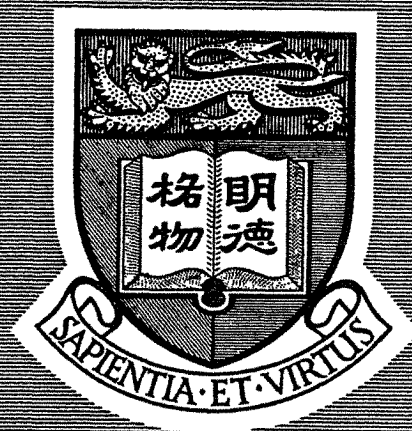


LETTERS PATENT & ROYAL INSTRUCTIONS TO

THE GOVERNOR OF HONG KONG

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LETTERS PATENT & ROYAL INSTRUCTIONS

to the

GOVERNOR OF HONG KONG

together with

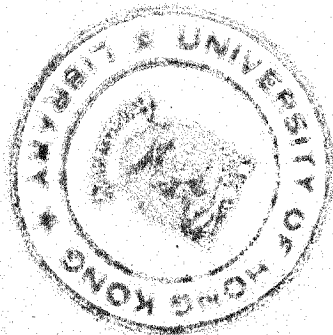
STANDING ORDERS

of the

LEGISLATIVE COUNCIL OF HONG KONG

1931.

(Amended to 1.5.46.)



HONG KONG

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L E T T E R S    P A T E N T

Passed under the Great Seal of the United Kingdom,  
constituting the Office of Governor and Commander-in-Chief  
of the Colony of Hong Kong and its Dependencies.

Dated 14th February, 1917.

Office of Governor  
constituted.

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I.        There shall be a Governor and Commander-in-Chief in and over Our Colony of Hong Kong and its Dependencies (hereinafter called the Colony), and appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

Governor's powers  
and authorities.

II.       We do hereby authorise, empower, and command Our said Governor and Commander-in-Chief (hereinafter called the Governor) to do and execute all things that belong to his said office, according to the tenour of these Our Letters Patent and of any Commission issued to him under Our Sign Manual and Signet, and according to such Instructions as may from time to time be given to him, under Our Sign Manual and Signet, or by Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the Colony.

Publication of  
Governor's  
Commission.

III.      Every person appointed to fill the office of Governor shall, with all due solemnity, before entering upon any of the duties of his office, cause the Commission appointing him to be Governor to be read and published in the presence of the Chief Justice or other Judge of the Supreme Court, and of such Members of the Executive Council of the Colony as can conveniently attend; which being done he shall then and there take before them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of the reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law relating to Promissory Oaths"; and likewise the usual Oath for the due execution of the office of Governor and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge, or if they be unavoidably absent, the senior Member of the Executive Council then present, is hereby required to administer.

Oaths to be taken  
by Governor.

Imperial Act, 31 &  
32 Vict. c. 72.

Public Seal

IV.       The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Public Seal.

- Executive Council. V. There shall be an Executive Council in and for the Colony, and the said Council shall consist of such persons as We shall direct by Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our Pleasure. The Governor may upon sufficient cause to him appearing suspend from the exercise of his functions in the Council any Member thereof pending the signification of Our pleasure, giving immediate notice to Us through one of Our Principal Secretaries of State. If the suspension is confirmed by Us through one of Our Principal Secretaries of State the Governor shall forthwith by an instrument under the Public Seal of the Colony revoke the appointment of such Member, and thereupon his seat in the Council shall become vacant.
- Legislative Council. VI. There shall be a Legislative Council in and for the Colony, and the said Council shall consist of the Governor and such persons as We shall direct by any Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our pleasure. The Governor may upon sufficient cause to him appearing suspend from the exercise of his functions in the Council any Member thereof pending the signification of Our pleasure, giving immediate notice to Us through one of Our Principal Secretaries of State. If the suspension is confirmed by Us through one of Our Principal Secretaries of State the Governor shall forthwith by an instrument under the Public Seal of the Colony revoke the appointment of such Member, and thereupon his seat in the Council shall become vacant.
- Governor, with advice and consent of Council to make Laws. VII. The Governor, by and with the advice and consent of the Legislative Council, may make Laws for the peace, order, and good government of the Colony.
- Disallowance of Laws. VIII. We do hereby reserve to Ourselves, Our heirs and successors, full power and authority to disallow, through one of Our Principal Secretaries of State, any such law as aforesaid. Every such disallowance shall take effect from the time when the same shall be promulgated by the Governor in the Colony.
- Power of legislation reserved to the Crown. IX. We do also reserve to Ourselves, Our heirs and successors, Our and their undoubted right, with the advice of Our or their Privy Council, to make all such laws as may appear necessary for the peace, order, and good government of the Colony.
- Assent to Bills. X. When a Bill passed by the Legislative Council is presented to the Governor for his assent he shall, according to his discretion, but subject to any Instructions addressed to him under Our Sign Manual and Signet or through one of Our Principal Secretaries of State, declare that he assents thereto, or refuses his assent to the same, or that he reserves the same for the signification of Our pleasure.

- Reserved Bills.
- XI. A Bill reserved for the signification of Our pleasure shall take effect as soon as We shall have given Our assent to the same by Order in Council, or through one of Our Principal Secretaries of State, and the Governor shall have signified such assent by message to the Legislative Council or by proclamation: Provided that no such message shall be issued after two years from the day on which the Bill was presented to the Governor for his assent.
- Governor and Legislative Council to observe instructions.
- XII. In the making of any laws the Governor and the Legislative Council shall confirm to and observe all rules, regulations, and directions in that behalf contained in any Instructions under Our Sign Manual and Signet.
- Land Grants.
- XIII. The Governor, in Our name and on Our behalf, may make and execute, under the Public Seal of the Colony, grants and dispositions of any lands which may be lawfully granted or disposed of by Us. Provided that every such grant or disposition be made in conformity either with some law in force in the Colony or with some Instructions addressed to the Governor under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, or with some regulations in force in the Colony.
- Governor empowered to appoint Judges and other officers.
- XIV. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers in the Colony, as may lawfully be constituted or appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.
- Grant of pardon.
- XV. When any crime or offence has been committed within the Colony, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime or offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted of any crime or offence in any Court, or before any Judge or other Magistrate within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence for such period as the Governor thinks fit, and may remit any fines, penalties, or forfeitures due or accrued to Us. Provided always that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the Colony.
- Remission of fine.
- Proviso. Banishment prohibited.
- Exception. Political offences.

Dismissal and  
suspension of  
Officers.

XVI. The Governor may, subject to such instructions as may from time to time be given to him by Us through one of Our Principal Secretaries of State, upon sufficient cause to him appearing, dismiss or suspend from the exercise of his office any person holding any public office within the Colony, or, subject as aforesaid, may take such other disciplinary action as may seem to him desirable.

Succession to  
Government.

XVII. Whenever the office of Governor is vacant, or the Governor is absent from the Colony, or is from any cause prevented from, or incapable of acting in the duties of his office, then such person as may be appointed under the Royal Sign Manual and Signet, or, if there shall be no such person or the person so appointed shall be absent from the Colony or prevented from, or incapable, of, acting as aforesaid, then the person lawfully discharging the functions of Colonial Secretary, or if there shall be no person discharging such functions, then the senior member of the Executive Council actually present in the Colony, shall, during Our pleasure administer the Government of the Colony, first taking the Oaths hereinafter directed to be taken by the Governor and in the manner herein prescribed; which being done, we do hereby authorise, empower, and command such person, to do and execute, during Our pleasure, all things that belong to the office of Governor and Commander-in-Chief, as provided in those Our Letters Patent:

Provided that the Governor or the person appointed as aforesaid, when visiting any neighbouring territories in the exercise or discharge of any powers or duties by these Letters Patent or otherwise conferred or imposed upon him by Us, or through one of Our Principal Secretaries of State, shall not be regarded as absent from the Colony for the purposes of this Article.

Any such person as aforesaid shall not continue to administer the Government after the Governor or some other person having a prior right to administer the same has notified that he is about to assume the administration.

Appointment of  
Deputies of  
Governor.

XVII. A. In the event of the Governor having occasion at any time to be temporarily absent for a short period from the seat of Government, or, in the exercise or discharge of any powers or duties by these Letters Patent or otherwise conferred or imposed upon him by Us, or through one of Our Principal Secretaries of State, to visit any neighbouring territories, he may by an Instrument under the Public Seal of the Colony appoint any persons or persons to be his Deputy or Deputies within the Colony or any part or parts thereof during his absence from the seat of Government or from the Colony, as the case may be, and in that capacity to exercise, perform and execute



for and on behalf of the Governor during such absence, but no longer, all such powers and authorities by these Letters Patent or otherwise vested in the Governor as shall in and by such Instrument be specified and limited, but no others. Every such Deputy shall conform to and observe all such Instructions as the Governor shall from time to time address to him for his guidance. By the appointment of a Deputy or Deputies as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than We at any time hereafter think proper to direct.

Officers and others  
to obey and assist  
Governor.

XVIIII. And We do hereby require and command all Our officers and ministers, civil and military, and all other inhabitants of the Colony, to be obedient, aiding and assisting unto the Governor and to any person for the time being administering the Government of the Colony.

Term "Governor"  
explained.

XIX. In these Our Letters Patent the term "the Governor", shall include every person for the time being administering the Government of the Colony.

Power reserved to His  
Majesty to revoke,  
alter or amend  
present Letters  
Patent.

XX. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority, from time to time, to revoke, alter, or amend these Our Letters Patent as to Us or them shall seem meet.

Publication of  
Letters Patent.

XXI. And We do further direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within the Colony as the Governor shall think fit, and shall come into operation on a day to be fixed by the Governor by Proclamation.

Publication in accordance with Article XXI was effected by Proclamation No. 3 of 1917 in the Hong Kong Government Gazette of 20th April, 1917.



H O N G                      K O N G

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I N S T R U C T I O N S

Passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of Hong Kong and its Dependencies.

Dated 14th February, 1917.  
Amended 10th January, 1922.  
Amended 15th November, 1928.  
Amended 20th November, 1929.  
Amended 30th April, 1938.

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Administration  
of Oaths.

I. The Governor may, whenever he thinks fit, require any person in the public service of the Colony to take the Oath of Allegiance, in the form prescribed by the Act mentioned in Our said recited Letters Patent, together with such other Oath or Oaths as may from time to time be prescribed by any laws in force in the Colony. The Governor is to administer such Oaths, or to cause them to be administered by some public officer of the Colony.

Constitution of  
Executive Council.

II. The Executive Council of the Colony shall consist of the Senior Military Officer for the time being in command of Our regular troops within the Colony, the persons for the time being lawfully discharging the functions of Colonial Secretary, of Attorney-General, of Secretary for Chinese Affairs, and of Financial Secretary of the Colony, who are hereinafter referred to as ex officio Members, and of such other persons as We may from time to time appoint by any Instructions or Warrant under Our Sign Manual and Signet, or as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State may from time to time appoint by an Instrument under the Public Seal of the Colony. Persons so appointed are hereinafter referred to as Official Members or Unofficial Members according as they hold, or do not hold, office under the Crown in the Colony at the time of appointment.

Vacation of seats.

Every Unofficial Member shall vacate his seat at the end of five years from the date of the Instrument by which he is appointed or of such other period as may be specified in that Instrument, but shall be eligible to be re-appointed in the manner aforesaid for a further period or periods, each period not exceeding five years:

Provided that if any such Member is provisionally appointed to fill a vacant seat in the Council and his provisional appointment is immediately followed by his definitive appointment, the said period of five years shall be reckoned from the date of the Instrument provisionally appointing him.

If any Official Member cease to hold office under the Crown in the Colony his seat in the Council shall thereupon become vacant.

Provisional appointment of Members of the Executive Council.

III. Whenever any Member, other than an ex officio Member, of the Executive Council of the Colony shall, by writing under his hand, resign his seat in the Council, or shall die, or be declared by the Governor by an Instrument under the Public Seal of the Colony to be incapable of exercising his functions as a Member of the Council, or be absent from the Colony, or shall be acting in an office the holder of which is an ex officio Member of the Council, or shall be suspended from the exercise of his functions as a Member of the Council, the Governor may, by an Instrument under the Public Seal of the Colony, provisionally appoint any public officer to be temporarily an Official or Unofficial Member of the Council, and any person not a public officer to be temporarily an Unofficial Member of the Council in the place of the Member so resigning, or dying, or being suspended, or declared incapable, or being absent, or sitting as an ex officio Member.

Such person shall forthwith cease to be a Member of the Council if his appointment is disallowed by Us, or if the Member in whose place he was appointed shall be released from suspension, or, as the case may be, shall be declared by the Governor by an Instrument under the Public Seal capable of again discharging his functions in the Council, or shall return to the Colony, or shall cease to sit in the Council as an ex officio Member.

Such provisional appointment to be immediately reported.

IV. The Governor shall, without delay, report to Us, for Our confirmation or disallowance, through one of Our Principal Secretaries of State, every provisional appointment of any person as a Member of the said Executive Council. Every such person shall hold his place in the Council during Our pleasure, and the Governor may by an Instrument under the Public Seal revoke any such appointment.

Precedence.

V. The Members of the Executive Council shall have seniority and precedence as We may specially assign, and in default thereof, first the ex officio Members in the order in which their offices are above-mentioned (except that the Senior Military Officer if

below the rank of Lieutenant-Colonel in Our Army, shall take precedence after the person lawfully discharging the functions of Attorney-General); then the Official Members, according to the priority of their respective appointments, or if appointed by the same Instrument, according to the order in which they are named therein; then the Unofficial Members re-appointed immediately on the termination of his term of Office shall, as between himself and other Unofficial Members, take precedence according to the date from which he has been continuously a Member of the Council.

Governor to communicate Instructions to Executive Council.

VI. The Governor shall forthwith communicate these Our Instructions to the Executive Council, and likewise all such others, from time to time, as We may direct, or as he shall find convenient for Our service to impart to them.

Executive Council not to proceed to business unless summoned by Governor's authority.

VII. The Executive Council shall not proceed to the despatch of business unless duly summoned by authority of the Governor, nor unless two Members at the least (exclusive of himself or of the Member presiding), be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

Quorum.

Who to preside.

VIII. The Governor shall attend and preside at all meetings of the Executive Council, unless when prevented by illness or other grave cause, and in his absence such Member as the Governor may appoint, or in the absence of such Member the senior Member of the Council actually present, shall preside.

Minutes of Executive Council to be kept.

IX. Minutes shall be regularly kept of all the proceedings of the Executive Council; and at each meeting of the Council the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

To be transmitted home twice a year.

Twice in each year a full and exact copy of all Minutes for the preceding half year shall be transmitted to Us through one of Our Principal Secretaries of State.

Governor to consult Executive Council.

X. In the execution of the powers and authorities granted to the Governor by Our said recited Letters Patent, he shall in all cases consult with the Executive Council, excepting only in cases which may be of such a nature that, in his judgment, Our service would sustain material prejudice by consulting the Council thereupon, or when the matters to be decided shall be too unimportant to require their advice, or too urgent to admit of their advice being given by the time within which it may be necessary for him to act in respect of any such matters. In all such urgent cases he shall,

at the earliest practicable period, communicate to the Executive Council the measures which he may so have adopted, with the reasons therefor.

Governor alone  
entitled to submit  
questions.

XI. The Governor shall alone be entitled to submit questions to the Executive Council for their advice or decision; but if the Governor decline to submit any question to the Council when requested in writing by any Member so to do, it shall be competent to such Member to require that there be recorded upon the Minutes his written application, together with the answer returned by the Governor to the same.

Governor may act in  
opposition to  
Executive Council.

XII. The Governor may, in the exercise of the powers and authorities granted to him by Our said recited Letters Patent, act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case deem it right to do so; but in any such case he shall fully report the matter to Us by the first convenient opportunity, with the grounds and reasons of his action. In every such case it shall be competent to any Members of the said Council to require that there be recorded at length on the Minutes the grounds of any advice or opinion he may give upon the question.

Reporting grounds  
for doing so.

Members may require  
their adverse opinions  
to be recorded on  
Minutes.

Constitution of  
Legislative Council.

XIII. The Legislative Council of the Colony shall consist of the Governor, the Senior Military Officer for the time being in Command of Our regular troops within the Colony, the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney-General, Secretary for Chinese Affairs, and Financial Secretary of the Colony, and such other persons holding office under the Crown in the Colony and not exceeding four in number at any one time, as We may from time to time appoint by any Instructions or Warrants under Our Sign Manual and Signet, or as the Governor, in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal of the Colony, and all such persons shall be styled Official Members of the Legislative Council; and further of such persons, not exceeding eight in number at any one time, as the Governor, in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal of the Colony, and all such persons shall be styled Unofficial Members of the Legislative Council.

Official Members.

Unofficial Members.

If any Official Member of the Legislative Council cease to hold office under the Crown in the Colony, his seat in the Council shall thereupon become vacant.

Provisional  
appointment of  
members.

XIV. Whenever any Member of the Legislative Council, other than an ex officio Member, shall, in the manner hereinafter provided, have resigned his seat in the Council or shall die, or whenever the seat of any such Member shall otherwise become vacant, or wherever any such Member shall be suspended from the exercise of his functions as a Member of the Council, or be declared by the Governor by an Instrument under the Public Seal to be incapable of exercising his functions as a Member of the Council, or be absent from the Colony, or shall be acting in an office the holder of which is an ex officio Member of the Council, the Governor may, by an Instrument under the Public Seal, appoint some person to be provisionally a Member of the Council in the place of such Member.

Such person shall hold his place in the Council during Our pleasure and shall forthwith cease to be a Member of the Council if his appointment is disallowed by Us, or revoked by the Governor or superseded by the definitive appointment of a Member of the Council, or if the Member in whose place he was appointed shall be released from suspension, or, as the case may be, shall be declared by the Governor capable of again exercising his functions in the Council, or shall return to the Colony, or shall cease to sit in the Council as an ex officio Member.

When any person shall be lawfully discharging the functions of more than one of the offices the holders of which are ex officio Members of the said Council, the Governor may, by an Instrument under the Public Seal, appoint any fit person to be provisionally a Member of the Council so long as the said offices shall continue to be so discharged by one person but any such appointment may be disallowed or revoked as aforesaid.

The Governor shall, without delay, report to Us, through one of Our Principal Secretaries of State, every provisional appointment of any person as a Member of the Legislative Council.

XV. -- (Revoked 15th November 1938).

Tenure of Office of  
Unofficial Members  
of Legislative  
Council.

XVI. Every Unofficial Member of the Legislative Council shall vacate his seat at the end of four years from the date of the Instrument by which he is appointed or of such other period as may be specified in that Instrument, but shall be eligible to be re-appointed in the manner hereinbefore provided for a further period or periods, each period not exceeding four years.

Unofficial Members  
eligible for  
re-appointment.

Provided that if any such Member is provisionally appointed to fill a vacant seat in the Council and his provisional appointment is immediately followed by his definitive appointment, the aforesaid period of four years shall be reckoned from the date of the Instrument provisionally appointing him.

Seats declared void  
in certain cases.

XVII. If any Unofficial Member of the Legislative Council shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from the Colony for more than three months without leave from the Governor, the Governor may declare in writing that the seat of such Member at the Council is vacant, and immediately on the publication of such declaration he shall cease to be a Member of the Council.

Resignation of  
Members.

XVIII. Any Member of the Legislative Council, other than an ex officio Member, may resign his seat in the Council by writing under his hand, but no such resignation shall take effect until it be accepted by the Governor in writing, or by Us through one of Our Principal Secretaries of State.

Council may transact  
business notwithstanding  
vacancies.

XIX. The Legislative Council shall not be disqualified from the transaction of business on account of any vacancies among the Members thereof; but the said Council shall not be competent to act in any case unless (including the Governor or the Member presiding) there be present at and throughout the meetings of the Council five Members at the least.

Quorum.

Precedence of Members.

XX. The Members of the Legislative Council, shall take precedence as We may specially assign, and in default thereof, as follows :-

(1) First, the Official Members in the following order :-

(a) The ex officio Members in the following which their offices are hereinbefore mentioned (except that the Senior Military Officer, if below the rank of Lieutenant-Colonel in Our Army, shall take precedence after the person lawfully discharging the functions of Attorney-General);

(b) Other Official Members according to the priority of their respective appointments, or if appointed by the same Instrument, according to the order in which they are named therein.



(2) Secondly, the Unofficial Members in the following order :-

(a) The Unofficial Members who are also Members of the Executive Council of the Colony according to the precedence taken as between themselves as Members of the Executive Council;

(b) Other Unofficial Members according to the priority of their respective appointments, or if appointed by the same Instrument, according to the order in which they are named therein; Provided that any such Unofficial Member who is re-appointed immediately on the termination of his term of office shall as between himself and other Unofficial Members who are not also Members of the Executive Council, take precedence according to the date from which he has been continuously a Member of the Legislative Council.

Who to preside.

XXI. The Governor shall attend and preside in the Legislative Council, unless prevented by illness or other grave cause, and in his absence any Member appointed by him in writing shall preside, or in default of such Member, the Member who is first in precedence of those present shall preside.

Question to be decided by a majority.

XXII. All questions proposed for debate in the Legislative Council shall be decided by the majority of votes, and the Governor or the Member presiding shall have an original vote in common with the other Members of the Council, and also a casting vote, if upon any question the votes shall be equal.

Governor to have original and casting vote.

Rules and Orders to be made.

XXIII. The Legislative Council may from time to time make standing rules and orders for the regulation of their own proceedings; provided such rules and orders be not repugnant to Our said recited Letters Patent, or to these Our Instructions, or to any other Instructions from Us under Our Sign Manual and Signet.

Questions, &c, for debate.

XXIV. It shall be competent for any Member of the Legislative Council to propose any question for debate therein; and such question, if seconded by any other Member, shall be debated and disposed of according to the standing rules and orders. Provided always that every ordinance, vote, resolution, or question the object or effect of which may be to dispose of or charge any part of Our revenue arising within the Colony, shall be proposed by the Governor, unless the proposal of the same shall have been expressly allowed or directed by him.



Rules and regulations under which Ordinances are to be enacted.	XXV. In the passing of Ordinances the Governor and the Council shall observe, as far as practicable, the following Rules :-
Form of enacting Ordinances.	1. All laws shall be styled "Ordinances", and the enacting words shall be, "enacted by the Governor of Hong Kong with the advice and consent of the Legislative Council thereof".
Ordinances to be numbered and methodically arranged.	2. All Ordinances shall be distinguished by titles, and shall be divided into successive clauses or paragraphs, numbered consecutively, and to every such clause there shall be annexed in the margin a short summary of its contents. The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one.
	Except in the case of Bills reserved for the signification of Our pleasure, all Ordinances passed by the Legislative Council in any one year shall, if assented to by the Governor, be assented to by him in that year, and shall be dated as of the day on which the assent of the Governor is given, and shall be numbered as of the year in which they are passed, Bills not so assented to by the Governor, but reserved by him for the signification of Our pleasure, shall be dated as of the day and numbered as of the year on and in which they are brought into operation.
Different subjects not to be mixed in same Ordinance.	3. Each different matter shall be provided for by a different Ordinance, without intermixing in one and the same Ordinance such things, as have no proper relation to each other; and no clause is to be inserted in or annexed to any Ordinance which shall be foreign to what the title of such Ordinance imports, and no perpetual clause shall be part of any temporary Ordinance.
No clause to be introduced foreign to what title of Ordinance imports.	
Temporary Ordinance.	
Description of Bills not to be assented to.	XXVI. The Governor shall not, except in the cases hereunder mentioned, assent in Our name to any Bill of any of the following classes :-
	1. Any Bill for the divorce of persons joined together in holy matrimony:
	2. Any Bill whereby any grant of land or money or other donation or gratuity, may be made to himself:
	3. Any Bill affecting the Currency of the Colony or relating to the issue of Bank notes:
	4. Any Bill establishing any Banking Association, or amending or altering the constitution, powers, or privileges of any Banking Association: powers, or privileges of any Banking Association:
	5. Any Bill imposing differential duties:

6. Any Bill the provisions of which shall appear inconsistent with obligations imposed upon Us by Treaty:

7. Any Bill interfering with the discipline or control of Our Forces by land, sea, or air:

8. Any Bill of an extraordinary nature and important, whereby Our prerogative, or the rights and property of Our subjects not residing in the Colony, or the trade and shipping of Our United Kingdom and its Dependencies, may be prejudiced:

9. Any Bill whereby persons not of European birth or descent may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subjected or made liable:

10. Any Bill containing provisions to which Our assent has been once refused, or which have been disallowed by Us:

Proviso in cases of emergency for immediate operation of an Ordinance.

Unless in the case of any such Bill as aforesaid the Governor shall have previously obtained Our instructions upon such Bill through one of Our Principal Secretaries of State, or unless such Bill shall contain a clause suspending the operation of such Bill until the signification of Our pleasure thereupon, or unless the Governor shall have satisfied himself that an urgent necessity exists requiring that such Bill be brought into immediate operation, in which case he is authorised to assent in Our name to such Bill, unless the same shall be repugnant to the laws of England, or inconsistent with any obligations imposed on Us by treaty. But he is to transmit to Us, by the earliest opportunity, the Bill so assented to, together with his reasons for assenting thereto.

Private Bills.

XXVII. Every Bill intended to affect or benefit some particular person, association or corporate body shall contain a section saving the rights of Us, Our heirs and successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from, and under them. No such Bill, not being a Government measure, shall be introduced into the Legislative Council until due notice has been given by not less than two successive publications of the Bill in the Hong Kong Government Gazette, and in such other manner as may be required by the Standing Rules and Orders for the time being in force; and the Governor shall not assent thereto in Our name until it has been so published. A certificate under the hand of the Governor shall be transmitted to Us with the Bill signifying that such publication has been made.

Ordinances, &c, to be sent home duly authenticated.

XXVIII. When any Ordinance shall have been passed or when any Bill shall have been reserved for the signification of Our pleasure, the Governor shall transmit to Us, through one of Our Principal Secretaries of State, for Our final approval, disallowance or other direction thereupon, a full and exact copy in duplicate of the same, and of the marginal summary thereof, duly authenticated under the Public Seal of the Colony, and by his own signature. Such copy shall be accompanied by such explanatory observations as may be required to exhibit the reasons and occasion for passing such Ordinance or Bill.

Collection of Ordinances to be published every year.

XXIX. At the earliest practicable period at the commencement of each year, the Governor shall cause a complete collection to be published, for general information, of all Ordinances enacted during the preceding year.

Minutes of proceedings of Legislative Council to be kept and sent home after every meeting.

XXX. Minutes shall be regularly kept of the proceedings of the Legislative Council, and at each meeting of the said Council, the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

The Governor shall transmit to Us, through one of Our Principal Secretaries of State, as soon as possible after every meeting a full and exact copy of the Minutes of the said Council.

Surveys and reservations to be made before waste lands are disposed of.

XXXI. Before disposing of any vacant or waste land to Us belonging, the Governor shall cause the same to be surveyed, and such reservations to be made thereout as he may think necessary for roads or other public purposes. The Governor shall not, directly or indirectly, purchase for himself any of such lands without Our special permission given through one of Our Principal Secretaries of State.

Governor not to purchase lands.

Appointments by Governor to be during pleasure.

XXXII. All commissions to be granted by the Governor to any person or persons for exercising any office or employment shall, unless otherwise provided by law be granted during pleasure only.

Suspension of Officers.

XXXIII. Before suspending from the exerciser of his office any public officer whose annual pensionable emoluments exceed one thousand dollars or one hundred pounds sterling, according as the said emoluments are fixed with reference to dollars or to pounds sterling, as the case may be, the Governor shall signify to such officer, by a statement in writing, the grounds of the intended suspension, and shall call upon him to state in writing the grounds upon which he desires to exculpate himself, and if the officer does not furnish

such statement within the time fixed by the Governor, or fails to exculpate himself to the satisfaction of the Governor, the Governor shall appoint a Committee of the Executive Council to investigate the charges made and to make a full report to the Executive Council. The Governor shall forthwith cause such report to be considered by the Council, and shall cause to be recorded on the Minutes whether the Council or the majority thereof does or does not assent to the suspension; and if the Governor thereupon proceed to such suspension, he shall transmit the report of the Committee and the evidence taken by it, together with the Minutes of the proceedings of the Council, to Us through one of Our Principal Secretaries of State by the earliest opportunity. But if in any case the interest of Our service shall appear to the Governor to demand that a person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings hereinbefore directed, he shall then interdict such person from the exercise of the powers and functions of his office.

Regulations of power of pardon in capital cases.

Judge's report to be laid before Executive Council.

Governor to take advice of Executive Council in such cases.

May exercise his own judgment; entering his reasons on Council Minutes, if Unable to accept the advice of the majority.

Blue Book.

XXXIV. Whenever any offender shall have been condemned by the sentence of any Court in the Colony to suffer death, the Governor shall call upon the Judge who presided at the trial to make to him a written report of the case of such offender, and shall cause such report to be taken into consideration at the first meeting of the Executive Council which may be conveniently held thereafter, and he may cause the said Judge to be specially summoned to attend at such meeting and to produce his notes thereat. The Governor shall not pardon or relieve any such offender unless it shall appear to him expedient so to do, upon receiving the advice of the Executive Council thereon; but in all such cases he is to decide either to extend or to withhold a pardon or relieve, according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise, entering, nevertheless, on the Minutes of the Executive Council a Minute of his reasons at length, in case he should decide any such question in opposition to the judgment of the majority of the Members thereof.

XXXV. The Governor shall punctually forward to Us from year to year, through one of Our Principal Secretaries of State, the annual book of returns for the Colony, commonly called the Blue Book, relating to the Revenue and Expenditure, Defence, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agriculture, Produce, Manufactures, and other matters in the said Blue Book more particularly specified, with reference to the state and condition of the Colony.

Governor's absence.

XXXVI. The Governor shall not upon any pretence whatever quit the Colony without having first obtained leave from Us for so doing under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.

Term "the Governor" explained.

XXXVII. In these Our Instructions of the term "the Governor" shall, unless inconsistent with the context, include every person for the time being administering the Government of the Colony.

The Instructions are dated 14th February 1917 except for Clauses II, XIII, XIV, XV, XVI and XX which follow the Additional Instructions as dated in the margin of each.