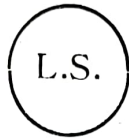


HONG KONG

No. 51 OF 1949.



I assent.

A. G. GRANTHAM,
Governor.

8th December, 1949.

An Ordinance to provide for the establishment of an Essential Services Corps.

[9th December, 1949.]

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

Short title. **1.** This Ordinance may be cited as the Essential Services Corps Ordinance, 1949.

Interpreta- **2.** In this Ordinance—
tion.

“essential service” means any service declared to be an essential service in accordance with the provisions of section 3 ;

“member of the Corps” or “member” means every person who has enrolled in the Essential Services Corps and whose enrolment has not been cancelled ;

“Corps” means the Essential Services Corps.

Essential **3.** (1) The services specified in the Schedule to this
services. Ordinance shall be essential services to which the provisions
Application of this Ordinance apply.
of
Ordinance.

(2) The Governor may, from time to time, by Order published in the *Gazette*, make addition to the Schedule to this Ordinance.

Power of **4.** It shall be lawful for the Governor to raise and maintain
Governor a body of persons by voluntary enrolment, to assist in the
to raise the maintenance or the performance of essential services, to be
Corps. known as the Essential Services Corps, consisting of such
persons as may, in accordance with regulations made by the
Governor or under the provisions of any enactment, undertake
to serve therein, and be accepted for service in such Corps.

5. The Corps may be raised and maintained at the expense of the Colony out of moneys provided by the Legislative Council.

Corps may be maintained at expense of the Colony.

6. The Corps may consist of such units or sub-units as may be prescribed and upon the formation of one or more such units the Corps shall be deemed to be established under the provisions of this Ordinance.

The Corps may consist of units or sub-units. Establishment.

7. (1) It shall be lawful for the Governor to make regulations to provide in general for any matter relating to the Corps and in particular for the following matters:— The procedure for enrolment in the Corps and for cancellation of enrolment; the period for which persons may be enrolled; the organization including sub-division and government of the Corps and the discipline of its members; the duties and obligations attaching to membership of the Corps and the powers privileges pay and benefits conferred by membership; the training of members of the Corps and the provision of clothing, equipment and other stores; and the calling out of members for actual service.

Power of Governor to make regulations.

(2) Any regulations so made may apply either to the Corps as a whole or to any unit or sub-unit of the Corps: Provided that no regulation shall require a member, unless called out for actual service, either to give full-time service or to live away from his home.

8. Every member of the Corps authorized in that behalf by regulations made under section 7 shall, when called out for actual service, have the same powers for the preservation of the peace, the prevention of offences, the apprehension of offenders and for all other purposes, and the same privileges, protection and immunities as the members of the Hong Kong Police Force except as to pay and pension or other reward. In addition to these powers the Governor may, by regulations made under section 7, confer on members of the Corps authorized as aforesaid, when called out for actual service such further powers as the Governor may, from time to time, deem necessary for the proper performance of their duties.

Powers, etc., of member of the Corps.

9. Every member of the Corps who, in good faith, purports to act in the exercise of any power conferred by section 7 and section 8 hereof, shall be and is hereby indemnified and discharged from any indictment, penalty, action or other proceeding for so doing.

Indemnity.

Transfer of
members of
Essential
Services
Wing of the
Hong Kong
Auxiliary
Force.

10. Every person who, at the date of the commencement of this Ordinance, is a member of the Essential Services Wing of the Hong Kong Auxiliary Force of the Hong Kong Defence Force shall be deemed to be a member of the Corps unless he elects to continue to serve in the Hong Kong Defence Force.

Improper
possession
of arms or
clothing, or
assumption
of character
of member
of the
Corps.

11. (1) Every person, not being a member of the Corps who—

(a) has in his possession any article being part of the clothing, accoutrements or appointments supplied to any member of the Corps and is not able satisfactorily to account for his possession thereof;

(b) puts on the dress or takes the name, designation or character of any member of the Corps for the purpose of thereby obtaining admission into any house or other place or of doing or procuring to be done any act which any such member would be entitled to do or procure to be done of his own authority, or for any other unlawful purpose;

shall, in addition to any other punishment to which he may be liable for such offence, be liable on summary conviction to a fine of five thousand dollars and to imprisonment for a term of two years.

(2) If any person knowingly buys or takes in exchange or in pawn from any member of the Corps or any person acting on his behalf, or solicits or entices any such member to sell or pawn any article being part of the clothing, accoutrements or appointments supplied to any member of the Corps, such person shall be liable, on summary conviction, to a fine of five thousand dollars and to imprisonment for a term of two years.

SCHEDULE

The administration of government,

The administration of justice,

The administration of the prisons,

The control and operation of civil aviation,

The dissemination of information to the public,

The extraction and distribution of coal-gas,

The generation and distribution of electricity,

The maintenance of facilities for banking and public finance.

- The maintenance of communications including telecommunications and the postal service,
- The maintenance of the firefighting services,
- The maintenance of medical, health and sanitary services,
- The operation of land and water transport,
- The operation of the Port,
- The operation of the Royal Observatory,
- The performance of emergency public works,
- The procurement storage and distribution of foodstuffs,
- The procurement storage and distribution of lubricating and fuel oils,
- The procurement storage and distribution of government stores,
- The storage and distribution of fresh water.

Passed the Legislative Council of Hong Kong, this 7th day of December, 1949.

G. C. HAMILTON,
Clerk of Councils.