



Straits Settlements

GOVERNMENT GAZETTE

EXTRAORDINARY.

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The following Notifications are, by command of His Excellency the Officer Administering the Government, published for general information.

F. M. BADDELEY,
Acting Colonial Secretary.

No. 1092.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information :—

STRAITS SETTLEMENTS.

No. 14 of 1922.

I assent,

(L. S.)

F. S. JAMES,
Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 125 (Merchant Shipping).

[30th June, 1922.]

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 Ordinance No. 125 Short title.
(Merchant Shipping) Amendment Ordinance, 1922.

2. Sub-section (2) of section 417 of Ordinance No. 125 (Merchant Shipping), hereinafter called the principal Ordinance, is amended by deleting all words after the words "on Sunday" and substituting therefor the words "unless the Master or Agent of the ship obtains from the Master Attendant in Singapore or from the Resident Councillor in Penang or Malacca or from the Resident in Labuan an exemption in writing which shall be granted on payment of the fee prescribed in Schedule K." Amendment of section 417 (2).

3. Sub-section (3) of section 417 of the principal Ordinance is hereby repealed and the following substituted therefor :— New sub-section 417 (3).

(3) The fees prescribed in Schedule K may be altered from time to time by a resolution of the Legislative Council, and the fees as altered shall come into force upon publication in the *Gazette*.

New
Schedule K. 4. After Schedule J of the principal Ordinance a new
Schedule K is inserted as follows:—

SCHEDULE K.

SECTION 417.

Scale of fees for Sunday permits.

Registered tonnage.

200 tons or under	...	...	...	60
over 200 but not exceeding 400 tons	...	...	...	75
„ 400 „ „ 700 „	...	...	...	100
„ 700 „ „ 1,000 „	...	...	...	125
„ 1,000 „ „ 1,500 „	...	...	...	150
„ 1,500 „ „ 2,000 „	...	...	...	175
„ 2,000	...	...	...	200

Provided that—

- (a) no charge shall be made for the issue of a permit to work not more than 20 tons weight of cargo;
- (b) the fee will be returned if the cargo worked on Sunday does not exceed 20 tons weight.

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.

No. 1093.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 15 of 1922.

I assent,



F. S. JAMES,
Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 166 (Agricultural Pests).

[30th June, 1922.]

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 Ordinance No. 166 (Agricultural Pests) Amendment Ordinance, 1922. Short title.

2.—(1) The words “ ‘Director’ means ‘Director of Agriculture, Federated Malay States’ ” in section 2 of Ordinance No. 166 (Agricultural Pests), hereinafter called the principal Ordinance, are deleted and the following are substituted therefor:— Amendment of section 2.

“ ‘Secretary’ means ‘the Secretary for Agriculture, Straits Settlements and Federated Malay States’.”

(2) The word “Secretary” is substituted for the word “Director” wherever the latter word occurs in the principal Ordinance. Substitution of “Secretary” for “Director”.

(3) In section 7 (1) of the principal Ordinance the words “Secretary for Agriculture” are substituted for the words “Director of Agriculture in Kuala Lumpur.” Amendment of section 7.

3. Sections 5, 6, 7, 8 and 9 of the principal Ordinance are amended by inserting the words “and premises” after the word “land” wherever it occurs. Amendment of sections 5 to 9.

4. The words “alienated for agricultural purposes or whereon any plants are or have been cultivated” in lines 4 and 5 of section 5 (1) of the principal Ordinance are deleted. Further amendment of section 5 (1).

New section
9A.

5. After section 9 of the principal Ordinance the following section is inserted:—

Power of con-
victing Court
to order
action to be
taken.

9A—(1) Upon the conviction of any person under section 9 or under sub-section (2) of this section, the Court before which the conviction is had may order the convicted person to take, within a time to be fixed by the Court, the measures for failure to take which such conviction was had.

(2) If any person fails without reasonable cause to comply with an order made under sub-section (1), he shall be liable to a fine not exceeding five hundred dollars.

New sections
12A and 12B.

6. After section 12 of the principal Ordinance the following two sections are inserted:—

Clearing
diseased land.

12A—(1) Where it shall appear to the Secretary that any plant on any land is diseased and he is of opinion that it is necessary for the prevention of the spread of any pest that such land be entirely cleared of cultivation thereon or cleared of all cultivation of any particular species the Secretary may by notice in writing under his hand addressed to the owner or occupier of the land whereon such plant is, direct him to fell and burn or otherwise destroy within a time to be stated in the notice and to the satisfaction of the Secretary all cultivation or all cultivation of the species named in the notice upon such land.

(2) No such notice shall be issued without the sanction in writing of the Colonial Secretary.

(3) The action directed by a notice under sub-section (1) hereof may be enforced in the manner provided by section 8 for the enforcement of the action directed by a notice under section 6.

(4) If any owner or occupier of land on whom a notice under the provisions of sub-section (1) has been served shall wilfully neglect to comply therewith he shall be liable to a fine not exceeding five hundred dollars.

Compensa-
tion.

12B. Where any cultivation has been destroyed in pursuance of a notice issued under section 12A the Colonial Secretary may direct the payment out of the Treasury of compensation for such cultivation subject and according to the following provisions.

- (1) No compensation shall be paid for any diseased plant.
- (2) The value of any cultivation shall be taken to be the market value of such cultivation at the time of its destruction.
- (3) The Colonial Secretary may entirely withhold or may reduce the amount of compensation for the destruction of any cultivation if the owner or occupier

of the land has done anything in contravention of or has failed to comply with any notice issued under this Ordinance or has by his neglect contributed to the introduction of the disease.

7. Sections 16, 17, 18, 19 and 20 of the principal Ordinance are repealed.

Sections 16 to 20 repealed.

8. In section 21 (1) of the principal Ordinance the number "12B" is substituted for the number "18".

Amendment of section 21 (1).

9. Section 26 of the principal Ordinance is amended by deleting the words "other than sections 16 and 19."

Amendment of section 26

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.

No. 1094.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 16 of 1922.

I assent,



F. S. JAMES,

Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 39 (Malacca Lands Customary Rights).

[30th June, 1922.]

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 Ordinance No. 39 (Malacca Lands Customary Rights) Amendment Ordinance, 1922.

New Section
8A.

2. The following section is added after section 8 of Ordinance No. 39 (Malacca Lands Customary Rights).

Procedure in
case of land
used for
building
instead of for
cultivation.

8A.—(1) The Governor in Council may, upon the report of the Resident Councillor, by provisional order declare that any customary land has for three consecutive years prior to the date of such provisional order not been used mainly or substantially for the planting of padi or other agricultural purposes but has been used mainly or substantially for building purposes and that the said land is no longer held under customary tenure.

(2) Such provisional order shall be registered in the Mukim Register, and a copy thereof shall be served upon the registered holder and upon the registered mortgagee if any. A copy of the order shall also be posted in some conspicuous place upon the land and shall be inserted in three consecutive issues of the *Gazette*.

(3) Any person claiming that any right to or interest in such land has been or may be injuriously affected by such

provisional order may within three months after the registration thereof apply by motion to a Judge of the Supreme Court for a declaration that such land has for three consecutive years prior to the date of such order been used mainly or substantially for the planting of padi or other agricultural purposes and has not been used mainly or substantially for building purposes.

(4) If the Judge, from whose decision there shall be no appeal, shall decide that the land has during the period in question been used mainly or substantially for the planting of padi or other agricultural purposes and has not been used mainly or substantially for building purposes, the Governor in Council shall set aside the provisional order and the entry made in respect thereof in the Mukim Register shall be cancelled.

(5) If no person applies by motion as mentioned in subsection (3) within three months of the registration of the provisional order or if the Judge decides that the land has during the period in question been used mainly or substantially for building purposes and has not been used mainly or substantially for the planting of padi or other agricultural purposes, the Governor in Council shall confirm the provisional order, and thereupon such confirming order shall be published in the *Gazette* and shall be registered by the Collector in the Mukim Register, and such confirming order shall be binding and conclusive against all parties and shall not be called in question in any Court of law.

(6) Whenever a confirming order of the Governor in Council has been registered as aforesaid the land comprised in the order shall be deemed to be forfeited to the Crown, and the provisions of this Ordinance shall no longer apply to such land.

(7) Upon application made to the Collector, within 3 months of the registration of the confirming order, by the registered holder or mortgagee a grant or lease under the provisions of Ordinance No. 34 (Crown Lands) may be issued upon such terms and conditions as the Governor thinks fit. Where the land is subject to a mortgage registered under this Ordinance and the grant or lease is made in the name of the registered holder the title shall be delivered to the mortgagee.

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.

No. 1095.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 17 of 1922.

I assent,



F. S. JAMES,
Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 135 (Municipal).

[30th June, 1922.]

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 Ordinance No. 135 (Municipal) Amendment Ordinance, 1922.

Amendment
of section 116
(1).

2. The following clause is added to section 116 (1) of Ordinance No. 135 (Municipal) hereinafter called the principal Ordinance—

“or (d) causes or allows any carriage, cart or vehicle for the conveyance of persons or of goods or other articles, whether with or without horses or cattle to rest in any public road, except in such places as are appointed for that purpose under any law in force for the time being, for a longer time than is absolutely necessary to take up or set down any persons, or to load or unload any goods or other articles, or to collect hire shall be guilty of causing an obstruction, and”

Amendment
of section 116
(3).

3. Sub-section (3) of section 116 of the principal Ordinance is deleted and the following is substituted therefor—

Power to
remove
obstructions.

“(3) The Commissioners may cause any such obstruction to be removed or may themselves through their servants remove the same to a suitable place, there

to remain at the risk of the owner and person offending, and may detain the same until the expenses of removal and detention are paid provided that such power of removal shall be exercised only in regard to such streets as the Commissioners shall by resolution have prescribed and in the personal presence of such officers as the Commissioners shall have nominated by resolution confirmed by the Governor in Council; provided also that the expense of removal shall not exceed \$4 per wagon trip and that the expense of detention shall be at the rate of \$1 per diem; provided further that if at the expiration of 7 days from the date of removal the expenses of removal and detention shall not have been paid, the matter that has been removed shall if it is not of the apparent value of \$25 or over become the property of the Commissioners, and if it is of the apparent value of over \$25 be sold by public auction and the proceeds thereof less expenses shall be held by the Commissioners and paid to the owner of the matter removed but if such proceeds are not claimed within 3 months of the sale as aforesaid they shall become the property of the Commissioners".

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.

No. 1096.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 18 of 1922.

I assent,



F. S. JAMES,
Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 44 (Bankruptcy).

[30th June, 1922.]

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 Ordinance No. 44 (Bankruptcy) Amendment Ordinance, 1922.

Amendment
of section 39.

2. Section 39 of Ordinance No. 44 (Bankruptcy) shall be numbered (1) and the following sub-sections are added thereto—

(2) The Registrar in each Settlement shall keep for each Settlement a separate list of all Receiving Orders and Adjudication Orders made in each Settlement; and on such list every such Order shall be forthwith entered under the headings of the letters of the Alphabet and every Order rescinding or annulling any such order shall be noted in any such list against the order rescinded or annulled.

(3) Sub-section (2) shall not apply to Labuan.

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.

No. 1097.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 19 of 1922.

I assent,



F. S. JAMES,
Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 64 (Defence Contribution).

[30th June, 1922.]

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 Ordinance No. 64 (Defence Contribution) Amendment Ordinance, 1922. Short title.
2. Section 4 of Ordinance No. 64 (Defence Contribution), hereinafter called the principal Ordinance, is repealed and the following section is substituted therefor:— Amendment of section 4.
 - 4.—(1) The Colony shall pay in respect of each year in manner provided in section 6 either twenty per centum of the Colonial Revenues as calculated on the estimated revenue or the estimated cost of the garrison whichever of these amounts is the less. Payment on account of defence contribution.
 - (2) If the payment made under sub-section (1) is greater than the amount payable under this Ordinance, the excess shall be refunded to the Colony by His Majesty's Government, but if the payment made under sub-section (1) is less than the amount payable under this Ordinance, the deficiency shall be paid by the Colony into the Imperial Treasury Chest in the Colony on account of His Majesty's Government. Adjustment of account.
3. Section 6 of the principal Ordinance is amended by deleting the words "The said percentage" and substituting therefor the words "One-twelfth of the amount payable under section 4 (1)". Amendment of section 6.

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.

No. 1098.—THE following Ordinance passed at a meeting of the Legislative Council held on the 26th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 20 of 1922.

I assent,

L. S.

F. S. JAMES,

Officer Administering the Government.

30th June, 1922.

AN Ordinance to continue the operation of the Rent Restriction Ordinance, 1921, for a further period of six months.

[]

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 com-
mencement.

1. This Ordinance may be cited as the Rent Restriction Continuation Ordinance, 1922, and shall have effect from the 1st day of July, 1922.

Continuance
of Rent
Restriction
Ordinance,
1921.
Ordinance
No. 3 of 1921.

2. The provisions of the Rent Restriction Ordinance, 1921 are hereby continued in force until the 31st day of December, 1922.

Passed this 26th day of June, 1922.

G. L. HAM,

Clerk of Councils.

No. 1099.—THE following Ordinance passed at a meeting of the Legislative Council held on the 12th day of June, 1922, and assented to by His Excellency the Officer Administering the Government on the 30th idem, is published for general information:—

STRAITS SETTLEMENTS.

No. 21 of 1922.

I assent,



F. S. JAMES,
Officer Administering the Government.

30th June, 1922.

AN Ordinance to amend Ordinance No. 41 (Pensions).

[30th June, 1922.]

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 Ordinance No. 41 (Pensions) Amendment Ordinance, 1922. Short title.

2. Section 2 of Ordinance No. 41 (Pensions), hereinafter called the principal Ordinance, is amended by the addition of the following words thereto:— Amendment of section 2.

“Provided that the total pension of an officer who first entered the Public Service of the Colony (otherwise than by transfer from the United Kingdom or another Colony or a Protectorate) after the 25th day of August, 1902, shall not exceed £1,300.”

3. Section 6 of the principal Ordinance is amended by the addition of the following words thereto:— Amendment of section 6.

“and does not exceed £1,300. Provided that the limit of £1,300 shall not apply to any officer who entered the public service of the United Kingdom or of a Colony or of a Protectorate before the 26th August, 1902.”

Passed this 12th day of June, 1922.

G. L. HAM,
Clerk of Councils.