment and fine.

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(2) Any person who—

(*a*) refuses or neglects to furnish any information which under this Ordinance is required to be furnished within the time within which it is to be furnished; or

(*b*) knowingly furnishes any information required to be furnished under this Ordinance which is false in any material particular; or

(*c*) having custody of any book or document which a person is authorised to inspect under this Ordinance, refuses or wilfully neglects to produce the book or document for inspection; or

(*d*) forges or fraudulently alters or uses or permits to be fraudulently used any licence issued under this Ordinance,

shall be liable on conviction before a District Court or Police Court to imprisonment of either description for a term which may extend to three months, or to a fine not exceeding two hundred dollars, or to both such imprisonment and fine.

(3) Where the person guilty of an offence under this Ordinance is a company, every director, manager, secretary, and other officer of the company who is knowingly a party to the default, shall also be guilty of the like offence, and liable to the like punishment.

Provision as to warrants to bearer.

6.—(1) A company carrying on any business to which section 3 of this Ordinance applies, which has issued share warrants to bearer, may give notice requiring the holders of the share warrants to surrender their warrants for cancellation and to have their names entered in the register.

(2) The notice shall be given by advertisement in the *Gazette*, and by any other method by which notices to, or for the information of, holders of share warrants to bearer are required to be given by the regulations of the company or the conditions of issue of the warrants.

(3) Where such a notice has been given no person shall, as holder of a share warrant, be entitled to attend or vote at any meeting of the company, and any dividends or interest which may become payable in respect of any shares represented by share warrants shall be retained by the company until the share warrants have been surrendered for cancellation.

(4) For the purposes of this Ordinance the expression "share warrants to bearer" includes any bearer securities which confer on the holder thereof any voting power with respect to the management of the company.

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7. No information as to any person or any business obtained under this Ordinance shall be published except for the purposes of legal proceedings under this Ordinance, and if any person knowingly publishes any information in contravention of this provision he shall be liable on conviction before a District Court or Police Court to imprisonment of either description for a term which may extend to three months, or to a fine not exceeding two hundred dollars, or to both such imprisonment and fine. Provisions as to secrecy.

8.—(1) A company carrying on any business to which section 3 of this Ordinance applies may give notice requiring a shareholder or debenture holder to make a declaration under the Statutory Declarations Act, 1835, as to the beneficial ownership of the shares or debentures standing in his name, and as to the nationality of such beneficial owner. Declarations.

(2) The notice shall be given by any method by which notices to, or for the information of, holders of shares or debentures are required to be given by the regulations of the company or the conditions of issue of the debentures.

(3) Where such a notice has been given no person shall as holder of a share be entitled to attend or vote at any meeting of the company, and any dividends or interest which may become payable in respect of any shares or debentures shall be retained by the company until the shareholder or debenture holder shall have made such declaration as aforesaid.

(4) For the purposes of this section the expressions "shares" and "debentures" include stock and debenture stock and "shareholder" and "debenture holder" have corresponding meanings.

9.—(1) The Governor in Council may make rules, for prescribing anything which, under this Ordinance, is to be prescribed, and generally for carrying this Ordinance into effect, and such rules shall provide for excluding from dealings by way of wholesale trade within the meaning of this Ordinance dealings in quantities below such limits as may be prescribed generally or as respects any particular metal or metallic ore. Rules.

(2) All regulations made under this Ordinance shall be published in the *Gazette* and from the date of such publication shall have the same force and effect as if they had been enacted in this Ordinance.

(3) All regulations shall be laid before the Legislative Council at the first meeting after such publication and shall cease to have any force or effect if disallowed by resolution of the said Council.

(4) Any regulation may be altered by a resolution of the Legislative Council and shall come into force as altered from

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the date of the passing of such resolution, and shall have the same force and effect as if it had been enacted in this Ordinance.

Passed this 11th day of November, 1918.

E. C. H. WOLFF,
Clerk of Councils.

SCHEDULES.

Section 3.

SCHEDULE *A*.

CONDITIONS.

1. That any director of the company or any partner of the firm, or the individual, or any manager or other principal officer employed by the company, firm, or individual, is a person who is or has been a subject of a State which is now at war with His Majesty or an enemy controlled corporation.

2. That in the case of a company, any capital of the company is or was at any time after the day of nineteen hundred and eighteen held by or on behalf of an enemy, including any stock or shares of the company vested in the custodian by virtue of any order made under the Trading with the Enemy Ordinances, 1914 to 1916.

3. That the company, firm, or individual is or was at any time after the day of nineteen hundred and eighteen party to any agreement, arrangement or understanding, which enables or enabled an enemy to influence the policy or conduct of the business.

4. That the company, firm, or individual is or was at any time after the day of nineteen hundred and eighteen interested, directly or indirectly, to the extent of one-fifth or more of the capital profits or voting power in any undertaking whether or not in the Colony, engaged in business of a kind to which this Ordinance applies, in which enemies are also interested, directly or indirectly, to the extent of one-fifth or more of the capital profits or voting power.

5. That the company, firm, or individual, is by any means whatever subject, directly or indirectly, in the conduct of their or his business to enemy influence or association.

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6. That, in the case of a company, the company has issued share warrants to bearer and has not given notice under this Ordinance requiring the holders of the share warrants to surrender their warrants for cancellation.

For the purposes of this Schedule—

The expression "enemy" means a subject of a State which is now at war with His Majesty and an enemy controlled corporation.

The expression "enemy controlled corporation" means any corporation—

(*a*) where the majority of the directors or the persons occupying the position of directors by whatever name called, are subjects of such a State as aforesaid; or

(*b*) where the majority of the voting power is in the hands of persons who are subjects of such a State as aforesaid, or who exercise their voting powers directly or indirectly on behalf of persons who are subjects of such a State as aforesaid; or

(*c*) where the control is by any means whatever in the hands of persons who are subjects of such a State as aforesaid; or

(*d*) where the executive is an enemy controlled corporation or where the majority of the executive are appointed by an enemy controlled corporation.

The expression "capital" in relation to a company means any shares or securities issued by the company which carry, or would, if the necessary formalities were complied with, carry any voting power with respect to the management of the company, and shall also include debentures and debenture stock and money lent to the company.

SCHEDULE *B*.

Section 3 (1).

Form of Licence.

(*Name of company, firm, or individual*)

of

is hereby licensed under the Non-Ferrous Metal Industry Ordinance, 1918, to carry on the business of winning, extracting, smelting, dressing, refining, and dealing by way of wholesale trade in the metals or metallic ores to which the said Ordinance applies.

By Order of the Governor in Council.

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STRAITS SETTLEMENTS.

No. 1 of 1919.

I assent,

L. S.

ARTHUR YOUNG,
Governor and Commander-in-Chief.

5th January, 1919.

AN Ordinance to amend the Theatres Ordinance, 1908.

[*10th January*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Theatres (Amendment) Ordinance, 1919. Short title.

2. Section 3 of the Theatres Ordinance, 1908, hereinafter referred to as the principal Ordinance, is amended by repealing subsections (2) and (3) thereof and substituting therefor the following subsections:— Amendment of section 3 of Ordinance XVII of 1908.

(2) No person shall after a day to be fixed by the Governor by notification in the *Gazette* advertise, present or carry on any cinematograph display of a public nature unless the film has been marked by an officer appointed by the Governor under the style of the Official Censor of Cinematograph Films in the manner directed by the Governor.

(3) The mark affixed to any film under subsection (2) shall be deemed to have ceased to be valid and operative on notice to that effect being given by the Official Censor of Cinematograph Films to the person who had submitted the film to be marked or to any person in possession of the film and on such notice being published in the *Gazette*.

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(4) No fees prescribed by any rules made under this Ordinance shall be charged by the Official Censor of Cinematograph Films for marking any film which had been signed by the Official Censor of Cinematograph Films prior to the day fixed under subsection (2) and in respect of which the prescribed fees had been paid.

(5) The fees prescribed by any rules made under this Ordinance shall be charged by the Official Censor of Cinematograph Films for marking any film which had been passed by the Chief Police Officer prior to the twenty-eighth day of September, 1917.

(6) No person shall display or cause to be displayed any picture, photograph, poster or figure advertising any cinematograph display, unless the same has been submitted to and approved by the Official Censor of Cinematograph Films.

(7) Any person who advertises or presents or causes to be advertised or presented any scene in a cinematograph display of a public nature in the Colony

(*a*) which has not been marked by the Official Censor of Cinematograph Films; or

(*b*) which, if marked, has been altered, or tampered with in any way since such mark was affixed thereto; or

(*c*) the mark on which has ceased to be valid and operative under subsection (3)

shall for every such offence be liable on conviction by a Police Court to a fine not exceeding five hundred dollars.

(8) Any person who displays or causes to be displayed any picture, photograph, poster or figure advertising any cinematograph display without the approval of the Official Censor of Cinematograph Films shall for every such offence be liable on conviction by a Police Court to a fine not exceeding three hundred dollars.

Amendment of section 8.

3. Section 8 of the principal Ordinance is amended

(*a*) by repealing the words "Official Censor of Cinematographs" wherever occurring therein and substituting therefor the words "Official Censor of Cinematograph Films";

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(*b*) by repealing the words "signed by the Chairman of the Committee of Appeal" in subsection (5) and substituting therefor the words "marked by the Chairman of the Committee of Appeal in the manner directed by the Governor"; and

(*c*) by repealing the words "signed and passed for exhibition" in lines 3 and 4 of subsection (5) and substituting therefor the word "marked".

Passed this 30th day of December, 1918.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 2 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

29th January, 1919.

AN Ordinance to further amend the Sale of Food and Drugs Ordinance, 1914.

[*31st January*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Sale of Food and Drugs (Further Amendment) Ordinance, 1919. Short title.

2. Section 2 of the Sale of Food and Drugs Ordinance, 1914, hereinafter called the principal Ordinance, is amended by inserting after the definition of "Package" the following words:— Amendment of section 2 of Ordinance XV of 1914.

"'Poison' means any article deemed to be a poison within the meaning of the Poisons Ordinance, 1905."

3. The following section shall be inserted after section 5 of the principal Ordinance:— New section inserted after section 5.

5A—(1) Any officer may procure for the purpose of analysis

(*a*) any sample of any milk in course of delivery to the purchaser or consignee in pursuance of any contract for the sale to such purchaser or consignee of such milk; and

(*b*) upon the request or with the consent of the purchaser or consignee, at the place of delivery any sample of any other article of food in course of delivery to the purchaser or consignee in pursuance of any contract for the sale to such purchaser or consignee of such article of food.

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(2) The seller or consignor or any person entrusted by him for the time being with the charge of such milk or other article of food, if he refuses to allow an officer to take the quantity which the officer requires for the purpose of analysis, shall be liable to a fine not exceeding two hundred dollars.

Amendment of section 7.

4. Section 7 of the principal Ordinance is amended

(*a*) by inserting after the word "article" in line 4 of subsection (1) the words "or the person having charge of the article";

(*b*) by adding at the end of subsection (2) the words "or the person having charge of the article".

Amendment of section 19.

5. Subsection (4) of section 19 of the principal Ordinance is amended

(*a*) by inserting after the word "purchased" the words "or procured" and after the words "sale thereof" the words "or of any offence against this Ordinance"; and

(*b*) by repealing the words "the purchase" at the end thereof and substituting therefor the words "purchasing or procuring the same".

Amendment of section 27 (1).

6. Subsection (1) of section 27 of the principal Ordinance is amended

(*a*) by inserting after the word "sale" in paragraph (*h*) thereof the words "advertisement for sale or importation";

(*b*) by inserting after paragraph (*i*) thereof the following paragraph:—

"(*ia*) to require all poisons contained in any medicine proprietary secret or otherwise to be disclosed in the prescribed manner and form and with the prescribed particulars at or prior to the sale thereof".

Passed this 13th day of January, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 4 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

31*st January*, 1919.

AN Ordinance to further amend the Increase of Rent (War Restriction) Ordinance, 1917.

[31*st January*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1.—(1) This Ordinance may be cited as the Increase of Rent (War Restriction) Amendment Ordinance, 1919. Short title.

(2) The amendment made to the Increase of Rent (War Restriction) Ordinance, 1917, hereinafter referred to as the principal Ordinance, by section 2 of this Ordinance shall be deemed to have been made immediately upon the commencement of the principal Ordinance but such amendment shall not affect the operation of the judgment of any Court of Justice given before the commencement of this Ordinance.

2. Section 1 of the principal Ordinance is amended— Amendment of section 1 of principal Ordinance 19 of 1917.

(*a*) by inserting the number "(1)" at the beginning of line 1;

(*b*) by inserting at the end thereof a new subsection:—

"(2) A house let as a dwelling-house does not include a house let chiefly for purposes of business. A Court of Justice in deciding whether a house is let chiefly for purposes of business or not may take into consideration the nature and importance of any business carried on therein, and from its decision no appeal shall lie."

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Subtenants deemed to be tenants of landlord.

3. The following section is inserted after section 2 of the principal Ordinance—

2A. Where a landlord lets a house or part of a house and his tenant, who is not expressly prohibited in writing from subletting, sublets such house or any part thereof or such part or any portion of such part of the house as a dwelling or dwellings, the subtenants of such house or any part thereof or of such part or any portion of such part of the house shall be deemed for the purpose of this Ordinance to be tenants of the landlord.

Amendment of section 5 of principal Ordinance.

4. Section 5 of the principal Ordinance is amended—

(*a*) by inserting the figure "(1)" at the beginning of line 1;

(*b*) by adding at the end thereof a new subsection:—

"(2) Any person who in contravention of the provisions of this section ejects or attempts to eject or takes any step towards ejecting his tenant or subtenant shall be liable to a fine not exceeding one thousand dollars."

Passed this 27th day of January, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 5 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

31st January, 1919.

AN Ordinance relating to Change of Names.

[*31st January*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Change of Names Ordinance, 1919. Short title.

2.—(1) Any person who, not being a natural born British subject, for any purpose assumes or uses, or purports to assume or use, or continues after the first day of February, 1919, the assumption or use of, any name other than that by which he was ordinarily known on the 4th day of August, 1914, shall be guilty of an offence against this Ordinance. Change of name after 4th August, 1914, prohibited.

(2) Where any such person as aforesaid carries on, or purports or continues to carry on, or is a member of a partnership or firm which carries on, or which purports or continues to carry on, any trade or business in any name other than that under which the trade or business was carried on on the 4th day of August, 1914, he shall for the purpose of this Ordinance be deemed to be using, or purporting or continuing to use, a name other than that by which he was ordinarily known on the 4th day of August, 1914.

(3) The Governor in Council may, if it appears desirable in any particular case, grant an exemption from the provisions of this Ordinance.

(4) Nothing in this Ordinance shall—

(*a*) affect the assumption or use, or continued assumption or use, of any name in pursuance of a Royal Licence; or

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(*b*) affect the continuance of the use, until the decision of the Governor in Council has been given, of a name in respect of which an application for exemption is made before the first day of February, nineteen hundred and nineteen; or

(*c*) prevent the assumption or use by a married woman of her husband's name; or

(*d*) apply to any woman who, having been born a British subject but having become an alien by marriage, has been granted a certificate of naturalization.

Penalty.

3. Any person guilty of an offence against this Ordinance shall be liable on conviction by a Police Court to a fine not exceeding one thousand dollars or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

Passed this 27th day of January, 1919.

E. C. H WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 6 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th February, 1919.

AN Ordinance to amend the Rubber Lands (Restriction) Ordinance, 1917.

[*7th February*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Rubber Lands (Restriction) Amendment Ordinance, 1919. Short title.

2. Section 3 of the Rubber Lands (Restriction) Ordinance, 1917, is amended by adding at the end of the section the following subsection :— Amendment of Section 3 of Ordinance 13 of 1917.

(6) Nothing in this Ordinance applies to acquisition from the Government of land subject to an express condition in the document of title that the land shall not be cultivated with rubber.

Passed this 27th day of January, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 7 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

26th February, 1919.

AN Ordinance to amend the Board of Education Ordinance, 1909.

[*28th February*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Board of Education (Amendment) Ordinance, 1919. Short title.

2. Section 5 of the Board of Education Ordinance, 1909, is amended by repealing the words "one per centum" wherever occurring therein and substituting therefor the words "two per centum". Amendment of section 5 of Ordinance XVI of 1909.

3. The Education rate of 2 per cent imposed by section 2 of this Ordinance shall be made, assessed and collected for the year 1919, notwithstanding the provisions of the Municipal Ordinance, 1913, and the whole of such rate shall be payable at the Municipal Office in the month of July, 1919, or at such other place or within such other time as may be prescribed by any Municipality or Rural Board. Increased rate to be collected for the year 1919.

4. Any property which is in the assessment list prepared for the year 1919 under the provisions of the Municipal Ordinance, 1913, but is liable to a higher assessment by reason of the amendment made by section 2 of this Ordinance, shall be sufficiently assessed and such list shall be amended accordingly. Amendment to be made to assessment list for 1919.

Passed this 17th day of February, 1919.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 8 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

26th February, 1919.

AN Ordinance to prohibit the representation on Trade Marks of the Royal Arms and National Flags.

[*28th February*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Trade Marks Prohibition Ordinance, 1919, and shall be construed as one with the Merchandize Marks Ordinance, 1917. Short title and construction.

2. Any person who causes or suffers to appear on a trade mark used by him for the purposes of his trade or business any representation of the Royal Arms or Royal crests or arms or crests so nearly resembling them as to lead to mistake, or of the British Royal crowns or of any of the British National flags or of the flags of any of the British Dominions, or of any devices so nearly resembling them as to lead to mistake, shall, unless such trade mark is authorized to be used by Royal Warrant or by Order of the Governor in Council or is registered in the register of trade marks kept under the Trade Marks Act, 1905, be guilty of an offence against this Ordinance. Representation on trade marks of Royal Arms or National Flags prohibited.

3. Any person who imports, sells or exposes or has in his possession for sale or any purpose of trade or manufacture, any goods or things to which a trade mark bearing any representation prohibited by section 2 is applied, shall be guilty of an offence against this Ordinance. Importing or selling, etc., goods bearing a prohibited trade mark.

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Liability of Director and Officers of a Company.

4. Where the person guilty of an offence against this Ordinance is a company, every director, manager, secretary and other officer of the company who is knowingly a party to the default, shall also be guilty of the like offence and liable to the like punishment.

Penalty.

5. Any person guilty of an offence against this Ordinance shall be liable on conviction by a Police Court to a fine not exceeding five thousand dollars or to imprisonment of either description for a term which may extend to two years, and to forfeit any goods to which the trade mark bearing the prohibited representation is applied.

Passed this 17th day of February, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 9 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

26th February, 1919.

AN Ordinance to amend the Railway Ordinance, 1905.

[*28th February*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Railway (Amendment) Ordinance, 1919. Short title.

2. Section 58 of the Railway Ordinance, 1905, hereinafter called the principal Ordinance, is amended by repealing all words after "duly authorized to collect" in lines 9 and 10 and substituting therefor the following words: Amendment of section 58 of principal Ordinance. No. IV of 1905.

"Any person travelling without a ticket or not producing or delivering up his ticket as aforesaid shall be liable to pay

(*a*) the fare for the distance travelled or where there is any doubt as to the station or place from which he started the fare from the station or place from which the train, steamer or vessel originally started, and also

(*b*) a special charge of fifty cents, twenty-five cents or ten cents according as he travelled in a carriage or enjoyed accommodation of the first, second or third class.

Such fare and special charge shall be paid on demand to any railway official duly authorized to collect tickets and, if not so paid, payment thereof may be enforced in the same manner as any fine imposed under this Ordinance."

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Amendment of section 60 of principal Ordinance.

3. Section 60 of the principal Ordinance is amended by repealing the word "twenty" in the last line and substituting therefor the word "fifty".

Amendment of section 77 of principal Ordinance.

4. Section 77 of the principal Ordinance is amended by repealing the words "it shall be lawful for any railway official to kill it" in lines 10 and 11, and substituting therefor the words "or be suffering from fatal or serious injury any railway official not below the rank of station-master may kill it".

New section 79A.

5. Immediately after section 79 of the principal Ordinance the following section is inserted:—

Penalty for causing train to stop.

79A. "If without reasonable cause, to be allowed by the Court, any person, not being a railway official, shall by making any gesture or exhibiting any signal or otherwise cause a train travelling upon the railway to be brought to a standstill, he shall be liable to a fine not exceeding one hundred dollars."

Amendment of section 82 of principal Ordinance.

6. Section 82 of the principal Ordinance is amended by repealing the word "twenty" in line 6, and substituting therefor the word "fifty".

Amendment of section 88 of principal Ordinance.

7. Section 88 of the principal Ordinance is amended by repealing all words after the word "expenses" in line 3, and substituting therefor the following words "and the same are not paid on demand, such money, damages or expenses shall, if application by or on behalf of the person entitled thereto be made in that behalf to a Police Court, be levied and recovered in the same manner as any penalties under this Ordinance and, if necessary, the amount thereof shall be fixed and assessed by the Court to which the application is made."

Passed this 17th day of February, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 10 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

20th March, 1919.

AN Ordinance to provide for the conversion of bonds issued under the authority of the War Loan Ordinance, 1916.

[*21st March*, 1919.]

WHEREAS it is desirable that an opportunity be afforded to the holders of bonds issued under the authority of the War Loan Ordinance, 1916, to receive in lieu of repayment of the principal moneys represented by such bonds on the 15th November, 1919, bonds issued under the authority of this Ordinance:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title.

1. This Ordinance may be cited as the War Loan (Conversion Loan) Ordinance, 1919.

Authority to issue bonds in exchange for bonds issued under 1916 Ordinance.

2. The Governor is hereby authorized to issue bonds payable to bearer to the extent of $42,063,700 in exchange for bonds issued under the authority of the War Loan Ordinance, 1916.

Date of application for issue of bonds.

3.—(1) Applications for bonds authorized to be issued under the provisions of this Ordinance shall be made by the then holder of bonds issued under the authority of the War Loan Ordinance, 1916, to the Treasurer on or before the 30th June, 1919.

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(2) Such applications shall specify the denominations of and distinctive numbers on the bonds in respect of which conversion is applied for and the denominations of the bonds required in exchange.

New bonds to be issued on surrender of old bonds.

4. On surrender on or before the 14th of November, 1919, of bonds in respect of which the provisions of section 3 have been complied with, the Treasurer shall on demand by the person so surrendering them issue in exchange for them, as soon after the day of surrender as may be, the equivalent in value of bonds authorized to be issued under this Ordinance.

Coupon on surrendered bonds.

5. The last coupon on each of the surrendered bonds representing interest due thereon on the 15th November, 1919, shall be paid by or on behalf of the Treasurer in cash.

New bonds to be a charge on general revenue.

6. The principal moneys and interest represented by the bonds issued under the provisions of this Ordinance are hereby charged upon and shall be payable out of the general revenue and assets of the Colony.

Issue of bonds.

7. The bonds shall be issued by the Treasurer upon the terms approved by the Governor and shall be authenticated by the signatures of the Colonial Secretary and Treasurer or by a facsimile of such signatures or in such manner as is approved by the Governor.

Sums for which bonds may be issued.

8. The bonds shall be issued in denominations of $100, $500, $1,000, $5,000 and $10,000 and such other denominations as the Governor thinks fit and shall bear interest at the rate of five and one-half per centum per annum.

Interest coupons.

9. Coupons shall be attached to every bond for the payment of the interest to become due in each half-year upon the principal represented by the bond.

Form of bond and coupons.

10. The bonds and the coupons thereto shall be in such form as the Governor or the Crown Agents for the Colonies in England acting on his behalf may approve.

Transfer by delivery.

11. Every bond and coupon and the right to receive the principal and interest represented thereby shall be transferable by delivery.

Registry of bond.

12. Every bond shall, before being issued, be registered in a register book to be kept for that purpose at the Treasury.

Exchange of bonds of one denomination for bonds of other denominations.

13. The holder of any bond or bonds may on payment of a fee of ten cents for each bond dealt with have his bond or bonds exchanged for any bond or bonds of other denominations equivalent in face value.

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14. The interest upon the principal represented by each bond shall run from the 15th November, 1919, and shall be paid half-yearly on the days named in that behalf in the coupons at the Treasury. Payment of interest.

15. The Governor shall in each half-year ending with the day on which the interest on the bonds falls due appropriate out of the general revenues and assets of the Colony a sum equal to the interest due for each half-year in order that such interest may be paid therefrom. Provision for payment of interest.

16. The bonds shall be redeemable at par on the 15th day of November, 1929, from and after which date all interest on the principal money represented thereby shall cease and determine whether payment of the principal shall have been demanded or not. Redemption.

17. Upon the repayment of the principal moneys represented by any bond the bond shall be delivered up to the Treasurer. Delivery up of bond on payment.

18. The issue of bonds authorized by this Ordinance shall be exempt from all duties other than estate duty and from all taxes levied or leviable or which may hereafter be levied or leviable in the Colony. Exemption from duties and taxes.

19. The bonds shall be accepted at par in payment of estate duty due to the Government. Payment of estate duty in bonds.

20. The Governor in Council may make rules to carry out generally the purposes of this Ordinance. Rules.

Passed this 10th day of March, 1919.

P. A. F. DAVID,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 11 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

20th March, 1919.

AN Ordinance to amend the Tamil Immigration Fund Ordinance, 1911.

[*21st March*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Tamil Immigration Fund (Amendment) Ordinance, 1919. Short title.

2. Subsection (1) of section 13 of the Tamil Immigration Fund Ordinance, 1911, is amended by adding at the end thereof the following paragraph:— Amendment of section 13 (1) of Ordinance XII of 1911.

(*h*) for such purposes as may be determined from time to time by resolution of the Legislative Council.

Passed this 10th day of March, 1919.

P. A. F. DAVID,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 12 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

22nd March, 1919.

AN Ordinance to amend the Municipal Ordinance, 1913.

[*28th March*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Municipal (Amendment) Ordinance, 1919, and shall be construed as one with the Municipal Ordinance, 1913. Short title.

2. Section 3 of the Municipal Ordinance, 1913, hereinafter referred to as the principal Ordinance, is amended— Amendment of section 3 of Ordinance No. VIII of 1913.

(*a*) by inserting in the last proviso to the definition of "annual value" the words "or is capable of being developed for such purposes" after the words "building purposes";

(*b*) by repealing the words "valued as building land" occurring at the end of the said proviso;

(*c*) by adding at the end of the said proviso the words "if its estimated value is at the rate of less than $1,000 per acre and at five per centum per annum on the estimated value of such land if its estimated value is at the rate of not less than $1,000 per acre, and provided further that for the purpose of this definition land occupied as appurtenant to any house or building in excess of the quantity fixed by the Commissioners with the sanction of the Governor in Council shall not be deemed to be so occupied;"

(*d*) by adding at the end of the definition of "annual value" the following provisos:—

"Provided also that where money has been expended on any such land, which is capable of being developed for

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building purposes, with the object of developing such land for such purposes, the money so expended shall be deducted from the estimated value of such land for a period of five years after such expenditure."

"Provided also that in estimating the annual value of any house or building the 'annual value' of such house or building shall, at the option of the Commissioners, be deemed to be the annual value as hereinbefore defined or the sum which is equivalent to the annual interest at two and a half per centum on the estimated value of the land, on which such house or building stands and which is appurtenant to such house or building, if the estimated value is at the rate of less than $1,000 per acre, and at five per centum on the estimated value of such land, if the estimated value is at the rate of not less than $1,000 per acre."

Lands, etc., liable to rates under this Ordinance to pay rates for year 1919.

3. Rates on what is deemed to be the annual value of houses, buildings and lands by reason of the amendments made by this Ordinance to section 3 of the principal Ordinance shall be made and assessed for the year 1919, notwithstanding the provisions of the principal Ordinance, and the whole of such rates shall be payable at the Municipal Office or other prescribed place in the month of July, 1919, or within such other time as may be prescribed.

Amendments to be made to assessment list for 1919.

4.—(1) Any property which is liable to assessment by reason only of the amendments made by this Ordinance to section 3 of the principal Ordinance shall be inserted in the assessment list for the year 1919, and any property which is in such list but is liable to a higher assessment by reason of the amendments hereinbefore referred to shall be sufficiently assessed and such list shall be amended accordingly, provided that notice is given to all persons interested in the amendment of a time not less than one month from the date of service of such notice at which the amendment is to be made.

(2) Any person interested in any such amendment may tender his objections to the President in writing before the time fixed in the notice or orally or in writing at that time and shall be allowed an opportunity of being heard in support of the same in person or by authorized agent as he thinks fit.

Repeal of section 59 of principal Ordinance.

5. Section 59 of the principal Ordinance is repealed.

Passed this 10th day of March, 1919.

P. A. F. DAVID,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 13 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

22nd March, 1919.

AN Ordinance to make provision for determining the date of the termination of the present war, and for purposes connected therewith.

[*28th March*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Termination of the Present War (Definition) Ordinance, 1919. Short title.

2. For the purposes of any provision in any Ordinance, Proclamation or Order issued by the Governor or by the Governor in Council and of any provision in any Act of Parliament, Proclamation or Order issued by His Majesty the King in Council, extending to this Colony, and, except where the context otherwise requires, of any provision in any contract, deed or other instrument referring expressly or impliedly, and in whatever form of words, to the present war or the present hostilities, the present war shall be treated as having continued to, and as having ended on, the date which His Majesty by Order in Council declares under the Termination of the Present War (Definition) Act, 1918, to be the date to be treated as the date of the termination of the present war: Date of termination of the present war.

Provided that in the case of any such Ordinance, Proclamation or Order issued by the Governor, conferring powers on any Government Department or on any public officer, exerciseable during the continuance of the present war, if it appears to the

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Governor that it is expedient that the powers shall cease before the date so fixed as aforesaid, the Governor in Council may fix some earlier date for the termination of those powers.

Date of termination of war with any particular State.

3. The date, which is to be treated as the date of the termination of war between His Majesty and any particular State, shall be such date as His Majesty may by Order in Council declare under the Termination of the Present War (Definition) Act, 1918.

Passed this 10th day of March, 1919.

P. A. F. DAVID,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 14 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th April, 1919.

AN Ordinance to regulate the entrance of persons into the Colony and the departure of persons from the Colony and to confer various powers in connection therewith.

[*11th April*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Passengers Restriction Ordinance, 1919. Short title.

2. In this Ordinance— Interpretation.

"Master" means any person (except a pilot) having command or charge of any ship.

"Passenger" means any person carried in a ship other than the master, pilot and crew.

"Boarding Officer" means any person holding the appointment of boarding officer in the Marine Department of the Colony.

"Police Officer" means any member of the Police Force not below the rank of Sub-Inspector.

"Port Health Officer" means the person appointed to be Port Health Officer under the Quarantine and Prevention of Disease Ordinance, 1915, and includes all his deputies and assistants.

3.—(1) The master of every ship carrying passengers, which arrives in the Colony from a port that is not an infected or suspected port and which is not an infected ship, shall hoist by day the flag known as flag "Y" in the International Code of Signals and by night a red over a white light, (hereinafter called the Passenger ships arriving from a port that is not infected, etc., to be examined by police officer.

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Passenger Examination Signals), and shall exhibit such signal until authorised by a police officer or boarding officer to haul such signal down.

(2) Except with the permission of a police officer or boarding officer no person other than the pilot or the Port Health Officer shall leave or board any such ship until such ship has been examined by a police officer or boarding officer and the Passenger Examination Signal has been hauled down.

(3) Any such permission may be general or may be limited to particular persons or classes of persons.

(4) The master shall detain on the ship every person on board until the ship has been examined, and may use any means reasonably necessary for the purpose.

Passenger ships arriving from an infected port, etc., to be examined by Port Health Officer or by police officer.

4.—(1) Every ship carrying passengers which arrives in the Colony from an infected or suspected port or which is an infected ship shall, in addition to the examination to which she is subject under the provisions of the Quarantine and Prevention of Disease Ordinance, 1915 and the Rules made thereunder, be examined under this Ordinance by the Port Health Officer or, if the Port Health Officer so permits, by a police officer or boarding officer.

(2) Except with the permission of the Port Health Officer, no person shall leave or board any such ship until the examination under this Ordinance by the Port Health Officer or by the police officer or boarding officer, as the case may be, is completed.

(3) The master shall detain on the ship every person on board until the ship has been examined, and may use any means reasonably necessary for the purpose.

(4) If it is found in the course of such examination by the Port Health Officer that any passenger on board such ship, not being a person born in the Colony or the Federated Malay States, belongs to any of the classes of persons mentioned in subsection (1) of section 9, or if any such passenger refuses to answer any questions put to him with the object of determining whether he belongs to any of such classes of persons, or if his answers are unsatisfactory, the Port Health Officer shall exercise the powers conferred on police officers and boarding officers by subsections (1) and (2) of section 9, and the provisions of subsections (4), (5) and (6) of that section shall apply to such passengers and to the master, owner, agent and consignee of such ship with the substitution of the Port Health Officer for the police officer and boarding officer.

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5. Except with the permission of a police officer or boarding officer no article or thing shall be removed or taken from, or put on board, any ship referred to in section 3 until such ship has been examined by a police officer or boarding officer.

Nothing to be removed from, or put on board ship until ship has been examined.

6. The master of every ship referred to in section 3 and of every ship which is about to leave the Colony shall whenever required to do so by any police officer or boarding officer—

Certain duties of masters of ships.

(*a*) exhibit to such officer a complete list of the crew;

(*b*) furnish the said officer with a complete list of the passengers arranged alphabetically specifying their nationality, place of birth, calling or occupation, the ports or places at which they embarked and the ports or places of their disembarkation or intended disembarkation;

(*c*) produce to such officer for inspection and interrogation all the passengers and all the members of the crew.

7.—(1) Any person who arrives in the Colony, or who is about to leave the Colony, shall truthfully and fully answer all questions and enquiries put to him, before or after he has disembarked or embarked, by any police officer or boarding officer, notwithstanding that the answer to any such question may tend to render such person liable to any restriction whatsoever or may tend to incriminate him, and shall disclose and produce to any such officer on demand all documents in the possession of such person tending directly or indirectly to establish his identity, nationality or occupation, or any absolute or conditional liability on his part to any military or naval service under any State whatsoever.

Persons arriving or leaving to answer all enquiries.

(2) Any answer to any question or enquiry shall be admissible in evidence in any proceedings under this Ordinance against the person making such answer; provided that nothing in this section shall be construed as rendering any such answer inadmissible in any other proceedings in which it would otherwise be admissible.

8. Any person who arrives in the Colony, or who is about to leave the Colony, shall, if so directed by any police officer or boarding officer proceed, at or before such time as may be directed by such officer, to such place or places as such officer may direct for further enquiry into his case.

Persons arriving or leaving to proceed for further enquiry to place directed.

9.—(1) If, after such inquiry or further inquiry, it is found that any passenger who is on board the ship or who has

Persons prohibited from landing

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disembarked, not being a person born in the Colony or the Federated Malay States,

(*a*) is diseased, maimed, blind, idiot, lunatic or decrepit not having the means of subsistence and may be hindered by his diseased, blind or disabled state from earning a livelihood; or

(*b*) cannot show that he has in his possession or that he is physically able to earn the means of decently supporting himself and his dependants, if any; or

(*c*) is a professional beggar or vagrant or a person likely to become a charge upon the public or upon any public or charitable institution; or

(*d*) is a person suffering from a contagious disease which is loathsome or dangerous; or

(*e*) is not in possession of a valid passport or is in possession of a forged or altered passport or of a passport which does not comply with any regulations in force regarding passports; or

(*f*) has been banished from any country or has been shipped from any country by the authorities of the Government of such country with a view to his being repatriated; or

(*g*) is suspected of being likely to promote sedition or to cause a disturbance of public tranquility,

the police officer or boarding officer may prevent such passenger from landing or may detain him until an opportunity arises of returning him to his port of embarkation or to the country of his birth or citizenship.

(2) If any such passenger refuses to answer any questions put to him with the object of determining whether he belongs to any of the classes of persons hereinbefore mentioned, or if his answers are unsatisfactory, the police officer or boarding officer may prevent him from landing or may detain him until an opportunity arises of returning him to his port of embarkation or to the country of his birth or citizenship.

(3) If the master of the ship is dissatisfied with the action taken by the police officer or boarding officer the matter may be referred by the master to, and shall be decided by, the Inspector-General of Police or the Chief Police Officer in his absence or, in the case of the persons mentioned in paragraphs (*a*) and (*d*) in subsection (1), the Port Health Officer.

(4) In cases where any passenger is prevented from landing, the master shall afford such passenger a passage free

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of charge to the port of such passenger's embarkation, and in cases where any passenger has landed and is detained in the Colony after the ship has left the Colony, the master, owner, agent and consignee of the ship shall be liable to pay to the Government all costs incurred by the Colony for the maintenance of and removal from the Colony of such passenger.

(5) The master shall give to the police officer or boarding officer any information relating to any person on board his ship suspected of belonging to any of the classes of persons mentioned in subsection (1) as may reasonably be required for the purposes of this Ordinance, and shall answer to the best of his knowledge all such questions touching such person as shall be put to him.

(6) If any passenger lands without the permission of the police officer or boarding officer or the Inspector-General of Police or the Port Health Officer—

(*a*) he may be taken into custody without warrant by any police officer and shall be liable on conviction by a Police Court to a fine not exceeding two thousand dollars;

(*b*) the master, owner or agent of the ship by which he was brought to the Colony shall be liable to the like penalty; and

(*c*) the Court imposing the fine may make an order directing that such person shall be returned as soon as possible to his port of embarkation or the country of his birth or citizenship by or at the expense of the agents of the ship by which he was brought to the Colony.

Power of Police Officer making inquiry.

10. A police officer making an inquiry or further inquiry under sections 7, 8 or 9, shall have with respect to such inquiry or further inquiry the same powers as have been conferred on a police officer who makes a police investigation under sections 119 and 120 of the Criminal Procedure Code, 1910.

Examination of ships about to leave the Colony.

11.—(1) No ship shall leave the Colony until it has been examined by a police officer or boarding officer.

(2) Except with the permission of a police officer or a boarding officer no person other than the Port Health Officer shall, after the police examination has been begun, board any ship which is about to leave the Colony.

(3) Except with the permission of a police officer or a boarding officer or the Port Health Officer no article or thing shall, after the police examination has been begun, be put on board any ship which is about to leave the Colony.

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Masters of ships to report contraventions.

12. The master of every ship which arrives in the Colony or which is about to leave the Colony shall report forthwith to a police officer or boarding officer every case in which he has any reason to believe that an offence against this Ordinance has been or is about to be committed.

Powers of detention, arrest, search, seizure and removal.

13.—(1) Any police officer authorized by the Inspector-General of Police or Chief Police Officer in writing in that behalf, either generally or for a particular occasion, may

(*a*) detain for further enquiries during a period not exceeding four days any person in whose case such police officer may have reason to believe that further enquiry is necessary;

(*b*) arrest and bring before a Magistrate any person whom such police officer may have reason to suspect of having contravened or attempted to contravene any of the provisions of this Ordinance;

(*c*) search the person and property and effects of any person whom it may be lawful for such police officer to detain or arrest, or who may arrive in or be about to leave the Colony, provided that no female person shall be searched except by a female, and provided that no person shall be searched in a public place if he objects to be so searched;

(*d*) search any place or vessel (not being a ship of war) in which such police officer may have reason to suspect that there may be anything, which may be evidence of any contravention or intended contravention of any of the provisions of this Ordinance, or which may belong to or be in the possession or under the sole or partial control of any person whom it may be lawful for such police officer to detain or arrest;

(*e*) seize, remove and detain anything which may appear to be evidence of any contravention of the law, or which it may be desirable to detain for further examination, or which may appear to belong to or to be in the possession of or to be under the sole or partial control of any person whom it may be lawful for such police officer to detain or arrest.

(2) Such police officer may—

(*a*) break open any outer or inner door of or in any such place;

(*b*) forcibly enter any such vessel and every part thereof;

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(*c*) remove by force any personal or material obstruction to any arrest, detention, search, seizure, or removal which he is empowered to make;

(*d*) detain every person found in such place or on board such vessel until such place or vessel has been searched.

(3) No person shall obstruct any detention, arrest, search, seizure, or removal, which is authorized by this Ordinance.

Ships, etc., exempted from Ordinance.

14.—(1) Ships whose original port of departure is a port in the Colony or in any of the British Protected States in the Malay Peninsula are exempted from the provisions of this Ordinance.

(2) The Governor may by order exempt from any of the provisions of this Ordinance any special class of passengers or voyages or any special ships.

Officers of Postal Department exempted from Ordinance.

15. Nothing contained in this Ordinance shall apply to officers of the Postal Department or any postal article landed or embarked by an officer of the Postal Department.

Penalties.

16.—(1) Any person who acts in contravention of or fails to comply with any of the provisions of this Ordinance and every person who permits or knowingly is a party to any such contravention or failure, for which no penalty is herein expressly provided, shall be liable on conviction by a Police Court to a fine not exceeding one thousand dollars or to imprisonment of either description for a term which may extend to six months, and the Court before which he is convicted may, either in addition to or in lieu of any such punishment, require such person to enter into recognizances with or without sureties to comply with the provisions of this Ordinance or such provisions thereof as the Court directs.

(2) If any person fails to comply with an order of the Court requiring him to enter into recognizances, the Court or any Court of summary jurisdiction sitting for the same place may order him to be imprisoned with or without hard labour for any term which may extend to six months.

Repeal.

17. The Indian Act XLI of 1850, the Exclusion Ordinance, 1906, and sections 3, 4 and 13 of the Registration of Aliens Ordinance, 1917 are hereby repealed.

Passed this 31st day of March, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 15 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th April, 1919.

AN Ordinance to amend the Civil Procedure Code.

[*11th April*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Civil Procedure (Amendment) Code, 1919. Short title.

2. Section 108 of the Civil Procedure Code is amended by inserting after the words "Federated Malay States" the words "nor in the State of Johore". Amendment of section 108 of Ordinance XXXI of 1907.

3. Section 109 of the Civil Procedure Code is amended by inserting after the words "Federated Malay States" in lines 1 and 2 the words "or in the State of Johore" and after the words "Federated Malay States" in line 4 the words "or of the State of Johore". Amendment of section 109.

4. Section 1266 of the Civil Procedure Code is repealed and the following section is substituted therefor:— Repeal of section 1266 and substitution of a new section.

"1266. If any action is brought in the Supreme Court "(without special leave under section 61), which would have "been within the jurisdiction of a District Court, or in "which the plaintiff recovers by judgment a sum not "exceeding $500, the plaintiff shall not be entitled to "any more costs than he would have been entitled to if "the proceedings had been brought in a District Court; "unless in any such action a Judge of the Supreme Court "certifies that there was sufficient reason for bringing the "action in the Supreme Court."

Passed this 31st day of March, 1919.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 16 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th April, 1919.

AN Ordinance to amend the Straits Settlements Ports Ordinance, 1912.

[*11th April*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Straits Settlements Ports (Amendment) Ordinance, 1919. Short title.

2. Section 22 of the Straits Settlements Ports Ordinance hereinafter called the principal Ordinance, is repealed and the following section is substituted therefor :— Repeal of section 22 of principal Ordinance and substitution of new section. Ordinance V of 1912.

22.—(1) The Governor in Council may after consultation with both Boards make regulations— Joint Provident Fund and Superannuation Fund.

(*a*) for the establishment and maintenance of a Joint Provident Fund by both Boards for the provision of payments and allowances on death, superannuation, resignation, retirement or discharge of officers and servants of the Boards, and for the payment of contributions thereto by the Boards and their officers and servants, and for the rates and conditions of such contributions; and

(*b*) for the establishment and maintenance of a Superannuation Fund by each Board for the provision of payments and allowances on death,

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superannuation, resignation, retirement or discharge of subordinate officers and servants of each Board, in respect of the period of service during which such officers and servants are not eligible under the regulations to contribute to the Joint Provident Fund, and for the payment of contributions thereto by each Board.

(2) Any officer or servant of a Board who is a contributor to the Joint Provident Fund shall, if he is dismissed the service of the Board for fraud or dishonesty or misconduct, which involves pecuniary loss to the Board or retires from or resigns his office with intent to escape discharge or dismissal in consequence of such fraud, dishonesty or misconduct, forfeit at the absolute discretion of the Board all or any part of his contribution to the Fund and the interest accrued thereon and the accumulations thereof, and shall also lose all benefits whatever from the Fund, except that the Board may at its discretion direct the repayment to him of the whole or such part of his contributions to the Fund and the interest accrued thereon and the accumulations thereof as the Board in its discretion thinks fit.

Date from which Regulations take effect.

3. Regulations made under the section substituted by section 2 of this Ordinance for section 22 of the principal Ordinance shall take effect as from the first day of January, 1919, or from any subsequent date mentioned in the Regulations.

Passed this 31st day of March, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 17 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

4th April, 1919.

AN Ordinance for indemnifying such persons as have acted in good faith while martial law was in force in the Colony.

[*11th April*, 1919.]

WHEREAS it was found necessary by the Governor on the fifteenth day of February, 1915, to proclaim that the Settlement of Singapore should be subject to martial law:

AND WHEREAS it is desirable to withdraw martial law from the said Settlement and to indemnify acts, matters, and things in good faith advised, commanded, ordered, directed or done while martial law was in force:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Indemnity Ordinance, 1919, and shall come into operation and shall take effect upon the date on which martial law shall be terminated in the Colony by proclamation of the Governor.

Short title and commencement.

2. No action, prosecution or legal proceeding whatsoever shall be brought, instituted, or maintained against the Governor or the person for the time being or at any time commanding the troops in the Colony, or against any person or persons acting under them or any of them respectively in any command or capacity civil or military, or in pursuance of any orders general or special given by them or any of them in that behalf, for or on account of or in respect of any acts, matters, or things whatsoever in good faith advised, commanded, ordered, directed or done for the maintenance of good order and government or for the public safety of the Colony between the date of the

No action to be brought for any act done in good faith for maintenance of good order while martial law was in force.

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commencement of martial law and the date of the commencement of this Ordinance.

Indemnification of person doing such act.

3. Every such person aforesaid by whom any such act, matter or thing shall have been advised, commanded, ordered, directed or done for the purposes aforesaid shall be freed, acquitted, discharged, released and indemnified against all and every person and persons whomsoever in respect thereof.

Such act presumed to have been done in good faith.

4. Every such act, matter, or thing referred to in the preceding sections shall be presumed to have been advised, commanded, ordered, directed or done as the case may be in good faith until the contrary shall have been proved by the party complaining.

Confirmation of sentences pronounced by military courts during continuance of martial law.

5. The several sentences and orders pronounced by military courts held in the Colony during the continuance of martial law are hereby confirmed, and all persons tried by such courts and confined in any prisons or other legal places of confinement in the Colony under or by virtue of such sentences shall continue liable to be confined there or elsewhere as the Governor may direct until the expiration of the sentences respectively passed upon them or until their discharge by lawful authority; and such sentences shall be deemed to be sentences passed by duly and legally constituted Courts of the Colony and shall be carried out or otherwise dealt with in the same manner as the sentences of duly constituted Courts of Law of the Colony.

Arrests during existence of martial law deemed to have been lawful.

6. All persons who have been in good faith under proper military or police authority arrested or detained during the existence of martial law shall be deemed to have been lawfully arrested or detained.

Bail bonds taken during existence of martial law to be of full force.

7. Every bond taken during the existence of martial law upon which any person so arrested or detained has been admitted to bail shall be and is hereby declared to be of full force and effect.

Passed this 31st day of March, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 18 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

7th May, 1919.

AN Ordinance to further amend the Municipal Ordinance, 1913.

[*17th May*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Municipal (Further Amendment) Ordinance, 1919. Short title.

2. Section 26 of the Municipal Ordinance, 1913, hereinafter called the principal Ordinance, is amended by adding at the end thereof the following subsection :— Amendment of section 26. Ord. VIII of 1913.

(3) Any such moneys may be invested with the sanction of the Governor in Council in any securities of the Government of the Colony or of the Federated Malay States.

3. Section 28 (*g*) of the principal Ordinance is amended by inserting after the word "privies" in the second line thereof the words "water-closets sinks". Amendment of section 28.

4. Subsection (1) of section 57 of the principal Ordinance is amended by adding after paragraph (*i*) the following paragraph :— Amendment of section 57.

"(*i*[1]) the prohibition of the erection of a building of a particular class, design or appearance in particular districts, localities or streets or portions of streets within the Municipal limits".

5. Subsection (4) of section 81 of the principal Ordinance is amended by inserting after the word "Municipality" in line 3 the words "or that such Rural Board shall pay to the Amendment of section 81.

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Commissioners" and after the word "Commissioners" in line 4 the words "or by the Rural Board as the case may be".

Amendment of section 98.

6. Section 98 of the principal Ordinance is amended by inserting after the word "sell" in the third line thereof the word "lease" and after the words "such sale" in the sixth line thereof the words "or the rent or other moneys received in respect of any such lease" and after the words "of sale" in the seventh line thereof the words "or leasing".

Amendment of section 99.

7. Subsection (3) (*d*) of section 99 of the principal Ordinance is amended by deleting the words "at intervals of not less than 200 yards" in the first line of such subsection.

Amendment of section 114.

8. Section 114 of the principal Ordinance is amended by inserting after the words "level of the street" in line 4 the words "and, in the case of hedges within fifteen yards of a corner, four feet from the level of the street".

Insertion of new sections after section 132.

9. The following sections shall be inserted after section 132 of the principal Ordinance:—

Rain-water pipes not to be used as soil-pipes.

132A.—(1) No pipe used for the carrying off of rain water from any roof shall be used for the purpose of carrying off the soil or drainage from any privy or water-closet.

(2) Any person who offends against this section shall be liable to a fine not exceeding fifty dollars and to a fine not exceeding twenty dollars for each day during which the offence is continued after conviction.

Water-pipes, etc., not to be used as ventilating shafts.

132B.—(1) No water-pipe, stack-pipe or down spout used for conveying surface water from any premises shall be used or be permitted to serve or to act as a ventilating shaft to any drain.

(2) Any person who offends against this section after fourteen days from the service upon him by the Commissioners of notice of such offence shall be liable to a fine not exceeding twenty dollars and to a fine not exceeding ten dollars for each day during which the offence is continued after conviction.

Commissioners may require old drains to be laid open for examination before they are made to communicate with sewers.

132C. Before any drain existing at the commencement of this section and then not communicating with any sewer of the Commissioners shall be made to communicate with any such sewer, the Commissioners may require the same to be laid open for examination by the Municipal Engineer, and no such communication shall be made until the Municipal Engineer certifies that such drain may be properly made to communicate with such sewer.

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132D.—(1) In this section unless there is something repugnant in the subject or context— Interpretation.

"Closet accommodation" "sink accommodation" and "urinal accommodation" include respectively a receptacle for human excreta, a receptacle for slops or waste household refuse or liquids and a receptacle for urine together in each case with the structure comprising such receptacle and the fittings and apparatus connected therewith;

"Water-closet" and "urinal" mean respectively closet and urinal accommodation used or adapted or intended to be used in connection with the water carriage system and comprising provision for the flushing of the receptacle by means of a fresh water supply, and having proper communication with a sewer;

"A sufficient water supply and sewer" means a water supply and sewer which are sufficient and reasonably available for use in, or in connection with, the efficient flushing and cleansing of, and the efficient removal of excreta and urine from such number of proper and sufficient water-closets and urinals as in pursuance of this section may be required to be provided in any particular case, and a sewer shall be deemed reasonably available for use which is within one hundred feet of the boundary of the premises in which is situated the house in respect of which closet sink or urinal accommodation is to be provided.

(2) Where there are a sufficient water supply and sewer, the Commissioners may by written direction to any person submitting a plan or specification under section 134(1) relative to the erection or re-erection of any house require such house to be provided with such number of proper and sufficient water-closets, urinals and sinks as the circumstances of the case may render necessary. Supply of water-closets, urinals, etc.

Any person who fails to comply with any requirement of the Commissioners under this subsection shall be liable to a fine not exceeding one hundred dollars and to a fine not exceeding twenty-five dollars for every day during which the offence is continued after conviction.

(3) If, on the report of the Health Officer or the Municipal Engineer, the Commissioners are satisfied that sufficient closet sink and urinal accommodation have not been provided at or in connection with a house and the case is not one in which sufficient closet sink and urinal accommodation can be provided by the alteration of any existing closet sink or urinal accommodation in pursuance of this section, the Commissioners, where there are a sufficient water supply and sewer, may by written notice to the owner or owners of the house require such house to be provided with such number of proper and sufficient water-closets, sink Insufficient supply of closets, etc.

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and urinals as the circumstances of the case may render necessary.

If the owner or owners of such house fail to comply with any requirement of the Commissioners under this subsection, the Commissioners may, at the expiration of a time which shall be specified in the notice and shall be not less than fourteen days after the service of the notice, do the work required by the notice and may recover from the owner or owners the expenses incurred by the Commissioners in so doing.

Conversion of closet accommodation.

(4) The Commissioners, where there are a sufficient water supply and sewer, may by written notice to the owner or owners of a house require any existing closet accommodation (other than a water-closet) provided at or in connection with such house to be altered so as to be converted into a water-closet.

If the owner or owners of such house fail to comply with any requirement of the Commissioners under this subsection, the Commissioners may, at the expiration of a time which shall be specified in the notice and shall not be less than fourteen days after the service of the notice, do the work required by the notice and may recover from the owner or owners the expenses incurred by the Commissioners in so doing.

Communication of water-closet, etc., with sewer to be effected partly at the expense of the Commissioners.

(5) The Commissioners shall in the cases mentioned in subsections (2), (3) and (4) at their own expense effect the proper communication of the water-closet, sink and urinal with the sewer for the distance from the sewer to the boundary of the premises in which the house in question is situated.

Water-pipes to be affixed to closets, etc., of certain houses at expense of Commissioners.

(6) In the cases mentioned in subsections (3) and (4) where the house in question is not provided under the provisions of this Ordinance with a supply of water for domestic purposes, the Commissioners shall at their own expense provide fix and instal the water-pipes from the water mains to the closets and urinals and shall provide the water for the efficient flushing and cleansing of and the efficient removal of excreta from such water-closets and urinals, and the occupier of every such house-shall pay to the Commissioners the sum of one dollar per mensem for the water so used.

Water-closets to be removed and replaced at expense of Commissioners.

(7) The Commissioners may at any time give notice in writing of their intention to remove any water-closet or any fittings or apparatus connected with any water-closet, which has been provided under subsections (2), (3) or (4), and to replace such water-closet or such fittings or apparatus by another water-closet or by other fittings or apparatus, but in such case the Commissioners shall at their own expense

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do the work of removal and replacement and provide such water-closet or such fittings or apparatus, as the case may be.

(8) All water-closets, urinals and sinks, provided under subsections (2), (3) and (4), shall be maintained, repaired and renewed by the Commissioners and at their expense, and the occupier of every house shall in consideration thereof pay to the Commissioners the sum of 50 cents per mensem for each water-closet and urinal provided at and in connection with such house; provided that the cost of any repairs or renewals rendered necessary by reason of any damage negligently or wilfully done to any water-closet, urinal or sink shall be paid to the Commissioners by the occupier of the house.

Water-closets, etc., to be maintained, etc., by Commissioners at their expense.

132E.—(1) If any urinal or other sanitary convenience opening on any street, whether erected before or after the commencement of this section, is so placed or constructed as to be a nuisance or offensive to public decency, the Commissioners by notice in writing may require the owner to remove or alter it to the satisfaction of the Commissioners within a reasonable time fixed by the Commissioners.

Commissioners may require removal or alteration of urinals.

(2) If the owner fails to comply with the notice, he shall be liable to a fine not exceeding ten dollars and to a fine not exceeding five dollars for each day during which the offence is continued after conviction.

132F.—(1) Where any public-house, eating-house, refreshment room, theatre, cinematograph exhibition or place of public entertainment, whether built before or after the commencement of this section, has no urinal or water-closet belonging or attached thereto, the Commissioners may by notice in writing require the owner of the premises to provide and maintain thereon one or more suitable urinals or water-closets in a suitable position.

Urinals or water-closets to be attached to refreshment houses, etc.

(2) If the owner fails to comply with a notice under this section within such reasonable time as may be specified therein, he shall be liable in respect of each offence to a fine not exceeding ten dollars and to a fine not exceeding five dollars for each day during which the offence is continued after conviction.

10. Section 133 of the principal Ordinance is amended—

Amendment of section 133.

(*a*) by inserting after the word "operations" in line 3 the words "and with respect to the prohibition of the erection of buildings of a particular class, design and appearance in particular districts, localities or streets or portions of streets within the Municipal limits";

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(*b*) by inserting after the letter "(*i*)" in the fourth line from the end thereof the word and letters "and (i^1)"; and

(*c*) by adding at the end thereof the words "or the prohibition of the erection of buildings of a particular class, design and appearance".

Amendment of section 134.

11. Subsection (2) of section 134 of the principal Ordinance is amended by inserting after paragraph (*g*) the following paragraph:—

(g^1) the class, design and appearance of the building when the building is to be erected in a district, locality or street in which only buildings of a certain class, design or appearance may be erected.

Amendment of section 192.

12. Section 192 of the principal Ordinance is amended by inserting immediately after subsection (1) (*o*) thereof the following subsection:—

(o^1) the manufacture treatment smoking or preparation of rubber.

Amendment of section 196.

13. Section 196 of the principal Ordinance is amended by inserting the word "water-closets" between the words "common" and "latrines" in the third line thereof.

Amendment of section 197.

14. Section 197 of the principal Ordinance is amended—

(*a*) by inserting the word "water-closets" after the word "any" in the first line of subsection (1) and after the word "additional" in the second line thereof and after the word "such" in the fifth line thereof;

(*b*) by inserting the word "water-closets" between the word "such" and the word "privies" in the fourth line of subsection (2) thereof;

(*c*) by inserting the words "water-closet or water-closets" after the words "construct such" in the seventh line of subsection (3) thereof.

Amendment of section 198.

15. Section 198 of the principal Ordinance is amended—

(*a*) by substituting for the word "any" in the first line of subsection (1) the words "every water-closet".

(*b*) by inserting the words "water-closet, urinal" after the word "such" in first line of subsection (2) and after the word "the" in the fifth line thereof.

Amendment of section 199.

16. Section 199 of the principal Ordinance is amended—

(*a*) by inserting the words "latrine, urinal, water-closet or bath" after the words "a privy" in the second line of subsection (1) and after the words "such privy" in the same line and by inserting the words "or latrine" after the word "privy" in the fifth line thereof;

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(*b*) by inserting the words "or latrine" after the word "privy" wherever occurring in subsection (3).

17. Section 200 of the principal Ordinance is amended— Amendment of section 200.

(*a*) by deleting the word "or" in the first line of subsection (1) and by inserting after the word "cesspools" the words "septic or other tanks, latrines, urinals, water-closets, sinks, baths or lavatories or any appurtenances thereof".

(*b*) by inserting the words "septic or other tank, latrine, urinal, water-closet, sink or lavatory or any appurtenances thereof" after the word "cesspool" in the second line of subsection (2) and by omitting the words "during eight days" in the same line and by inserting the words "and within the time specified in the notice" after the word "Commissioners" in the fourth line thereof.

(*c*) by inserting the words "septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof" after the word "cesspool" wherever the same occurs in subsection (3).

18. Section 201 of the principal Ordinance is amended by inserting the words "septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof" after the word "cesspool" wherever such word occurs in subsection (1), and by deleting the word "thereof" in the tenth line and substituting the words "of this Ordinance". Amendment of section 201.

19. Section 204 of the principal Ordinance is amended by substituting the words "forty-eight" for the words "twenty-four" in the second line thereof. Amendment of section 204.

20. Section 346 of the principal Ordinance is amended by inserting after the word "same" in the fourth line of subsection (1) the words "and any question of liability" and after the word "dispute" in the same line the words "or neglect to pay". Amendment of section 346.

Passed this 28th day of April, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 19 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

16th May, 1919.

AN Ordinance to promote the Cultivation of Foodstuffs in the Straits Settlements.

[*17th May*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title. Commencement and duration.

1. This Ordinance may be cited as the Food Production Ordinance, 1919, and shall come into force on such date as the Governor may by notification in the *Gazette* appoint, and shall thereafter remain in force until the Governor by notification in the *Gazette* appoints a day for the cessation of the operation thereof, on which appointed date this Ordinance shall be deemed to have been repealed.

Interpretation.

2. Unless there is something repugnant in the subject or context:

"Director" means the Director of Food Production appointed under this Ordinance;

"Deputy Director" means a Deputy Director of Food Production appointed under this Ordinance, and "the Deputy Director" means the Deputy Director empowered to act in the place in which the action or thing contemplated or referred to by the context is taken or to be taken or exists;

"Foodstuff" includes rice, vegetables, maize, millet, ragi, sweet potatoes, yams, tapioca, bananas and other fruits and all other articles used, or which can be used, as food for man and which can be grown by cultivation of the soil in the Colony, but does not include coconuts;

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"Fund" means the Food Production Fund established by this Ordinance;

"Local Authority" means in Singapore the Colonial Secretary, in Penang the Resident Councillor, in Malacca and Labuan the Resident;

"Municipality" means a Municipality constituted under the provisions of the Municipal Ordinance, 1913, and "Municipal area" means the area within the limits of any Municipality as defined for the purpose of the said Ordinance;

"Owner" includes the occupier of land and any person having control over or the right to make use of land and in the case of land owned by a company includes the manager or person in charge of such land;

"Rice land" means land which is declared by the Director or a Deputy Director to be suitable for the cultivation of wet rice.

Appointment of officers.

3.—(1) The Governor may appoint any person by name or by office to be Director of Food Production for the Colony and may appoint persons by name or by office to be Deputy Directors of Food Production for specified local areas; all such appointments shall be notified in the *Gazette*.

(2) The Director may exercise his functions throughout the Colony, and Deputy Directors may exercise their functions within the local areas for which they are respectively appointed; the Director may exercise any power vested by or under this Ordinance in a Deputy Director.

(3) The Director and all Deputy Directors shall be deemed to be public servants within the meaning of the Penal Code.

Food Production Fund.

4. All moneys collected under this Ordinance shall be paid into the public Treasury of the Colony to the credit of a Fund which shall be called the Food Production Fund and out of which all payments required or authorized to be made under this Ordinance shall be met. Provided that if and so often as the amount at the credit of the Fund shall be insufficient to meet any payment required or authorized to be made under this Ordinance, the Governor may transfer from the general revenues of the Colony to the credit of the Fund such amount as may be necessary to meet such payments, and the amount so transferred shall, when the state of the Fund permits, be reimbursed therefrom to the general revenues of the Colony.

Land alienated for wet rice cultivation.

5.—(1) The owner of any land which has been or may hereafter be alienated for the purpose of the cultivation of

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wet rice or subject to a condition for the cultivation of wet rice thereon shall cultivate the whole of such land with wet rice once during each calendar year reckoned from January to December.

(2) Land shall not be deemed to have been cultivated, within the meaning of this section, unless and until all operations necessary and proper to the production of a crop of wet rice thereon shall have been, so far as possible, completed.

Notice to prepare for planting wet rice.

6.—(1) Each Deputy Director shall in each year issue and publish notices prescribing for all alienated rice land within the area for which he is appointed

(*a*) the time for commencing to clear rice fields;

(*b*) the time by which the clearing of rice fields shall be completed;

(*c*) the time for making rice nurseries;

(*d*) the time for planting out rice in the fields.

(2) Such notices may further prescribe any other measures which may in the opinion of the Deputy Director be necessary in connection with the cultivation of wet rice.

(3) Such notices shall be published in the *Gazette*, and translations in Malay shall be affixed in such convenient places as may be directed by the Deputy Director.

(4) In case of conflict with other orders the terms of any notice published under this section shall prevail.

(5) Any owner of rice land who fails to comply with the terms of any notice published under this section shall, in the absence of reasonable excuse, be liable to the penalty prescribed by section 31.

Where rice land not cultivated by owner.

7.—(1) If within ten days from the time prescribed under section 6 for commencing to clear rice fields the owner of any alienated rice land does not make a *bonâ fide* commencement to clear the same or if having made a commencement he does not continuously and seriously proceed with the cultivation of such rice land, the Deputy Director may cause such rice land to be cultivated at the expense of the Government or may authorize any other person to cultivate such rice land on such terms as may be agreed upon and in either such case shall serve a notice on the owner of such rice land requiring him to permit the same to be so cultivated.

(2) Where alienated rice land is cultivated, as provided in sub-section (1), at the expense of the Government, the resulting rice crop shall be the property of the Government, and where such rice land is cultivated by any other person authorized in that behalf under the said sub-section the resulting rice crop shall be the property of that person, and the

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owner of the land shall in neither case have any interest in such crop.

(3) The Director shall cause to be paid to the owner of the said land an amount equal to the amount (if any) paid by such owner as rent and rates thereon in respect of the period during which he is deprived of the use of such land.

(4) Any person who interferes with the cultivation of rice land at the expense of the Government or by an authorized person, as provided in sub-section (1), or with any crop growing thereon or obstructs or attempts to obstruct any person engaged in such cultivation shall be guilty of an offence and liable on conviction before a Magistrate to imprisonment of either description for a term not exceeding three months or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

Requisitioning labour from employers for cultivation of wet rice.

8.—(1) Where the Deputy Director decides that any alienated rice land shall, under the provisions of section 7 (1), be cultivated at the expense of the Government, he may requisition from any person having the control of any labourers who reside ordinarily at a distance of not more than five miles, by direct measurement, from such rice land a stated number of labourers for the purpose of such cultivation, and such person shall forthwith comply with such requisition; provided that not more than ten per centum of such labourers shall be so requisitioned.

(2) Wages earned by such labourers shall be paid by the Deputy Director.

(3) Any person having control of such labourers who refuses to comply with a requisition made by a Deputy Director under this section shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred dollars and, in addition, to a fine of twenty-five dollars for each day during which such omission continues.

Requisitioning labour of the unemployed for cultivation of wet rice.

9.—(1) Where the Deputy Director decides that any alienated rice land shall, under the provisions of section 7 (1), be cultivated at the expense of the Government, he may require any able-bodied person, who is in his opinion unemployed or not fully employed, to labour on such rice land.

(2) Persons who labour in pursuance of such requisition shall be entitled to receive from the Deputy Director wages at such rates as may be fixed from time to time by the Director after consultation with the Local Authority.

Proceeds of cultivation by Government.

10. The proceeds of the sale of rice harvested on alienated land cultivated at the expense of the Government under the provisions of section 7 (1) shall be paid to the credit of the Fund.

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11.—(1) If any person shall for three successive seasons fail to cultivate or to cause to be cultivated any rice land owned by him or any part thereof, the Local Authority may require him to show cause why such rice land should not be forfeited to the Crown and may, if after such enquiry as he thinks fit he is satisfied that there was no reasonable excuse for such failure to cultivate, make, notwithstanding anything in any other Ordinance contained, an order in writing under his hand declaring such rice land forfeited to the Crown and may dispose thereof, in such manner as he thinks fit, for cultivation.

Forfeiture of rice land for persistent failure to cultivate.

(2) Where the Local Authority makes an order of forfeiture under this section, he shall certify under his hand and official seal the terms of the order.

(3) A copy of the order made by the Local Authority shall be served on the person whose land is thereby declared forfeited, and on the Collector of Land Revenue of the district in which the land is situated. After such service a copy shall be published in the *Gazette*.

From the date of the publication of the order in the *Gazette* the land shall be deemed to be vested in the Crown.

(4) Any person aggrieved by an order of forfeiture made by the Local Authority under this section may appeal to the Supreme Court. For the purposes of such an appeal the procedure prescribed by the Civil Procedure Code for appeals from a District Court shall, subject to necessary modifications, apply and the Local Authority by whom the order appealed against was made, or such public officer subordinate to the said Local Authority as he may appoint in that behalf, shall be the respondent. Costs payable by the respondent in any such appeal shall be defrayed from the Fund. The decision of the Supreme Court shall be final and there shall be no appeal therefrom.

(5) Where the land forfeited is mortgaged to a mortgagee who is not in possession the Director after consultation with the Local Authority may pay out of the fund to the mortgagee such sum as the Director thinks reasonable by way of compensation.

12. In the six last preceding sections "cultivation," with its grammatical variations and cognate expressions, means cultivation with wet rice.

Meaning of "cultivation."

CULTIVATION OF FOODSTUFFS GENERALLY.

13. Notwithstanding anything contained in any written law to the contrary or the terms or conditions, expressed or implied, in any grant or Government lease or other title, the owner of land alienated for the purpose of the cultivation

Cultivation of other foodstuffs on land alienated for the cultivation of wet rice.

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of wet rice may, after harvesting the rice crop, use such land or permit the same to be used for growing vegetables or other foodstuffs, provided that no foodstuffs shall be grown the growing whereof would interfere with the cultivation of one crop of wet rice annually.

Order to grow foodstuffs on land other than rice land.

14.—(1) The Director may by order under his hand

(*a*) require the owner of any specified land which is or can be made suitable for the production of foodstuffs to cultivate with foodstuffs generally, or with any particular kind or kinds of foodstuffs, such proportion of his land, not being rice land, as may be stated in the order;

(*b*) prescribe the various kinds of foodstuffs the cultivation of any of which will amount to a compliance with an order under paragraph (*a*) to cultivate foodstuffs generally.

(2) No owner of land shall by reason of any order made under this section to cultivate land with any foodstuff other than rice be bound to grow in any year more of such foodstuff than can be consumed as food in the course of a year by the labourers and other persons employed or resident upon his land.

(3) Any owner or any employer may require his rubber tappers in addition to their task of rubber tapping to work not more than eighteen hours a week in the cultivation of foodstuffs at the rates of pay for overtime ruling in the district.

(4) Every order made under this section shall be served in the manner prescribed by section 33.

(5) Where default is made without reasonable excuse in complying with an order duly served under this section the Director shall report such default to the Governor who may by order prohibit the further employment after a date to be named in such order of labourers or any class of labourers on the land of which such land forms part, and on the publication of the order in the *Gazette* it shall be unlawful for any person after the day named in such order to employ or permit to reside on the land of which such land forms part any labourers or class of labourers specified in such order until the Governor shall cancel such order.

(6) Any owner of such land and the person, if any, having the management or control of labourers or any class of labourers on such land who acts in contravention of the terms of any order made under subsection (4) shall be liable on conviction before a District Court to a fine of one thousand dollars and to a daily fine of two hundred dollars for every day during which the contravention is continued.

(7) Nothing in this section applies to land situate within a Municipal area.

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15.—(1) The Director or the Deputy Director may by order under his hand served in the prescribed manner require any owner of land to furnish to him in writing true information as to— Obligation to furnish information.

(*a*) the total area of land under the control or management of such owner;

(*b*) the total area of land under the control or management of such owner which is cultivated with rubber or coconuts;

(*c*) the total area of land under the control or management of such owner which is cultivated with foodstuffs other than coconuts;

(*d*) the nature of the foodstuffs with which the land under the control or management of such owner is cultivated, the area thereof which is cultivated with any one kind of such foodstuffs to the exclusion of other kinds, and the area thereof which is cultivated with mixed crops of foodstuffs including particulars as to the kinds of foodstuffs comprised in such mixed crops;

(*e*) the number and race of the labourers employed on the land which is under the control or management of such owner.

(2) Every owner of land to whom an order under this section is addressed shall furnish, within 14 days from the date of the service of the order, to the Director or the Deputy Director, according to the tenor of the order, the information thereby required to be furnished; and every such owner shall be deemed, for the purposes of section 177 of the Penal Code, to be legally bound to furnish the said information.

16.—(1) The Director may require any owner of land which is suitable for the production of foodstuffs and is not being cultivated to place such land at the disposal of the Government for the cultivation of foodstuffs, and the owner thereof shall forthwith comply with such requisition. Taking over by Government of uncultivated land for growing foodstuffs.

(2) The owner of land so placed at the disposal of the Government shall be entitled to receive from the Director such compensation as the Director considers fair.

(3) Nothing in this section applies to land situate within a Municipal area.

17.—(1) For the purpose of cultivating with foodstuffs any land placed, or required to be placed, at the disposal of the Government under section 16 or any Crown land the Director may requisition from any employer of labourers a stated number of such labourers, not exceeding ten per centum of the total number of such labourers, and the employer shall forthwith comply with such requisition. Requisitioning labour from employers for cultivation of foodstuffs.

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(2) Wages earned by such labourers shall be paid by the Director.

(3) Any employer of such labourers who refuses to comply with a requisition made by the Director under this section shall be guilty of an offence and liable on conviction before a District Court to a fine not exceeding five hundred dollars and, in addition, to a fine not exceeding twenty-five dollars for each day during which such refusal continues.

Requisitioning of labour of the unemployed for cultivation of foodstuffs.

18.—(1) The Director may require any person who is in his opinion unemployed or not fully employed to labour on any land cultivated or in course of cultivation by or on behalf of the Government for the production of foodstuffs.

(2) Persons who labour in pursuance of such requisition shall be entitled to receive from the Director wages at such rates as may be fixed from time to time by the Director after consultation with the Local Authority.

General liability to compulsory labour imposed by declaration of Governor.

19.—(1) The Governor may at any time by notification published in the *Gazette* declare that it is necessary in the public interests that all able-bodied labourers in the Colony or in any specified area in the Colony, according to the terms of the notification, be liable to be required to work under the direction of the Director at cultivation or harvesting of foodstuffs.

(2) On and after the publication of a notification under sub-section (1) the Director or Deputy Director may, by notices publicly placarded or served upon the persons affected thereby or by otherwise notifying such persons in such manner as may be prescribed, require all or any persons within the area to which the declaration of the Governor relates who are in his opinion capable of performing agricultural labour to perform such labour at such place within the said area as the Director or Deputy Director directs, and every such person so notified shall forthwith comply with the said requirement; provided that no person shall be bound to travel more than three miles on any one journey in order to comply with the said requirement, unless means of transport are provided for him.

(3) Persons performing labour in pursuance of a requisition under this section shall be entitled to receive from the Government wages at such rates as may be fixed from time to time by the Director.

(4) No declaration by the Governor under sub-section (1) shall remain in force for a period exceeding twelve months from the date of the publication thereof; but if at any time when such declaration is in force the Governor is of opinion that the necessity continues, he may from time to time renew

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such declaration for another period not exceeding twelve months, and such renewal shall be published and have effect as the original declaration; and if at any time when such declaration is in force the Governor is of opinion that the said necessity has ceased, either generally or as regards any particular area or areas, he shall by notification published in the *Gazette* declare such opinion, and thereupon the obligation to labour imposed by this section shall cease either generally or as regards the particular area or areas to which the said opinion of the Governor is expressed to relate, as the case may be.

(5) The Governor may, if he thinks fit, delegate to the Director any of his powers under this section and may at any time revoke any such delegation.

Penalties for offences by labourers.

20.—(1) If any person required under sections 8, 9, 14 (3), 17, 18 or 19 to labour

(*a*) refuses or omits without reasonable excuse to comply with such requisition; or

(*b*) absents himself without reasonable excuse; or

(*c*) disobeys any lawful orders or is guilty of neglect or of carelessness in the performance of labour, or of other misconduct; or

(*d*) absconds from his service;

he may be arrested without a warrant and without the assistance of a police officer (who, nevertheless, shall be bound to give such assistance if called upon to do so) and taken to a police station.

(2) The officer in charge of the station shall send the labourer with as little delay as possible before a Police Court.

(3) Any person convicted of an offence under this section shall be liable to a fine not exceeding twenty-five dollars and upon a second or subsequent conviction shall be sentenced to rigorous imprisonment for a term not exceeding three months.

CULTIVATION WITHIN MUNICIPAL AREAS.

Compulsory cultivation within Municipal areas.

21.—(1) The Director or Deputy Director may, after consultation with the President of the Municipality,

(*a*) require the owner of any land suitable for the production of foodstuffs which is situate within a Municipal area to cultivate such land with foodstuffs; or

(*b*) after notice to the owner and opportunity given to the owner to shew cause against the grant of a permit under this section grant to any person

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a written permit to occupy such land for the purpose of cultivating it with foodstuffs on such terms as may be fixed by the Director;

provided that

(1) no person shall by virtue of any such permit be entitled to cultivate on the land occupied thereunder any plant which requires more than one year to arrive at maturity, or to erect on the said land any building other than a temporary hut for his own occupation;

(2) any person who has occupied land by virtue of any such permit shall on the termination of his occupation be entitled to remove from the said land any building erected by him thereon and any other thing thereon which belongs to him;

(3) no such permit shall be transferable.

(2) Every person required under paragraph (*a*) of subsection (1) to cultivate land shall forthwith comply with such requisition; provided that no person shall be bound to destroy existing cultivation in order to comply therewith.

(3) Every permit granted under this section shall be for a period not exceeding one year but may at the discretion of the Director or Deputy Director be renewed on the expiration thereof; provided that if written notice shall have been given by the owner of the said land to the Director or Deputy Director that he requires the land for the purpose of building thereon and the Director or Deputy Director has no reason to doubt that such notice is given in good faith, renewal of the permit shall either be refused or if granted shall be granted for such period only as may be necessary for the removal of any growing crop.

(4) Where renewal of a permit is refused and the person who has been in occupation of land thereunder is by reason of such refusal prevented from removing any crop from such land, such person shall be entitled to receive from the Director or Deputy Director such sum as the Director or Deputy Director thinks reasonable by way of compensation.

(5) The owner of any land occupied in pursuance of a permit granted under this section shall not be entitled to any rent or compensation in respect of such occupation, but the Director shall pay to him an amount equal to the amount (if any) legally payable and paid by him on account of rates imposed under the provisions of any Ordinance, or of land rent, in respect of the land so occupied and relating to the period of such occupation.

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VEGETABLE GARDENS AND GRAZING GROUNDS.

Setting apart of Crown land for growing vegetables, bananas and sugar cane.

22.—(1) In each Settlement the Local Authority may select and set apart for the cultivation of vegetables such areas of Crown land in or near every town and village and either within or without the Municipal area, if any, thereof as he may deem adequate to produce a sufficient supply of vegetables for the present and future population of such town or village and shall notify in the *Gazette*, with express reference to this section, the boundaries of each area so selected and set apart.

(2) No notification under this section shall be varied or rescinded except with the approval of the Governor.

(3) No land included within boundaries notified under this section shall, until by variation or rescission of such notification it has ceased to be included within boundaries notified under this section, be used or disposed of otherwise than for the purpose of the cultivation of vegetables, bananas and sugar cane or be occupied for the said purpose except under a temporary occupation licence in that behalf issued by the Collector.

(4) No person shall on any land included within boundaries notified under this section

(*a*) plant or cultivate any coconut or other palm, fruit tree or rubber tree or any thing other than vegetables, bananas and sugar cane;

(*b*) erect, except with the written permission of the Collector, any building.

Setting apart Crown land for grazing.

23.—(1) In any Settlement the Local Authority may select and set apart areas of Crown land near towns and villages for the purpose of grazing cattle, sheep and goats thereon and may at pleasure annul any such selection and setting apart. The setting apart of any area under this section, and any annulment thereof, shall be notified by notices publicly placarded and in such other manner, if any, as the Local Authority may direct.

(2) The Collector may issue licences to graze cattle, sheep and goats, on land set apart under this section and to erect buildings thereon; provided that no such licence shall authorize the erection of any building other than dairies, shelters for animals and dwellings for persons in charge of animals.

(3) No person shall on any land set apart under this section

(*a*) graze any animal or erect any building, except under and in accordance with a licence in that behalf from the Collector;

(*b*) keep or allow to be kept any pig.

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(4) All manure on land set apart under this section shall be the property of the Government and shall be reserved for sale, at prices to be fixed by the Director, to persons cultivating vegetables.

PURCHASE OF PADI AND ADVANCE ON CROPS.

Price for purchase of *padi* by Director.

24.—(1) The Director may, with the approval of the Governor, fix, by notification in the *Gazette*, the price at which rice in the husk, commonly called *padi*, which has been grown in the Colony, will be purchased by the Director, and all such rice tendered for sale to the Director at the price so fixed shall be purchased by the Director.

(2) Such price may be fixed for one season's crop or for any term not exceeding five years and may be expressed to apply generally throughout the Colony or only in respect of *padi* grown in any particular Settlement or local area.

Advances against crop.

25.—(1) The Director may authorize advances of money from the Fund on the security of crops of foodstuffs.

(2) No person who has received an advance from the Fund on the security of any crop of *padi* shall, without written permission in that behalf from the Director or a Deputy Director, dispose of such crop to any person other than the Director or a person nominated by the Director.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence and liable on conviction before a Police Court to imprisonment of either description for a term not exceeding three months or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

USE OF RICE.

Power to prohibit the use of rice.

26.—(1) The Governor may by order published in the *Gazette* prohibit the use of rice, or any class of rice, for any purpose whatever.

(2) Any person who contravenes such order shall be guilty of an offence and liable on conviction before a Police Court to imprisonment of either description for a term not exceeding three months or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

(3) Notwithstanding any order under sub-section (1), any person licensed by the Government to distil or manufacture any liquor from rice may, so long as such licence remains in force, use for such distillation or manufacture such class of rice as may be directed by the Governor.

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ARBITRATION BOARDS.

Arbitration Boards to be constituted.

27.—(1) For the purposes of this Ordinance there shall be an Arbitration Board or Arbitration Boards, each consisting of not less than five or more than seven members; the members shall be persons nominated in that behalf from time to time by the Governor, and not more than half of the members of any Board shall be salaried officers of the Government; the Chairman of each Board shall be a member nominated by the Governor to be Chairman; all nominations under this section shall be notified in the *Gazette*.

(2) Members of Arbitration Boards shall ordinarily retain their membership thereof for a period of three years but shall be at liberty to resign their membership at any time.

(3) Every such Board shall meet at such times and places as the Chairman thereof appoints; at any meeting of a Board three members shall form a quorum.

(4) The Governor may by notification in the *Gazette* declare the area in respect of which any Arbitration Board may exercise its functions under this Ordinance; and applications and appeals under section 28 in respect of any matter shall lie only to the Board empowered to exercise its functions in respect of the area within which such matter arose.

(5) The decision of a Board of Arbitration on any application or appeal shall be final and shall not be called in question in any Court.

(6) A Board of Arbitration may in its discretion allow a reasonable sum for the costs of any application or appeal but shall not allow any sum in respect of fees of any advocate or solicitor.

Applications and appeals to Arbitration Boards.

28.—(1) Any person whose labourers have been requisitioned under section 8 or section 17 may apply to the Arbitration Board for compensation for any loss caused to him by his being deprived of the services of such labourers, and the Board may, if satisfied that loss has been so incurred, award such compensation as to it appears reasonable.

(2) Any person dissatisfied with the rate of wages fixed by the Director under any section of this Ordinance may appeal to the Arbitration Board, and the Board may order the payment of the wages at a different rate, and the wages shall thereupon be payable at the rate ordered by the Board as from the date from which the rate fixed by the Director took, or was intended to take, effect.

(3) Any person dissatisfied with the amount of any compensation paid to him on the estimate of the Director under this Ordinance may appeal to the Arbitration Board, and the Board may award such compensation as to it appears reasonable.

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Finality of decisions of Director and other officials.

29. Except as otherwise expressly provided by this Ordinance, the decision of the Director or Deputy Director or of any other person exercising any function under this Ordinance shall be final and shall not be called in question in any Court.

Rewards for diligence and energy in cultivating foodstuffs.

30. The Director may grant such rewards as he thinks fit to the occupiers of land cultivated with foodstuffs who have shown great diligence in cultivating the same and to persons who display exceptional energy in promoting the cultivation of foodstuffs.

General Penalties.

General penalty for breach of Ordinance.

31 Any person offending against the provisions of any section of this Ordinance for breach whereof no penalty is otherwise by this Ordinance provided shall be liable, on conviction, to a fine not exceeding one hundred dollars or, in default of the payment thereof, to imprisonment of either description for a term not exceeding two months.

Penalty for breach of rules.

32. Any person offending against the provisions of any rule made under this Ordinance shall be liable, on conviction, to a fine not exceeding one hundred dollars or, in default of the payment thereof, to imprisonment of either description for a term not exceeding two months.

Miscellaneous.

Service of notices and orders.

33. Subject to the provisions of any rule made under section 34 relating to the mode of service or publication of notices, notices and orders issued and made in any Settlement under this Ordinance may be served in manner following:—

(*a*) if the person on whom service is to be effected be within such Settlement, the notice or order may be delivered to him or left with some adult member of his family (other than a servant) residing with him within such Settlement;

(*b*) if the person on whom service is to be effected have an agent within such Settlement duly authorized by power of attorney to accept service on his behalf, the notice or order may be delivered to such agent;

(*c*) if service cannot be effected in the manner described in clause (*a*) or clause (*b*) of this section, the notice or order may be sent by registered post addressed to the person on whom service is to be effected at his residence in any part of the Colony or Federated Malay States;

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(*d*) where service is to be effected on a corporation or company, the notice or order may be

(1) left at the registered office (if any) of the corporation or company within such Settlement;

(2) delivered to any director, secretary or other principal officer of the corporation or company within such Settlement or to any person within such Settlement duly authorized by power of attorney to accept service on behalf of the corporation or company, or to any person having, on behalf of the corporation or company, powers of control or management over the land to which the notice or order relates;

(3) sent by registered post addressed to the corporation or company at its principal office wherever situate;

(*e*) if service cannot be effected in accordance with the preceding clauses of this section, the notice or order may be put up in a conspicuous position on the land to which it relates.

34. The Governor may from time to time make rules for fully and effectually carrying out and giving effect to the various purposes, provisions and powers in this Ordinance contained, and such rules when published in the *Gazette* shall have the force of law. **Rules.**

Such rules shall be laid before the Legislative Council at the first meeting after such publication, and shall cease to have force and effect if disallowed by a resolution thereof:—

Such rules may provide for—

(*a*) the mode of service or publication of any notice or order issued under the provisions of this Ordinance or of any rule made thereunder;

(*b*) prescribing the powers and duties of the Director and of Deputy Directors;

(*c*) prescribing the fees, if any, to be paid for permits or licences under this Ordinance;

(*d*) regulating the proceedings of Boards of Arbitration;

(*e*) prescribing the forms to be used under this Ordinance;

(*f*) all other matters connected with the enforcement of this Ordinance.

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Translation of Ordinance.

35. A paraphrase of the provisions of this Ordinance shall be translated into Malay, Chinese and Tamil and copies of such translation shall be distributed for the information of Asiatic cultivators in such manner as the Director may determine.

Passed this 12th day of May, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 20 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th May, 1919.

AN Ordinance to provide temporarily against the carrying on of banking business in the Colony by certain classes of persons after the termination of the present war.

[*6th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Banking (Restriction) Ordinance, 1919. Short title.

2. In this Ordinance— Interpretation.

"enemy" means any person or body of persons, of whatever nationality, resident or carrying on business in an enemy State, and includes any incorporated company or body of persons (wherever incorporated) carrying on business in an enemy State;

"enemy-controlled corporation" means any corporation

(*a*) where the majority of the directors or the persons occupying the position of directors, by whatever name called, are enemy subjects; or

(*b*) where it appears to the Governor that the majority of the voting power or shares is in the hands of persons who are enemy subjects or who exercise their voting powers or hold the shares directly or indirectly on behalf of persons who are enemy subjects; or

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(*c*) where the control is by any means whatever in the hands of persons who are enemy subjects; or

(*d*) where the executive is an enemy-controlled corporation or where the majority of the executive are appointed by an enemy-controlled corporation;

"enemy State" means a State with which His Majesty is now at war;

"enemy subject" means a subject or citizen of an enemy State and includes a body corporate constituted according to the laws of such a State;

"enemy territory" means the territory of an enemy State.

Restrictions on carrying on banking businesses for the benefit of, or under the control of, enemies after the war.

3.—(1) During the period of five years immediately after the termination of the present war and thereafter until the Legislative Council otherwise determine no banking business shall be carried on within the Colony

(*a*) by a company which is an enemy-controlled corporation within the meaning of this Ordinance; or

(*b*) by a firm or individual, if in the opinion of the Governor the business, did a state of war continue, would by reason either of the enemy nationality or enemy association of that firm or individual, or of the members of that firm or any of them, or otherwise, be carried on wholly or mainly for the benefit of or under the control of enemy subjects.

(2) Any person who is concerned in carrying on any such business in contravention of sub-section (1), shall be guilty of an offence and liable

(*a*) on conviction before the Supreme Court to imprisonment of either description for a term not less than four and not more than seven years or to a fine not exceeding ten thousand dollars or to both such imprisonment and fine; or

(*b*) on summary conviction before a District Court to imprisonment of either description for a term which may extend to twelve months or to a fine not exceeding five thousand dollars or to both such imprisonment and fine; and

(*c*) to forfeit the goods or money, if any, with respect to which the offence was committed.

(3) Where it appears to the Governor that any banking business is carried on in contravention of this section, the Governor shall order the business to be wound up. The Governor may at any time revoke or vary any such order.

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(4) Notice of the making of an order under this section requiring any business to be wound up shall be published in the *Gazette*.

Execution of order for the winding up of a business.

4.—(1) Where the Governor makes any order under section 3, he may at the same time or at any time subsequently appoint a controller to control and supervise the carrying out of the order and, to conduct the winding up of the business, and in any case where it appears expedient to the Governor, the Governor may, as occasion requires, confer on the controller such powers as are exercisable by a liquidator in a voluntary winding up of a company (including power in the name of the company, firm or individual, or in his own name, to convey or transfer any property, and power to apply to the Supreme Court or a judge thereof to determine any question arising in the carrying out of the order), or those powers subject to such modifications, restrictions or extensions as the Governor thinks necessary or convenient for the purpose of giving full effect to the order; and the remuneration of and costs, charges and expenses incurred by the controller, to such amount as may be approved by the Governor, shall be defrayed out of the assets of the business and shall be charged on such assets in priority to any other charges thereon.

An official receiver may, if the Governor thinks fit, be appointed controller.

(2) The distribution of any sums or other property resulting from the realization of any assets of the business shall be subject to the same rules as to preferential payments as are applicable to the distribution of the assets of a company which is being wound up, and those assets shall, so far as they are available for discharging unsecured debts, be applied in discharging such debts due to creditors who are not enemies in priority to the unsecured debts due to creditors who are enemies; and any balance, after providing for the discharge of liabilities, shall be distributed amongst the persons interested therein in such manner as the Governor may direct.

(3) Where there are assets of the business in enemy territory, the controller shall cause an estimate to be prepared of the value of those assets and also of the liabilities of the business to creditors, whether secured or unsecured, in enemy territory, and of the claims of persons in enemy territory to participate in the distribution of any balance available for distribution, and such liabilities and claims shall, for the purposes of this section, be deemed to have been satisfied out of such assets so far as they are capable of bearing them, and the balance, if any, of such liabilities and claims shall alone rank for payment out of the other assets of the business. A certificate by the controller as to the amount of such assets, liabilities, claims and balance shall

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be conclusive for the purpose of determining the sums available for discharging the other liabilities and for distribution amongst other persons claiming to be interested in the business:

Provided that nothing in this provision shall affect the rights of creditors of and other persons interested in the business against the assets of the business in enemy territory.

(4) The Governor may, on application for the purpose being made by a controller appointed under this section, after considering the application and any objection which may be made by any person who appears to him to be interested, grant him a release; and an order of the Governor releasing the controller shall discharge him from all liability in respect of any act done or default made by him in the exercise and performance of his powers and duties as controller, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.

(5) Where an order under section 3 has been made as respects the business carried on by any company, firm or individual, no petition for the winding up of such company, or bankruptcy petition against such firm or individual, shall be presented, or resolution for the winding up of such company passed, or steps for the enforcement of the rights of any creditors of the company, firm or individual taken, without the consent of the Governor, but the Colonial Secretary may present a petition for the winding up of the company by the Court, and the making of an order under section 3 shall be a ground on which the company may be wound up by the Court.

Power to order winding up of companies of enemy nationality or association.

5. In any case where the Governor makes an order under section 3, the Governor may make an order requiring the company to be wound up and appointing a liquidator to conduct the winding up; and on the making of such an order the company shall be wound up as if it had on the date of the order passed a special resolution for voluntary winding up and had appointed as liquidator the person named as liquidator in the order; and the provisions of the Companies Ordinance, 1915, shall apply accordingly subject to the modifications set forth in the Schedule to this Ordinance. A copy of any order made by the Governor under this section shall be forwarded to the Registrar of Companies.

Provisions as to dissolution of companies.

6.—(1) On or at any time after the release of a controller appointed under section 4 or a liquidator appointed by the Governor to conduct a winding up under section 5 notice thereof shall be given to the Registrar of Companies, and on the receipt of such notice the registrar shall forthwith register it, and may if so directed by the Governor strike the name of the company off the register and the company shall be dissolved.

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(2) Where a company has been dissolved by virtue of this section, or where a company with respect to which an order has been made under section 3 has been removed from the register under section 253 of the Companies Ordinance, 1915, no application for an order declaring the dissolution void or restoring the company to the register shall be made without the consent of the Governor, and the Registrar of Companies may refuse to register any company with a name the same as or similar to that of the company so dissolved.

Provisions as to winding up by order of the Court.

7. Where the Court in pursuance of sub-section (5) of section 4 makes an order for the winding up of a company with respect to which an order has been made by the Governor under section 3,

(*a*) the Court may by the winding up order or any subsequent order dispense with compliance with the provisions of section 168 of the Companies Ordinance, 1915, (which relates to the statement of the company's affairs), and of section 173 of that Ordinance (which relates to meetings of creditors and contributories) or of either of those sections;

(*b*) the provisions of sub-section (2) of section 4, giving priority to unsecured creditors who are not enemies, and the provisions of sub-section (3) of the same section, which relates to the allocation of property in enemy territory to the satisfaction of liabilities to and claims of persons in enemy territory, shall with the necessary adaptations apply to the winding up of the company;

(*c*) the assets of the company may be distributed without making any provision for claims by enemies except those which are disclosed in the books of the company or of which the liquidator has otherwise received notice.

Claims against businesses or companies being wound up.

8.—(1) Where an order has been made under section 3 requiring a business to be wound up, or an order under section 5 has been made for the winding up of a company, any claim against or in respect of the assets of the business, or, as the case may be, any claim against the company, may be dealt with by the Supreme Court or a judge thereof upon application made either by the controller or liquidator, as the case may be, or with the consent of the Governor by the claimant; provided that notice of the application if made by the controller or liquidator shall be served on the claimant, and if made by the claimant shall be served on the controller or liquidator, as the case may be.

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(2) Where any such order has been made, any action or other legal proceedings against the company, firm or individual whose business is being wound up, or, as the case may be, against the company which is being wound up, may, on the application of the controller or liquidator, be stayed by the Court in which the proceedings are pending.

Inspection of books to ascertain any contraventions of this Ordinance.

9.—(1) Where during the period mentioned in section 3 it is suspected that any contravention of the provisions of this Ordinance has been or is likely to be committed by any company, firm or individual, or it is desired to ascertain whether any such contravention has been or is being committed, the Colonial Secretary may by written order authorize any person named therein to inspect the books and documents belonging to or under the control of such company, firm or individual, and such person may inspect accordingly.

(2) Anyone who, having the control of or access to the books or documents of such company, firm or individual, fails or neglects to produce such books or documents shall be guilty of an offence and liable, on conviction, to imprisonment of either description for a term which may extend to twelve months or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

Proceedings as to obtaining information.

10. Where the Governor is desirous of obtaining information as to the character of a business which is being carried on in the Colony and ascertaining whether such business is one to which this Ordinance applies, the Supreme Court or a judge thereof may, upon application by the Attorney-General, make an order directing any person to appear as a witness before such person or persons as the Governor appoints in that behalf and to give evidence on oath before such person or persons and to produce any documents which the Supreme Court or the judge may think proper.

Rules.

11.—(1) The Governor in Council may make rules defining what business is, for the purpose of section 3, to be deemed banking business.

(2) All rules made under this section shall be published in the *Gazette* and from the date of such publication shall have the same force and effect as if they had been enacted in this Ordinance.

(3) All rules shall be laid before the Legislative Council at its first meeting after such publication and shall cease to have any force or effect if disallowed by resolution of the said Council.

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(4) Any rule may be altered by a resolution of the Legislative Council and shall come into force as altered from the date of the passing of such resolution and shall have the same force and effect as if it had been enacted in this Ordinance.

Passed this 26th day of May, 1919.

E. C. H. WOLFF,
Clerk of Councils.

SCHEDULE.

(SECTION 5.)

Modifications of the Companies Ordinance, 1915, as applied to the winding up of Companies under Orders by the Governor:—

(*a*) The Governor may remove a liquidator and fill any vacancy in the office of liquidator caused by death, resignation, or otherwise;

(*b*) The remuneration of the liquidator shall be fixed by the Governor;

(*c*) Sections 207, 208, 209, 210, 211, 212, sub-section (2) of section 219, and sections 220, 222, 224 and 246 shall not apply;

(*d*) In paragraph (*b*) of sub-section (1) of section 244 (relating to the disposal of books and papers) for the words "in such way as the company by extraordinary resolution directs" there shall be substituted "in such way as the Governor may direct";

(*e*) The Governor may confer on the liquidator the like power as to conveying or transferring property as he is by sub-section (1) of section 4 of this Ordinance authorized to confer on a controller appointed under that section;

(*f*) The provisions of sub-section (2) of section 4 of this Ordinance giving priority to unsecured creditors who are not enemies, and the provisions of sub-section (3) of the same section which relate to the allocation of property in enemy territory to the satisfaction of liabilities to and claims of persons in enemy territory, and the provisions of paragraph (*c*) of section 7 of this Ordinance, shall, with the necessary adaptations, apply to the winding up of the company;

(*g*) The provisions of sub-section (4) of section 4 of this Ordinance as to the release of a controller appointed under that section shall apply to the release of the liquidator;

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(*h*) An application for the stay of proceedings in the winding up shall not be made without the consent of the Governor;

(*i*) The liquidator shall submit accounts to the Governor at such times and in such manner as he may direct;

(*j*) The provisions of sub-section (5) of section 4 of this Ordinance, including the power of the Colonial Secretary to present a petition for the winding up of the company by the Court, shall continue to apply in respect of the company, notwithstanding the making of an order under section 5 of this Ordinance.

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STRAITS SETTLEMENTS.

No. 21 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th May, 1919.

AN Ordinance to amend the Currency Note Ordinance, 1899.

[*6th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Currency Note (Amendment) Ordinance, 1919, and shall be read and construed as one with the Currency Note Ordinance, 1899. Short title. Ordinance IV of 1899.

2.—(1) The Officer in charge of the Treasury at each Settlement shall impound and destroy, with or without compensation to the holder thereof, as he may think fit having regard to all the circumstances of the case, any currency note which in his opinion is forged or counterfeit. Counterfeit notes to be impounded.

(2) The decision of such officer that a currency note is forged or counterfeit and that compensation shall be granted or withheld shall be final, and no person shall be entitled to claim and no action or proceeding shall be brought against such officer or the Commissioners of Currency or against the Government in respect of any loss or damage suffered by reason of such impounding and destruction.

Passed this 26th day of May, 1919.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 22 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th May, 1919.

AN Ordinance to amend the Stamp Ordinance, 1907.

[*6th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Stamp (Amendment) Ordinance, 1919. Short title.

2. Section 67 of the Stamp Ordinance, 1907, is amended by inserting after the figures "1904" the words "nor the sale of stamps by any person licensed for that purpose under regulations made under the Post Office Ordinance, 1904". Amendment of section 67 of Ordinance XXXVI of 1907.

Passed this 26th day of May, 1919.

E. C. H. WOLFF,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 23 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

30th May, 1919.

An Ordinance to amend the Agriculturists Loans Ordinance, 1908.

[*6th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Agriculturists Loans (Amendment) Ordinance, 1919. Short title.

2. Section 2 of the Agriculturists Loans Ordinance, 1908 is repealed and the following section is substituted therefor:— Repeal of section 2 of Ordinance No. XI of 1908 and substitution of new section.

2.—(1) The Treasurer shall set aside a sum not exceeding one hundred thousand dollars to the credit of a fund, to be known as the "Agriculturists Loans Fund", which shall be managed by such officers, to be known as "Agricultural Loans Commissioners", as the Governor may appoint.

(2) Disbursements from the fund shall be made by the Agricultural Loans Commissioners by way of loans to agriculturists for improvements to land, the purchase of cattle or agricultural implements or any other purpose connected with agriculture; provided that in the case of an application for a loan not exceeding the sum of one thousand dollars such of the Commissioners as are resident in the Settlement where the application is made may grant the loan applied for.

(3) Repayments of all loans together with the interest thereon shall be made to the Agriculturists Loans Fund.

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Power to add to the Fund.

3. The Treasurer may from time to time be authorised to set aside further sums to the credit of the Fund by resolution of the Legislative Council.

Passed this 26th day of May, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 24 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th June, 1919.

AN Ordinance to amend the Naturalization Act, 1867.

[*27th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Naturalization (Amendment) Ordinance, 1919. Short title.

2. Section 10 of the Naturalization Act, 1867 is hereby repealed and the following sections are substituted therefor:—

Revocation of certificate of naturalization.

"10.—(1) Where the Governor in Council is satisfied that a certificate of naturalization granted by him has been obtained by false representation or fraud, or by concealment of material circumstances, or that the person to whom the certificate is granted has shown himself by act or speech to be disaffected or disloyal to His Majesty, the Governor in Council shall by order revoke the certificate.

"(2) Without prejudice to the foregoing provisions the Governor in Council shall by order revoke a certificate of naturalization granted by him in any case in which he is satisfied that the person to whom the certificate was granted either—

(*a*) has during any war in which His Majesty is engaged unlawfully traded or communicated with the enemy or with the subject of an enemy state, or been engaged in or associated with any business which is to his knowledge carried on in such manner as to assist the enemy in such war; or

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(*b*) has within five years of the date of the grant of the certificate been sentenced by any court to imprisonment for a term of not less than twelve months, or to a term of penal servitude, or to a fine of not less than eight hundred dollars; or

(*c*) was not of good character at the date of the grant of the certificate; or

(*d*) has since the date of the grant of the certificate been for a period of not less than seven years ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established, in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connection with His Majesty's dominions; or

(*e*) remains according to the law of a state at war with His Majesty a subject of that state;

and that (in any case) the continuance of the certificate is not conducive to the public good.

"(3) The Governor in Council may, if he thinks fit, before making an order under this section refer the case for such inquiry as is hereinafter specified, and in any case to which subsection (1) or paragraph (*a*), (*c*), or (*e*) of subsection (2) of this section applies, the Governor in Council shall, by notice given to or sent to the last-known address of the holder of the certificate, give him an opportunity of claiming that the case be referred for such inquiry, and if the holder so claims in accordance with the notice the Governor in Council shall refer the case for inquiry accordingly.

"(4) An inquiry under this section shall be held by a committee constituted for the purpose by the Governor in Council, presided over by a person appointed by the Governor in Council who holds or has held high judicial office, and shall be conducted in such manner as the Governor in Council may direct:

"Provided that any such inquiry may, if the Governor in Council thinks fit, instead of being held as aforesaid be held by the Supreme Court, and be regulated by the practice and procedure of that Court.

"A committee appointed under this section shall have all such powers, rights, and privileges as are vested in the Supreme Court or in any judge thereof on the occasion of any action, in respect of the following matters:—

(*a*) the enforcing the attendance of witnesses and examining them on oath, affirmation, or otherwise, and the

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issue of a commission or a request to examine witnesses abroad; and

(*b*) the compelling the production of documents; and

(*c*) the punishing persons guilty of contempt;

and a summons signed by one or more members of the committee may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

"(5) Where a person to whom a certificate of naturalization has been granted in some other part of His Majesty's dominions is resident in the Colony, the certificate may be revoked in accordance with this section by the Governor in Council, with the concurrence of the Secretary of State for the Colonies or of the Government of that part of His Majesty's dominions in which the certificate was granted.

"(6) Where the Governor in Council revokes a certificate of naturalization, the revocation shall have effect from such date as the Governor in Council may direct, and thereupon the certificate shall be given up and cancelled, and any person refusing or neglecting to give up his certificate shall be liable on summary conviction before a District Court to a fine not exceeding eight hundred dollars.

Effect of revocation of certificate of naturalization.

"10A.—(1) Where a certificate of naturalization is revoked the Governor in Council may by order direct that the wife and minor children (or any of them) of the person whose certificate is revoked shall cease to be entitled within the Colony to the rights privileges and capacities of a subject of His Majesty born within the said Colony, and any such person shall thereupon become an alien; but except where the Governor in Council directs as aforesaid, the nationality of the wife and minor children of the person whose certificate is revoked shall not be affected by the revocation, and they shall be entitled to all the rights privileges and capacities specified in section 8 or to remain British subjects, as the case may be.

"Provided that—

"(*a*) it shall be lawful for the wife of any such person within six months after the date of the order of revocation to make a declaration of alienage, and thereupon she and any minor children of her husband and herself shall cease to be entitled to the rights privileges and capacities aforesaid and shall become aliens; and

"(*b*) the Governor in Council shall not make any such order as aforesaid in the case of a wife who was at

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birth a British subject, unless he is satisfied that if she had held a certificate of naturalization in her own right the certificate could properly have been revoked under this Ordinance, and the provisions of this Ordinance as to referring cases for inquiry shall apply to the making of any such order as they apply to the revocation of a certificate.

"(2) Where a certificate of naturalization is revoked the former holder thereof shall be regarded as an alien and as a subject of the State to which he belonged at the time the certificate was granted."

Passed this 16th day of June, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 25 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th June, 1919.

AN Ordinance to amend the Penal Code and the Criminal Procedure Code.

[*27th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Criminal Law (Amendment) Ordinance, 1919. **Short title.**

2. Section 392 of the Penal Code is repealed and the following section is substituted therefor:— **Repeal of section 392 and substitution of new section. Ordinance IV of 1871.**

392. Whoever commits robbery shall be punished with rigorous imprisonment for a term which may extend to ten years and shall also be liable to fine; and if the robbery be committed on the highway between sunset and sunrise the rigorous imprisonment may be extended to fourteen years and he shall also be liable to whipping with a cat-of-nine-tails or a rattan. **Punishment for robbery.**

3. Section 394 of the Penal Code is amended by adding the words "with a cat-of-nine-tails or a rattan" after the word "whipping". **Amendment of section 394.**

4. Section 395 of the Penal Code is amended by repealing the words "and shall also be liable to fine and to whipping" at the end thereof and by inserting after the words "ten years" the words "and in either case with whipping with a cat-of-nine-tails or a rattan". **Amendment of section 395 Penal Code.**

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Amendment of section 396 Penal Code.

5. Section 396 of the Penal Code is amended by repealing the words "and shall also be liable to fine and to whipping" at the end thereof and by inserting after the words "ten years" the words "and, where the punishment is not death, with whipping with a cat-of-nine-tails".

Amendment of section 397 Penal Code.

6. Section 397 of the Penal Code is amended by adding at the end thereof the words "and any whipping shall be with a cat-of-nine-tails".

Amendment of section 398 Penal Code.

7. Section 398 of the Penal Code is amended by adding at the end thereof the words "and any whipping shall be with a cat-of-nine-tails".

Amendment of section 399 Penal Code.

8. Section 399 of the Penal Code is amended by inserting after the words "ten years" the words "and with whipping with a cat-of-nine-tails or a rattan" and by repealing the words "and shall also be liable to fine".

Amendment of section 400 Penal Code.

9. Section 400 of the Penal Code is amended by inserting after the words "ten years" the words "and in either case with whipping with a cat-of-nine-tails or a rattan" and by repealing the words "and shall also be liable to fine".

Amendment of section 401 Penal Code.

10. Section 401 of the Penal Code is amended by adding the words "and to whipping with a cat-of-nine-tails or a rattan".

Amendment of section 402 Penal Code.

11. Section 402 of the Penal Code is amended by adding the words "and to whipping with a cat-of-nine-tails or a rattan".

Amendment of section 91 of the Criminal Procedure Code, Ord. X of 1910.

12. Section 91 of the Criminal Procedure Code is amended by inserting after the word "Officer" in line 2 the words "or officer in charge of a police division or of a police station" and by repealing the word "or" occurring after the word "Police" in line 1.

Amendment of section 92 of the Criminal Procedure Code.

13. Section 92 of the Criminal Procedure Code is amended by inserting after the word "Officer" in line 4 the words "or officer in charge of a police division or of a police station" and by repealing the word "or" occurring after the word "Police" in the said line.

Amendment of section 93 of the Criminal Procedure Code.

14. Section 93 of the Criminal Procedure Code is amended by inserting after the word "dispersed" in line 3 the words "the officer in administrative charge of the Settlement or" and after the word "present" in the said line the words "the Inspector-General of Police or the Chief Police Officer".

Amendment of section 94 of the Criminal Procedure Code.

15. Subsection (1) of section 94 of the Criminal Procedure Code is amended by inserting after

(*a*) the word "When" in line 1 the words "the officer in administrative charge of the Settlement";

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(*b*) the word "Magistrate" in line 1 the words "the Inspector-General of Police or the Chief Police Officer";

(*c*) the words "as the" in line 6 the words "officer in administrative charge of the Settlement":

(*d*) the word "Magistrate" in line 7 the words "Inspector-General of Police or the Chief Police Officer".

16. Section 95 of the Criminal Procedure Code is amended by repealing

Amendment of section 95 of the Criminal Procedure Code.

(*a*) the words "no Police Magistrate can" in line 2 and substituting therefor the words "the officer in administrative charge of the Settlement, Police Magistrate, the Inspector-General of Police or the Chief Police Officer cannot";

(*b*) the words "any Police Magistrate" in line 8 and substituting therefor the words "the officer in administrative charge of the Settlement, Police Magistrate, the Inspector-General of Police or the Chief Police Officer"; and

(*c*) the words "Police Magistrate" in lines 9 and 10 and substituting therefor the words "officer in administrative charge of the Settlement, Police Magistrate Inspector-General of Police or Chief Police Officer".

17. Section 96 of the Criminal Procedure Code is amended by inserting after the words "against any" in line 1 the words "officer in administrative charge of the Settlement or" and after the word "no" in paragraph (*a*) the words "officer in administrative charge of the Settlement".

Amendment of section 96 of the Criminal Procedure Code.

18. The certificate of the Governor that any person was in administrative charge of a Settlement shall be conclusive proof.

Governor's Certificate.

19. Subsection (2) of section 278 of the Criminal Procedure Code is repealed and the following subsection is substituted therefor:—

Amendment of section 278 (2) Criminal Procedure Code.

(2) In the case of

(*a*) a person of or over sixteen years convicted of any offence punishable under any of the sections 392, 394, 395, 396, 397, 398, 399, 400, 401 and 402 of the Penal Code, whipping shall be inflicted with a cat-of-nine-tails of a pattern approved by the Governor or, except where the offence is punishable under any of the said sections 396, 397 or 398, with a rattan not more than half an inch in diameter. Provided

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that no sentence of whipping with a cat-of-nine-tails shall be carried into effect until it has been approved by the Governor in Council;

(*b*) a person of or over sixteen years convicted of any other offence, whipping shall be inflicted with a rattan not more than half an inch in diameter, in such mode and on such part of the person as the Governor from time to time generally directs;

(*c*) a youthful offender, whipping shall be inflicted in the way of school discipline with a light rattan.

Amendment of section 279 of Criminal Procedure Code.

20. Section 279 of the Criminal Procedure Code is amended by repealing all the words after the word "death" in paragraph (*b*) thereof.

Passed this 16th day of June, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 26 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th June, 1919.

AN Ordinance to amend further the Railway Ordinance, 1905.

[*27th June,* 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Railway (Further Amendment) Ordinance, 1919. Short title.

2. Section 58 of the Railway Ordinance, 1905, hereinafter called the principal Ordinance, is repealed and the following section substituted therefor:— Repeal of section 58 and substitution of new section. Ordinance IV of 1905.

58.—(1) No person shall enter any carriage used on a railway or any steamer or other vessel used for carrying on the traffic of a railway, for the purpose of travelling therein, without first having paid his fare and obtained a ticket. Fares to be prepaid and passengers' tickets to be given up on demand.

(2) Every person desirous of travelling on the railway shall, upon payment of his fare, be furnished with a ticket specifying the class of carriage or accommodation for, and the station or place from, and the station or place to, which the fare has been paid, and shall when required show his ticket to any railway official duly authorized to examine the same, and shall deliver up such ticket upon demand to any railway official duly authorized to collect tickets.

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(3) Any person travelling without a ticket or not producing or delivering up his ticket as aforesaid shall be liable to pay

(*a*) the fare for the distance travelled or where there is any doubt as to the station or place from which he started the fare from the station or place from which the train, steamer or vessel originally started; and in addition

(*b*) a special charge of 50, 25 or 10 cents according as he travelled in a carriage or enjoyed accommodation of the first, second or third class.

Such fare and special charge shall be paid on demand to any railway official duly authorized to collect tickets and, if not so paid, payment thereof may be enforced in the same manner as any fine imposed under this Ordinance.

Repeal of section 77 and substitution of new section.

3. Section 77 of the principal Ordinance is hereby repealed and the following section substituted therefor:—

Liability of owner of animal found trespassing.

77.—(1) The owner of any animal which trespasses or strays upon the railway or upon any land appertaining to the railway (such railway or lands being provided with suitable fences for excluding cattle) shall be liable to a fine not exceeding five dollars for each animal; and any railway official may take or drive every animal so found trespassing to the nearest police station there to be detained until the highest amount of fine incurred by such trespass and the expense of feeding and keeping the animal be paid or until a Magistrate otherwise orders.

(2) If such animal become unmanageable or suffer from fatal or serious injury any railway official not below the rank of station-master may shoot or otherwise destroy it, and the owner shall be liable to prosecution and fine if the trespass be proved.

(3) A Magistrate may upon proof of the trespass cause such animal to be sold by public auction and the proceeds of the sale after deducting therefrom such fine as the Magistrate shall award and such further sum as the Magistrate shall order to be paid for the expense of detaining feeding and selling such animal shall be returned to the owner of the animal on demand.

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(4) Nothing in this section contained shall be deemed to render the Railway Administration liable for any injury to any animal trespassing or straying upon the railway or upon any land appertaining to the railway for which the Railway Administration would not have been liable if this section had not become law.

4. Sections 2 and 4 of the Railway (Amendment) Ordinance, 1919 are hereby repealed. Repeal.

Passed this 16th day of June, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 27 of 1919.

I assent,

(L. S.) ARTHUR YOUNG,
Governor and Commander-in-Chief.

24th June, 1919.

AN Ordinance to further amend the Municipal Ordinance, 1913.

[*27th June*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements by and with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Municipal (Amendment) Ordinance, 1919, No. III. Short title.

2. Section 58 of the Municipal Ordinance, 1913, hereinafter referred to as the principal Ordinance, is amended by repealing the word "fifteen" occurring in paragraph (iv) of subsection (1) thereof and substituting therefor the word "twenty", and by repealing the figure "136" occurring in paragraph (ii) of subsection (2) thereof and substituting therefor the figure "135". Amendment of section 58 of principal Ordinance. Ordinance VIII of 1913.

3. Immediately after section 97 of the principal Ordinance, the following section is inserted:— New section 97A.

97A.—(1) When the Commissioners have laid out and made a new street they may recover the cost of acquiring the land for and of constructing the said street from the owners of the premises fronting, adjoining or abutting upon such streets, and such cost shall be paid by the owners according to the frontage of their respective premises in such proportions as shall be settled by the Commissioners or in case of dispute as shall be settled in manner hereinafter provided for the settlement of disputes respecting damages and expenses; provided always that no owner shall be called upon to pay a greater sum than half of that by which his holding has been appreciated in value by reason of the new street having been constructed. Commissioners may recover cost of new street.

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(2) In order to arrive at such appreciation in value the Commissioners shall cause a valuation to be made of the premises fronting, adjoining or abutting upon the line of such street at the time the sanction of the Governor in Council is given under section 96 and a further valuation made as soon as the street is completed. In the event of the owner of any such premises being dissatisfied with either of such valuations he may appeal to the Governor in Council whose decision shall be final.

Repeal of certain sections and substitution of new sections.

4. Sections 135, 136, 137, 138, and 139 of the principal Ordinance are repealed and the following sections are substituted therefor:—

Land to be set apart for back-lane.

135.—(1) The Commissioners shall not approve of the plan of any domestic building unless—

(*a*) the open space if any required to be left under section 136 is shown to abut on a back-lane of such width not exceeding twenty feet as may be required by the Commissioners and the person submitting the plan re-imburses the Commissioners any moneys at any time paid by them for the acquisition by any means of the portion of such back-lane to the centre thereof as abuts on the holding in respect of which the plan is submitted to the extent to which it so abuts; or unless

(*b*) the person submitting the plan sets apart a strip of his land sufficient with or without other land previously so set apart to form a back-lane of such width not exceeding twenty feet as may be required by the Commissioners.

Where ventilation otherwise provided for.

(2) Where in any particular case it is shown to the satisfaction of the Commissioners that ventilation is otherwise sufficiently and permanently provided for, the Commissioners may approve a plan notwithstanding that the conditions of sub-section (1) have not been complied with.

Situation of back-lane.

(3) The back-lane shall where the Commissioners so require be situated so as to conform with such line as may be laid down therefor by the Commissioners and so as to communicate at each end thereof with the land set apart or to be set apart for a back-lane by the owners of the properties on each side thereof, and the same shall wherever possible open upon public streets at both ends and shall in all cases be free from obstruction throughout.

Non-approval of plan where building site does not abut on land available as a back-lane.

(4) Where upon the submission of a plan of any domestic building for the approval of the Commissioners it appears that the site thereof does not abut upon any land so situated as to be capable of being set apart as a back-lane in

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conformity with the line laid down by the Commissioners therefor, the Commissioners may refuse to approve the plan until the land situate between the site of the domestic building and the line of the back-lane or intended back-lane immediately opposite such site has been added to the holding in respect whereof the plan has been submitted and the person submitting the plan has re-imbursed the Commissioners in manner and to the extent provided in paragraph (*a*) of sub-section (1).

Acquisition of land between building site and line of back-lane.

(5) Where in any such case as is referred to in subsection (4) the person submitting the plan requests the Commissioners in writing to acquire the land situate between the site of the domestic building and the line of the back-lane or intended back-lane immediately opposite such site, the Commissioners shall subject to the approval of the Governor in Council acquire such land for the purpose of the same being added to the holding in respect whereof the plan has been submitted. The approval of the Governor in Council under this subsection shall have the like effect with respect to the acquisition by the Commissioners of and payment for such land as if the same were an order such as is referred to in section 309, and the provisions of such section and of sections 314 and 315 shall apply accordingly but in the case of section 314 as if the words "the date of the approval of the Governor in Council" were inserted in subsection (1) (*a*) and (*b*) thereof in lieu of the words "the date of the publication of the advertisement of the improvement scheme."

Vesting of lands set apart for a back-lane.

(6) Where any land is set apart under this section for a back-lane the Commissioners may prepare a plan of the land comprised in such back-lane and by writing under their Common Seal declare that the same is taken for a back-lane and in the event of their doing so shall register such writing together with the plan under the provisions of the Registration of Deeds Ordinance, 1915, in Singapore and Penang and under the provisions of Indian Act, XVI of 1839 in Malacca, and upon such registration the land comprised in such plan shall be deemed to have vested in the Commissioners for the purposes of this Ordinance and be freed from all incumbrances thereon, and where such land is held under a Statutory Land Grant such setting apart shall not be deemed to be a sub-division within the meaning of the Crown Lands Ordinance, 1886.

Compensation when payable.

(7) The Commissioners shall pay as compensation for land set apart to form part of a back-lane one-half of the market value of the land so set apart at the date the plan was submitted whether such land was at such date vacant land or was covered with buildings and without any additional allowance in respect of compulsory purchase or of any other matter.

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When not payable.

(8) Save as in subsection (7) mentioned no compensation shall be paid in respect of land set apart under this section to form part of a back-lane.

Compensation in special cases.

(9) In cases where a setting apart would cause a severance of land belonging to the owner from other land forming part of the same holding no compensation shall be paid for such severance, but if the lesser portion of the land so severed shall have been rendered useless as a building site on account of the severance and if the owner so requires, the Commissioners shall acquire such lesser portion and shall pay in respect thereof compensation in accordance with the provisions of this section.

Method of ascertaining compensation.

(10) When the Commissioners are unable to agree with the person entitled thereto as to the compensation payable under this section it shall be ascertained as follows:—

(*a*) If the amount claimed does not exceed one thousand dollars in the manner provided by section 346;

(*b*) In all other cases in accordance with the provisions of sections 10, 12, 13, 17 to 22 inclusive, 25 (2) and (3), 26 to 41 inclusive and 56 of the Acquisition of Land for Public Purposes Ordinance, 1890, but so that in section 10 the words "after giving due notice to the Commissioners and the persons entitled to the land" shall be deemed to be substituted for the words "on the day mentioned in the notice";

Provided always that if the Commissioners and the parties claiming compensation agree to refer the question as to what compensation is payable under the terms of this subsection to arbitrators, they shall be entitled so to do and any arbitrator or arbitrators so appointed shall proceed to hear the parties and determine the amount payable as compensation.

Date of payment of compensation.

(11) No compensation under this section shall be paid until sufficient land has been set apart or otherwise acquired to enable the Commissioners to form a back-lane extending from one public street or back-lane to another public street or back-lane.

Open spaces to be provided.

136.—(1) Every building which any person intends to erect or re-erect for the purpose of being used wholly or in part as a domestic building shall, unless the Commissioners are of opinion that in any particular case air space is otherwise sufficiently and permanently provided for, have directly attached thereto an open space exclusively belonging thereto. Such open space exclusive of party or external walls shall be not less than one-half the area covered by

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buildings other than such latrines bathing and cooking places (not exceeding in height the level of the ceiling of the ground floor storey) as may be deemed necessary by the Commissioners for the use of the inhabitants of the building. In calculating the open space half the area of that portion of the back-lane, if any, provided in accordance with section 135 immediately opposite the building shall be deemed to be included, but no space occupied by airwells shall be reckoned in calculating any open space.

Appeal to Governor in Council.

(2) Any person aggrieved by a direction of the Commissioners with regard to the situation and arrangement of the open space required to be left in any respect not specially provided for by the building By-laws may within fourteen days appeal to the Governor in Council whose decision shall be final.

Land not built on.

(3) No compensation shall be payable in respect of any land not built on by reason of the provisions of this section.

Definition of domestic building.

136A.— For the purposes of sections 135 and 136 "a domestic building" shall be deemed to include a dwelling-house, offices or other out-buildings appurtenant to a dwelling-house, whether attached thereto or not, and a shop, workshop or factory and a school and any other building used constructed or adapted to be used for human habitation in whole or in part.

Governor in Council may order back-lanes to be laid out.

137.—(1) The Governor in Council may at any time on the request of the Commissioners, after receiving such report as he thinks fit to call for from an officer appointed to enquire and report in each case, order that a back-lane, with approaches thereto if necessary, of a width not exceeding twenty feet be laid out through any lands, and that the lands specified in the order may be acquired by the Commissioners for the purpose of providing such back-lane and approaches, if any. An approach to a back-lane shall be deemed to be a part of such back-lane for the purposes of this Ordinance.

Effect of such order.

(2) The Commissioners shall be at liberty to register such order under the provisions of the Registration of Deeds Ordinance, 1915 in Singapore and Penang and under the provisions of Indian Act, XVI of 1839 in Malacca, and upon such registration the lands specified in such order shall be deemed to be vested in the Commissioners for the purposes of this Ordinance and be freed from all incumbrances, and where such land is held under a Statutory Land Grant such order shall not be deemed to create a subdivision within the meaning of the Crown Lands Ordinance, 1886; provided that whenever any lands other than those included in any order registered under this subsection shall have been

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acquired by the Commissioners in connection with such order under subsection (4) or (5) the Commissioners shall prepare a plan of the lands so acquired and shall by writing under their Common Seal declare that such lands have been acquired by them in connection with the order, and the registration of such writing together with the plan shall vest such lands in the Commissioners free from all incumbrances in like manner as if the lands had been originally included in the order.

Commissioners may demolish.

(3) When the Commissioners have registered the order or writing in this section referred to, they may proceed to demolish and remove any building or portion of a building which may be on the land specified in the order or writing.

When Commissioners are to acquire whole property.

(4) When the acquiring under this section of any portion of a building for a back-lane or for any approach thereto shall render useless the remainder of any such building, the Commissioners shall, if the owner so requires it, acquire the remainder of the holding covered by such building and its appurtenances and shall pay therefor in accordance with the provisions of this section.

Price to be paid for lands taken in special cases.

(5) Where the acquiring under this section of any vacant land for a back-lane or any approach thereto would cause a severance of land belonging to the owner from other land forming part of the same holding, no compensation shall be paid for such severance but, if any portion or the whole of the land so severed shall have been rendered useless as a building site on account of the severance and if the owner so requires, the Commissioners shall acquire such portion or the whole as the case may be and shall pay therefor in accordance with the provisions of this section.

Compensation to be paid in ordinary cases.

(6) Compensation shall be paid to the owners of lands acquired under this section in accordance with the following provisions:—

(*a*) Where the whole of a holding is acquired compensation shall be paid for the whole of such holding.

(*b*) Where the whole or more than one-half in width of the land so acquired passes through one holding, compensation shall be paid for such portion of the holding taken as shall exceed such one-half in width and the Commissioners shall at their own expense re-construct the back portion of any building on such holding abutting on the land so acquired in accordance with such scale of re-construction as they may in their discretion consider proper.

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(c) Where one-half or less in width of the land so acquired passes through one holding, no compensation shall be payable to the owner of such holding, but if less than one-half in width so passes the owner of such holding shall reimburse the Commissioners any moneys at any time paid or payable by them for the acquisition by any means of so much of such width as shall with the land taken from such holding make up the said one-half in width, and in either case the Commissioners shall re-construct the back portion of any building on such holding abutting on the land so acquired in manner provided by the preceding paragraph (*a*).

Price to be paid in ordinary cases.

(7) The price to be paid by the Commissioners for the portion of any land or buildings acquired under this section for which compensation is payable shall be ascertained in accordance with the following provisions:—

(*a*) Where there are no buildings on the land or where the whole of the land and buildings are acquired, in accordance with the principles contained in section 314 the words "at the date of the request made by the Commissioners to the Governor in Council" being substituted for the words "at the date of the publication of the advertisement of the improvement scheme."

(*b*) Where there are buildings on the land and only part of the land is acquired:—

(i) Where the part of the buildings acquired is used as a dwelling-house and is owing to the absence of air and light or other causes unfit for human habitation, by the market value of the land and building materials thereon at the date of the making of the order referred to in subsection (1).

(ii) Where the part of the building acquired is not used as a dwelling-house or for human habitation and is not in good sanitary condition, by the market value of the land and materials thereon at the date of the order referred to in subsection (i).

(iii) Where the part of the buildings acquired is in good sanitary condition, by the market value of the land and buildings at the date of the making of the order referred to in subsection (1).

Method of ascertaining price.

(8) The method of ascertaining the price as defined by subsection (7) shall be that provided in section 135.

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Back-lanes to be levelled, etc., by Commissioners.

138. The Commissioners shall level pave metal channel drain and light all back-lanes set apart or laid out under sections 135 and 137 when sufficient land has been so set apart or laid out to enable them to form a back-lane extending from one public street or back-lane to another public street or back-lane.

Means of access to back-lanes to be provided.

139.—(1) When any back-lane is formed every owner of premises abutting thereon shall provide to the satisfaction of the Commissioners a means of access and egress to and from his premises to such back-lane for the purpose of removing night-soil, and if any owner fails to provide the same within a reasonable time the Commissioners may enter the premises and do whatever may be necessary to provide the same and such owner shall pay to the Commissioners the cost and expenses thereof.

Removal of obstructions.

(2) No person shall erect or maintain or permit to be erected or maintained any obstruction in or over any back-lane, and the Commissioners may where any such obstruction exists take down and remove the same.

Reimbursement to Commissioners of compensation paid in certain cases.

139A. Whenever the Commissioners have paid or become liable to pay compensation for any land acquired in accordance with the provisions of subsection (5) of section 135, the amount thereof shall be reimbursed to the Commissioners and shall for that purpose be recoverable as if the same were a rate assessed under the provisions of section 58 on the premises in connection wherewith such land has been so acquired of such amount as shall be sufficient to reimburse to the Commissioners the amount of such compensation together with interest at a rate not exceeding 6 per centum per annum in such period not exceeding 10 years as the Commissioners may in each case determine.

Reimbursement, how recoverable.

139B. Whenever any person has become liable to reimburse the Commissioners under subsections (1) and (4) of section 135 or subsection (6) of section 137, the same shall for that purpose be recoverable as if it were a rate assessed under the provisions of section 58 on the premises in connection wherewith a plan has been submitted (in the case of subsections (1) and (4) of section 135) or on the holding referred to in section 137 (1) (in the case of such subsection) of such amount in each case as shall be sufficient to reimburse to the Commissioners on the respective amounts so liable to be reimbursed together with interest at a rate not exceeding 6 per centum per annum in such period not exceeding 10 years as the Commissioners may in each case determine.

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139C. At any time before the expiration of the period which may in any particular case have been fixed by the Commissioners under the last preceding section the owner of any premises may redeem the sum or rate recoverable in respect thereof by paying to the Commissioners the full amount or full apportioned amount in which the Commissioners are entitled to be reimbursed under such section with interest thereon at the rate thereby provided to the date of such payment or such of the amount as may not have been already levied in respect of the same. Power to redeem.

Passed this 16th day of June, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 28 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

3rd September, 1919.

AN Ordinance to regulate the admission of former enemy aliens into the Colony.

[*3rd September*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Former Enemy Aliens Admission Ordinance, 1919, and shall come into force on such date as the Governor may by notification in the *Gazette* appoint, and shall remain in force for a period of three years. Short title, commencement and duration.

2. In this Ordinance the expression "Former Enemy Alien" means a person who is a citizen or subject of a State with which His Majesty was at war at any time during the year nineteen hundred and eighteen. Interpretation.

3. No former enemy alien shall enter or remain in the Colony unless he has first obtained a permit signed by the Colonial Secretary. Permit to enter the Colony.

4.—(1) Any former enemy alien who enters or remains in the Colony without such permit or who remains in the Colony after the expiration or revocation of such permit may— Penalties.

(*a*) be arrested without a warrant and detained pending removal or prosecution;

(*b*) be forthwith removed from the Colony by order of the Governor;

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(*c*) be prosecuted with the previous sanction in writing of the Colonial Secretary, and on conviction before a District Court shall be liable to a fine not exceeding two thousand dollars or to imprisonment of either description which may extend to six months or to both such fine and imprisonment.

(2) At the expiration of any such sentence, if this Ordinance is still in force, he may be removed from the Colony by order of the Governor.

Aiding and abetting.

5. Any person who aids or abets the entrance into the Colony of a former enemy alien without such permit or knowingly harbours any person knowing or having reason to believe that he has entered or remained in the Colony without such permit or that such permit has expired or has been revoked shall be liable on conviction before a District Court to a fine not exceeding one thousand dollars or to imprisonment of either description which may extend to three months or to both such fine and imprisonment.

Regulations.

6.—(1) The Governor in Council may make regulations for any of the following purposes:—

(*a*) to prescribe the form of permit;

(*b*) to prescribe the conditions under which permits may be issued, renewed or revoked, and the period for which they may remain in force;

(*c*) to prescribe the method of determining in doubtful circumstances whether any person is or is not a former enemy alien;

(*d*) to fix the fees chargeable for the issue or renewal of permits;

(*e*) generally to carry into effect the purposes of this Ordinance.

(2) All regulations made under this Ordinance shall be published in the *Gazette* and from the date of such publication shall have the same force and effect as if they had been enacted in this Ordinance.

(3) All regulations shall be laid before the Legislative Council at the first meeting after such publication and shall cease to have any force and effect if disallowed by resolution of the said Council.

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(4) Any regulation may be altered by a resolution of the Legislative Council and shall come into force as altered from the date of the passing of such resolution, and shall have the same force and effect as if it had been enacted in this Ordinance.

Passed this 1st day of September, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 29 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

3rd September, 1919.

AN Ordinance to repeal the Rubber Lands (Restriction) Ordinance, 1917.

[*3rd September*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Rubber Lands (Restriction) Repeal Ordinance, 1919. Short title.

2. The Rubber Lands (Restriction) Ordinance, 1917, the Rubber Lands (Restriction) Amendment Ordinance, 1918, and the Rubber Lands (Restriction) Amendment Ordinance, 1919, are hereby repealed. Repeal of Ordinances XIII of 1917, I of 1918 and VI of 1919.

Passed this 1st day of September, 1919.

E. C. H. WOLFF,
Clerk of Councils.

[*Price*: 5 *cents.*]

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STRAITS SETTLEMENTS.

No. 30 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

3rd September, 1919.

AN Ordinance for indemnifying such persons as have acted in good faith while martial law was in force in the Colony.

[*3rd September*, 1919.]

WHEREAS it was found necessary by the Governor to proclaim martial law throughout the Settlement of Singapore on the 20th day of June, 1919, and throughout the Island of Penang on the 24th day of June, 1919, and throughout the Settlement of Penang on the 27th day of June, 1919:

AND WHEREAS it is desirable to withdraw martial law from the said Settlements and to indemnify acts, matters, and things in good faith advised, commanded, ordered, directed or done while martial law was in force:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title and commencement.

1. This Ordinance may be cited as the Indemnity Ordinance, 1919, No. II, and shall come into operation and shall take effect upon the date on which martial law shall be terminated in the Colony by proclamation of the Governor.

No action to be brought for any act done in good faith for maintenance of good order while martial law was in force.

2. No action, prosecution or legal proceeding whatsoever shall be brought, instituted, or maintained against the Governor or the person for the time being or at any time commanding the troops in the Colony, or against any person or persons acting under them or any of them respectively in any command or capacity civil or military, or in pursuance of any orders general or special given by them or any

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of them in that behalf, for or on account of or in respect of any acts, matters, or things whatsoever in good faith advised, commanded, ordered, directed or done for the maintenance of good order and government or for the public safety of the Colony between the dates of the commencement of martial law in the respective Settlements and the date of the commencement of this Ordinance.

Indemnification of person doing such act.

3. Every such person aforesaid by whom any such act, matter or thing shall have been advised, commanded, ordered, directed or done for the purposes aforesaid shall be freed, acquitted, discharged, released and indemnified against all and every person and persons whomsoever in respect thereof.

Such act presumed to have been done in good faith.

4. Every such act, matter, or thing referred to in the preceding sections shall be presumed to have been advised, commanded, ordered, directed or done as the case may be in good faith until the contrary shall have been proved by the party complaining.

Arrests during existence of martial law deemed to have been lawful.

5. All persons who have been in good faith under proper military or police authority arrested or detained during the existence of martial law shall be deemed to have been lawfully arrested or detained.

Bail bonds taken during existence of martial law to be of full force.

6. Every bond taken during the existence of martial law upon which any person so arrested or detained has been admitted to bail shall be and is hereby declared to be of full force and effect.

Passed this 1st day of September, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 31 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

3rd September, 1919.

AN Ordinance for constituting a board for providing an Estate Medical Service in the Settlement of Malacca and for purposes connected therewith.

[*3rd September*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

Short title and commencement.

1. This Ordinance may be cited as the Malacca Agricultural Medical Assessment Ordinance, 1919, and shall come into force on a date to be fixed by the Governor by Notification in the *Gazette*.

Interpretations "Estate".

2. "Estate" means any cultivated area of not less than twenty-five acres in extent planted with rubber or with any product specified by a rule under the Ordinance, and where an owner has separate areas so planted amounting in the aggregate to not less than twenty-five acres in extent includes such separate areas;

"Board".

"The Board" shall mean the Board constituted under section 3 of this Ordinance.

Constitution of Board.

3.—(1) The Board shall be known as "The Malacca Agricultural Medical Board" and shall consist of six members including the Chairman. One member shall be nominated by the Governor, two members by the Malacca Planters' Association and two members by the Malacca Chinese Chamber of Commerce. The President of the Malacca Planters' Association shall be ex-officio Chairman

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of the Board. The nominated members shall be nominated afresh in December of each year for the ensuing calendar year.

The Board shall be a Corporate Body.

(2) The Board shall be a Body Corporate and shall have perpetual succession, and a common seal and may by such name sue, and be sued.

(3) The business of the Board shall be conducted in accordance with rules made under the Ordinance.

All Notices, etc., to be signed by one member of the Board.

4. Notices, orders, receipts and other documents which the Board are empowered to give under this Ordinance or any Rules made thereunder shall be sufficiently authenticated if signed by one member of the Board.

The Board to provide a Medical Staff.

5. The Board will provide a Medical Staff and will co-operate with the Government Medical Officer in carrying out the provisions of the Estate Labourers (Protection of Health) Ordinance, 1911, but the provisions of sections 17, 18 and 19 of the said Ordinance shall not be enforced in the Settlement of Malacca as long as this Ordinance remains in force.

Estimates of Expenditure.

6. The Board shall in September of each year prepare Estimates of Expenditure for the ensuing year and shall submit same to Government in detail.

The Rural Board to levy Assessment on an acreage basis.

7. On approval of the Estimates as submitted by the Board, Government shall cause the Rural Board, Malacca, to collect the amount required by levy of an assessment (to be called a "Medical Rate") in respect of every cultivated acre of land from all Estates in the Settlement of Malacca, in the manner provided for the collection of Rural Board Assessment. The Rural Board shall have powers to enforce the payment, as if the Medical Rate was a Rural Board Assessment under the Municipal Ordinance, 1913.

Return of acreage.

8.—(1) The owner or the manager of every estate shall, within one month of the commencement of this Ordinance and thereafter not later than the first day of July in each year, make a return to the Board shewing the number of acres under cultivation on that estate on the date of the return.

(2) The Board on consideration of the return and after such enquiry as it thinks fit to make shall fix the number of cultivated acres on which the assessment mentioned in section 7 shall be levied in respect of that estate.

(3) Whoever refuses or without reasonable excuse fails to furnish such return and whoever knowingly makes a false or incorrect return or gives false or incorrect information shall be liable to a fine not exceeding five hundred dollars.

Assessment to be paid over to Board.

9. The Assessment so collected shall be paid over to the Board in full.

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10. The Board shall cause books to be kept recording all money transactions and shall annually prepare a Statement of Accounts showing how all monies received have been dealt with. Such Accounts shall be audited by an approved firm of Accountants.

Accounts to be kept and audited.

11. A duly certified copy of Accounts shall be submitted to Government annually within three months of the close of the Financial Year.

Certified copy of Accounts to be forwarded to Government.

12. The Governor in Council may from time to time make rules to carry out the provisions of this Ordinance.

Rules.

Passed this 1st day of September, 1919.

E. C. H. WOLFF,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 32 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

4th November, 1919.

AN Ordinance for making provision for the Public Service for the year 1920.

[*14th November*, 1919.]

WHEREAS the expenditure for the service of the Government of the Straits Settlements for the year 1920 has been estimated at the sum of seventeen million four hundred and ninety-one thousand eight hundred and ninety-three dollars:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Supply Ordinance, 1919. Short title.

2. A sum not exceeding seventeen million four hundred and ninety-one thousand eight hundred and ninety-three dollars shall be and the same is hereby charged upon the revenues and other funds of this Colony for the service of the year 1920 in addition to the sums to which such revenues and other funds are liable under the provisions of The Widows' and Orphans' Pensions Ordinance, and The Defence Contribution Ordinance; and the said sums so charged may be expended as hereinafter specified, that is to say:— Supply. $17,491,893. Ord. xix of 1904. Ord. vi of 1899.

		$
1. Charge on account of the Public Debt	...	37,106
2. Pensions, Retired Allowances, and Gratuities	...	660,506
3. Charitable Allowances	...	13,281
4. Governor	...	118,535
5. Colonial Secretary, Resident Councillor, and Residents	...	304,157
6. Printing Office	...	100,533
7. Land and District Offices	...	266,864
Carried forward	...	1,500,982

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		$
	Brought forward ...	1,500,982
8.	Forests	40,044
9.	Chinese and Indian Immigrants' Protection ...	103,565
10.	Treasury	167, 564
11.	Audit	61,017
12.	Director of External Audit	56,272
13.	Marine	577,637
14.	Legal	454,826
15.	Police	1,404,763
16.	Prisons	333,689
17.	Medical	405,121
18.	Hospitals and Dispensaries	813,059
19.	Veterinary	34,376
20.	Education	501,081
21.	Ecclesiastical	19,917
22.	Transport	54,700
23.	Military Expenditure	3,278,138
24.	Miscellaneous Services	5,298,270
25.	Post Office	1,020,679
26.	Government Monopolies	527,629
27.	Agricultural	77,928
28.	Botanical Gardens	67,775
29.	Raffles Museum and Library	28,737
30.	Public Works Department	272,509
31.	Survey Department	216,422
32.	Public Works, Annually Recurrent	475,395
33.	Public Works, Extraordinary	2,853,740
	Total ...	$20,645,835

Deduct sums provided in accordance with Law :—

		$	
Head 1	... ...	37,106	
Head 2	... ...	17,344	
Head 23	... ...	3,099,492	
			3,153,942
	Balance ...		$17,491,893

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 33 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

4th November, 1919.

AN Ordinance for making Final Provision for the Public Service for the year 1918.

[*14th November*, 1919.]

WHEREAS by the Supply Ordinance, 1917, (No. 26 of 1917) a sum not exceeding ten million seven hundred and twenty-four thousand, two hundred and ninety dollars was charged upon the revenues and other funds of this Colony for the service of the year 1918 in addition to the sums to which such revenues and other funds were liable under the provisions of the Widows' and Orphans' Pensions Ordinance and the Defence Contribution Ordinance to be appropriated for each service as detailed in that Ordinance: Preamble.

AND WHEREAS the expenditure in respect of certain of such services during the year 1918 exceeded the amount so charged upon the revenue of this Colony by two million nine hundred and fourteen thousand seven hundred and fifty-seven dollars and seventy-four cents in the proportions as hereinafter specified:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Final Supply Ordinance, 1919. Short title.

2. The further sum of two million nine hundred and fourteen thousand seven hundred and fifty-seven dollars and seventy-four cents shall be charged upon the revenues and other funds of this Colony for certain Public Services for the year 1918 to be appropriated in the proportions detailed in the schedule hereto annexed. Supply. $2,914,757·74.

[*Price : 5 cents.*]

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SCHEDULE.

		$	c.
2.	Pensions, Retired Allowances, Gratuities, etc. ...	12,680	92
6.	Government Printing Office	35,519	86
7.	Land and District Offices	290	15
8.	Forests	1,764	35
9.	Chinese and Indian Immigrants' Protection ...	89	22
10.	Treasury	7,413	31
12.	Marine	13,679	76
13.	Legal	821	27
14.	Police	15,699	59
15.	Prisons	16,625	57
16.	Medical	3,983	07
17.	Hospitals and Dispensaries	15,148	94
22.	Military Expenditure	1,255,768	79
23.	Miscellaneous Services	752,366	39
24.	Post Office	15,787	67
26.	Botanical Gardens and Museum	10,601	00
27.	Public Works Department	920	07
28.	Public Works, Recurrent Expenditure ...	64,228	99
29.	Public Works, Extraordinary	102,970	74
	War Expenditure	1,844,166	87
	Total ...	$4,170,526	53
	Deduct sums paid in accordance with Law:—		
	Head 22 (Defence Contribution)	1,255,768	79
	Balance ...	$ 2,914,757	74

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 34 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

4th November, 1919.

AN Ordinance to amend the Quarantine and Prevention of Disease Ordinance, 1915.

[*14th November*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Quarantine and Prevention of Disease (Amendment) Ordinance, 1919. Short title.

2. Section 48 of the Quarantine and Prevention of Disease Ordinance, 1915, hereinafter called the principal Ordinance, is repealed and the following is substituted therefor:— Repeal of section 48, and substitution of a new section. Ord. XXXIII of 1915.

48. Whenever the Governor has reason to believe that a dangerous infectious disease may be introduced into the Colony from or through any port within or without the Colony, such port may by notification in the *Gazette* be declared by the Governor to be a suspected or infected port. Declaration of suspected or infected port.

3. Section 65 of the principal Ordinance is amended— Amendment of section 65.

(*a*) by repealing subsection (1) and substituting the following subsection therefor:—

65.—(1) Whenever it is declared by the Governor by notification in the *Gazette* that a dangerous infectious disease exists in any country, state, district, town or port within or without the Colony, all persons coming otherwise than by sea to the district of any local authority from such country, state, district, town or port may Examination of persons coming otherwise than by sea from any place where a dangerous infectious disease is declared to exist.

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be medically examined by the Health Officer of the district or anyone authorized by the Health Officer.

(*b*) by repealing the word "such" in line 2 of subsection (3) and substituting therefor the words "a dangerous";

(*c*) by repealing the last two lines of subsection (6) and substituting therefor the words "country, state, district, town or port".

New sections 65A, B and C.

4. The following sections shall be inserted after section 65 of the principal Ordinance:—

Prohibition of third class passengers by rail from any place where a dangerous infectious disease is declared to exist.

65A. Whenever a declaration has been made under section 65 (1) the Governor may issue an order prohibiting the entrance into the Colony either absolutely or conditionally of third class passengers by rail from such country, state, district, town or port.

Examination of persons arriving in the Colony by rail.

65B. All persons arriving in the Colony by rail may be medically examined by the Health Officer of the District or anyone authorised by the Health Officer, and the Health Officer or person so authorised may exercise all or any of the powers conferred by section 65.

Detention of persons arriving otherwise than by sea.

65C. The Health Officer of the district may detain any person who is found on arrival in the Colony otherwise than by sea to be suffering from an infectious disease, dysentery, measles, mumps, contagious ophthalmia, malaria, phthisis, leprosy, syphilis, or trachoma until such time as the disease is no longer communicable to other people.

Amendment of section 66.

5. Section 66 of the principal Ordinance is amended by repealing the words "plague, cholera, small-pox or yellow-fever" occurring in subsections (1) and (6), and substituting therefor the words "a dangerous infectious disease".

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 35 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

4th November, 1919.

AN Ordinance to amend the Interpretation Ordinance, 1912.

[*14th November*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Interpretation (Amendment) Ordinance, 1919. Short title.

2. The following section shall be inserted after section 7 of the Interpretation Ordinance, 1912. New section 7A. Ordinance IV of 1912.

7A. Where in any written law any document is required to be under the hand of or signed or countersigned by the Colonial Secretary it shall be sufficient for such document to be under the hand of or signed or countersigned by the Assistant Colonial Secretary and any document so signed before the coming into force of this Ordinance shall be deemed to be sufficiently signed. Signing of documents.

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 36 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

4th November, 1919.

AN Ordinance to amend the Petroleum Ordinance, 1908.

[*14th November*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Petroleum (Amendment) Ordinance, 1919. Short title.

2. Section 8 of the Petroleum Ordinance, 1908, is amended by inserting after the word "and" in line 6 of sub-section (1) the words "provided that the Inspector thinks it necessary". Amendment of section 8 (1) of Ordinance XXIII of 1908.

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 37 of 1919.

I assent

(L. S.) F. S. JAMES,
Officer Administering the Government.

4th November, 1919.

AN Ordinance to amend the Common Gaming Houses Ordinance, 1888.

[*14th November*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Common Gaming Houses (Amendment) Ordinance, 1919. Short title.

2. The following section shall be inserted after section 8 of the Common Gaming Houses Ordinance, 1888, hereinafter called the principal Ordinance:— New section 8A, Ordinance V of 1888.

8A. A person selling lottery tickets or found in possession of ten or more lottery tickets or of any account memorandum or record of stakes or wagers in or relating to a lottery shall be presumed until the contrary be proved to be assisting in a public lottery then in progress. Presumptive proof against person selling lottery tickets or found in possession of lottery tickets or of accounts, etc., relating to a lottery.

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Repeal of section 20 and substitution of a new section therefor.

3. Section 20 of the principal Ordinance is repealed and the following section is substituted therefor:—

Prosecution of offences.

20. All offences against this Ordinance shall be tried summarily by a District Judge or Magistrate both of whom notwithstanding anything in the Criminal Procedure Code, 1910, contained may award the full punishment with which the offence is punishable under this Ordinance.

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 38 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

7th November, 1919.

AN Ordinance to provide for the destruction of Mosquitos.

[ ]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1.—(1) This Ordinance may be cited as the Destruction of Mosquitos Ordinance, 1919, and shall apply to all property of every description including that belonging to or vested in or maintained by the Crown. Short title. Application.

(2) The Ordinance shall come into operation in such Settlement or area thereof and on such date as the Governor by notification in the *Gazette* directs and appoints. Operation.

2. In this Ordinance unless there is something repugnant in the subject or context— Interpretation.

"House" includes dwelling-house, warehouse, office, shop, school and any other building in which persons are employed;

"Mosquito" means the insect and includes its eggs, larvæ and pupæ;

"Owner" includes the person for the time being receiving the rent of any premises, whether on his own account or as agent or trustee or as receiver, or who would receive the same if such land or house were let to a tenant, and shall include the Crown.

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"Occupier" means the person in occupation of any premises or having the charge, management or control thereof either on his own account or as agent of another person, but shall not include a lodger;

"Premises" include messuages buildings lands easements and hereditaments of any tenure whether open or enclosed whether built on or not whether public or private and whether maintained or not under statutory authority;

"Sanitary Authority" means within any Municipal limits, the Municipal Health Officer and in any Rural District, the Rural Board Health Officer;

"Commissioners of Appeal" means

In the Settlement of Singapore—
the Colonial Secretary
the Principal Civil Medical Officer
the President, Municipal Commissioners
the Collector of Land Revenue

or any three of such persons;

In the Settlement of Penang—
the Resident Councillor, Penang
the Chief Medical Officer
the President, Municipal Commissioners
the Senior District Officer
the Collector of Land Revenue

or any three of such persons;

In the Settlement of Malacca—
the Resident, Malacca
the Chief Medical Officer
the Collector of Land Revenue

or any two of such persons;

In the Settlement of Labuan—
the Resident.

Entry and inspection by Sanitary Authority or authorized person.

3.—(1) The Sanitary Authority or any person authorized by him either generally or specially in that behalf in writing may between the hours of six in the morning and six in the evening, with or without assistants, enter and examine any premises in order to ascertain whether they or any thing thereon are in a condition favourable to the propagation or harbouring of mosquitos; provided that no person shall, unless with the consent of the occupier thereof, enter any house under this section without twelve hours previous notice being given to the occupier, if any, thereof.

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(2) Subject to such notice as aforesaid, the owner and the occupier of any premises shall permit the Sanitary Authority or any person so authorized by him as aforesaid with or without assistants to have access thereto and to any part thereof for the purpose of subsection (1) and shall supply all such information as the Sanitary Authority may require and as may be reasonably necessary for that purpose.

General power of Sanitary Authority to order action.

4.—(1) The Sanitary Authority if as a result of any such examination it appears to him that any premises or anything thereon is favourable to the propagation or harbouring of mosquitos may by order in writing addressed to the owner or occupier of such premises direct him within a specified time to take such specified measures with regard to the premises or for the treatment destruction or removal of anything thereon as may bring them into a condition not favourable to the propagation or harbouring of mosquitos.

(2) In particular and without prejudice to the generality of the powers aforesaid the Sanitary Authority may in such order direct the owner or occupier to drain any land or fill up inequalities in the surface thereof so as to keep the land permanently free from standing water to the extent required by the order.

Power of Sanitary Authority to order covering of tanks, etc.

5.—(1) The Sanitary Authority may by order in writing direct the occupier of any premises so to cover within a specified time and keep continuously covered any specified vessel or receptacle, including any tank or cistern, on or appertaining to the premises that mosquitos shall be unable to enter such vessel or receptacle.

(2) Where any premises are unoccupied such order may be addressed to the owner thereof as if he were the occupier.

Power of Sanitary Authority to take preventive measures.

6. The Sanitary Authority or any person authorized by him, either generally or specially, in that behalf in writing may also with the consent of the occupier take such measures as are reasonably necessary

(*a*) to destroy mosquitos wherever found;

(*b*) to collect and remove empty tins, cans, bottles or other receptacles in which mosquitos may breed;

(*c*) to cut down and remove any grass, bamboo stumps, fern or undergrowth in which mosquitos are likely to breed or be harboured;

(*d*) to bring any water or swamp into a condition not favourable to the propagation or harbouring of mosquitos;

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(*e*) to fill with concrete or otherwise treat holes or hollows in trees which hold or are likely to hold water.

Enforcement of order.

7.—(1) If the owner or occupier of any premises on whom an order under the provisions of section 4 or section 5 has been served fails to comply with the terms thereof, the Sanitary Authority or any person authorized by him, either generally or specially, in that behalf in writing may, enter upon or into the said premises with such assistants and things as may be necessary and may perform and do thereon or therein all acts and things required by the said order to be performed or done, and the cost thereof shall be recoverable from the owner or occupier by the Sanitary Authority.

(2) If the amount of such costs be not paid by the party liable to pay the same within 7 days after demand such amount may be reported to a Police Court and recovered in the same way as if it were a fine imposed by such Court.

(3) Nothing in this section contained shall affect any liability of any person to prosecution and punishment under section 8.

Penalty for default.

8. If any owner or occupier of any premises, on whom an order under the provisions of section 4 or section 5 has been served, neglects to comply with the terms thereof, he shall be liable on conviction by a Police Court to a fine not exceeding five hundred dollars or to imprisonment of either description for a term which may extend to six months; provided that no person shall be punishable under this section for neglect to comply with any order in respect whereof he has appealed as hereinafter provided unless such order has been confirmed on appeal.

Appeal.

9.—(1) An owner or occupier of any premises, who is of opinion that any order affecting them or anything proposed to be done thereon is unreasonable or unnecessary, may appeal personally or in writing to the Commissioners of Appeal, whereupon the execution of the order or the doing of the thing required to be done shall be stayed.

(2) The Commissioners of Appeal may confirm vary or rescind the order or direct that the thing be proceeded with, varied or abandoned, as the case may be, or make any order which the Sanitary Authority is competent to make under this Ordinance and the decision of the Commissioners shall be final.

(3) At the hearing of any appeal the owner, occupier and Sanitary Authority, as the case may be, shall be entitled to be represented by an Advocate and Solicitor.

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10.—(1) If it appears to the Sanitary Authority after due inquiry that any person has not the means to meet the necessary expenses of doing anything required to be done by him under this Ordinance, such necessary expenses may be met from Municipal or Rural Board funds as the case may be. Persons unable to meet necessary expenditure.

(2) Any person dissatisfied with a decision of the Sanitary Authority made under this section may appeal to the Commissioners of appeal.

11. No person shall be entitled to compensation for any expense incurred or damage occasioned by any order given or act done in pursuance of the provisions of this Ordinance or any rule made thereunder unless such damage has been occasioned maliciously or without reasonable cause. No compensation.

12.—(1) When any order is required by this Ordinance to be served on the owner or occupier of any premises, such order addressed to the owner or occupier may be served in manner following:— Service of orders.

(*a*) if the owner or occupier is within the Settlement wherein the premises are situate, the order may be delivered to him or left with some adult member of his family, other than a servant, residing with him within such Settlement;

(*b*) if the order cannot be served in the manner described in paragraph (*a*) or if the owner or occupier is not resident within the Settlement wherein the premises are situate, it may be sent by registered post addressed to him at his residence in any part of the Colony or in the Federated Malay States;

(*c*) if the order cannot be served in the manner described in paragraph (*a*) or paragraph (*b*) or if there be no known owner or occupier of the premises, the order may be posted on some conspicuous place thereon.

(2) It shall not be necessary in any such order to name the owner or occupier if the premises to which the order relates are therein specified.

13. Any person, who obstructs the Sanitary Authority or any person authorized by him or any person engaged in carrying out the provisions of this Ordinance in any act authorized by this Ordinance, shall be liable on conviction by a Police Court to a fine not exceeding two hundred dollars or to imprisonment of either description for a term which may extend to three months. Penalty for obstructing Sanitary Authority.

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Penalty for injuring works, etc., executed, etc., by Sanitary Authority.

14. Any person who, without the consent of the Sanitary Authority, interferes with injures destroys or renders useless any works executed or any materials or things placed in under or upon any premises by or under the orders of the Sanitary Authority, shall be liable on conviction before a Police Court to a fine not exceeding five hundred dollars, and the Sanitary Authority may in addition recover from such person in the same manner as if it were a fine imposed by a Police Court such costs and expenses as it may incur in re-executing the works or replacing the materials or things so interfered with injured destroyed or rendered useless.

Rules.

15.—(1) The Governor in Council may make rules for giving effect to the provisions of this Ordinance.

(2) Any Rules made by the Governor in Council under this section shall be published in the *Gazette* and shall be laid before the Legislative Council and shall not come into force until approved by a resolution of that Council.

(3) In approving any Rules the Legislative Council may make such alterations therein as it may think fit.

(4) Any Rule made by the Governor in Council under this section shall have the same force and effect as if enacted in this Ordinance.

(5) Any person contravening the provisions of any rule made and published under this section shall be liable on conviction by a Police Court to a fine not exceeding five hundred dollars.

Passed this 27th day of October, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 39 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

31st *December*, 1919.

AN Ordinance to amend the Minor Offences Ordinance, 1906.

[31st *December*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Minor Offences (Amendment) Ordinance, 1919. Short title.

2. Section 34 of the Minor Offences Ordinance, 1906, is amended by repealing subsection (3) and substituting therefor the following subsection :— Amendment of section 34 of Ordinance XIII of 1906.

(3) Any animal so impounded may be redeemed by the owner thereof within ten days after being so impounded on payment to the pound-keeper of such fee as may be fixed from time to time by the Governor and published in the *Gazette* and of the expenses of feeding the same while impounded according to the rate to be fixed from time to time by the Chief Police Officer.

Passed this 19th day of December, 1919.

G. L. HAM,
Clerk of Councils.

[*Price : 5 cents.*]

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STRAITS SETTLEMENTS.

No. 40 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

31*st December*, 1919.

An Ordinance to validate proceedings under the Kwong-Wai-Shiu Free Hospital Ordinance, 1910.

[31*st December*, 1919.]

WHEREAS an Ordinance to incorporate the Kwong-Wai-Shiu Free Hospital was passed on the 27th day of May, 1910, assented to by the Governor on the 31st day of May, 1910, and published in the *Gazette* on the 10th day of June, 1910.

And whereas by section 1 of the said Ordinance it was provided that the Ordinance shall come into operation upon a date to be fixed by the Governor in Council by notification in the *Gazette*:

And whereas no date has been fixed for the coming into operation of the said Ordinance:

And whereas in the exercise or supposed exercise of the powers conferred by the said Ordinance the body corporate under the name of the Kwong-Wai-Shiu Free Hospital by its Trustees and Committee has performed certain acts authorised by the said Ordinance:

And whereas it is expedient that such acts should be validated:

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Kwong-Wai-Shiu Free Hospital Validation Ordinance, 1919. Short title.

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Validation of proceedings under Ordinance XVI of 1910.

2. The Kwong-Wai-Shiu Free Hospital Ordinance, 1910 shall be deemed to have come into operation on the 10th day of June, 1910, and every act or proceeding purporting to have been done or taken under the powers conferred by the said Ordinance and every acquisition purchase lease sale conveyance assignment mortgage demise re-assignment transfer or disposition of property moveable or immoveable purporting to have been made under the powers conferred by the said Ordinance shall be and be deemed to have been at all times and for all purposes as valid and effectual as if at the time of such act proceeding acquisition purchase lease sale conveyance assignment mortgage demise re-assignment transfer or disposition the said Ordinance had been in operation.

Passed this 19th day of December, 1919.

G. L. HAM,
Clerk of Councils.

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STRAITS SETTLEMENTS.

No. 41 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

31st *December*, 1919.

AN Ordinance to further amend the Straits Settlements Ports Ordinance, 1912.

[31st *December*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Straits Settlements Ports (Amendment) Ordinance, 1919 No. II. Short title.

2. The last paragraph of the subschedule to Part II of the Second Schedule of the Straits Settlements Ports Ordinance, 1912, relating to the description of the land therein numbered 3 is hereby repealed and the following paragraph is substituted therefor:— Amendment of last paragraph of subschedule to Part II of Second Schedule, Ordinance V of 1912.

Serial Number.	Mukim or Town Sub-division Number.	Lot Number.	Area.	Boundaries.	Nature of Title.
3	Mukim 15, Northern District, Province Wellesley.	500	15,125 Square feet.	*North* by sea and Crown Land. *South* by Crown Land, Main Road, Lot No. 306 XIII Mukim XV N. D. and sea. *East* by sea, Crown Land, Main Road, and Lot No. 306 XIII Mukim XV N. D. *West* by sea.	Crown Land.

Passed this 19th day of December, 1919.

G. L. HAM,
Clerk of Councils.

[*Price: 5 cents.*]

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STRAITS SETTLEMENTS.

No. 42 of 1919.

I assent,

(L. S.) F. S. JAMES,
Officer Administering the Government.

31st December, 1919.

An Ordinance to amend the Tamil Immigration Fund Ordinance, 1911.

[*31st December*, 1919.]

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Tamil Immigration Fund (Amendment) Ordinance, 1919. Short title.

2. Section 10 of the Tamil Immigration Fund Ordinance, 1911, is hereby amended by the substitution of the word "six" for the word "three" in lines 2 and 7 thereof. Amendment of section 10 of the Ordinance No. 12 of 1911.

Passed this 19th day of December, 1919.

G. L. HAM,
Clerk of Councils.

[*Price: 5 cents.*]

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