

mediately after the thirty-first day of December, 1881, which time is in this Order referred to as the commencement of this Order.

3. In this Order—

“China” means the dominions of the Emperor of China :

“Japan” means the dominions of the Mikado of Japan :

“Minister” means superior Diplomatic Representative, whether Ambassador, Envoy, Minister Plenipotentiary, or Chargé d’Affaires :

“Consular Officer” includes every officer in Her Majesty’s Consular Service, whether Consul-General, Consul, Vice-Consul, or Consular Agent, or person authorized to act in any such capacity in China or in Japan :

“British subject” means a subject of Her Majesty whether by birth or by naturalization :

“Foreigner” means a subject of the Emperor of China or of the Mikado of Japan, or a subject or citizen of any other State in amity with Her Majesty :

“Treaty” includes Convention, and any Agreement, Regulations, Rules, Articles, Tariff, or other instrument annexed to a Treaty, or agreed on in pursuance of any stipulation thereof :

“Month” means calendar month :

Words importing the plural or the singular may be construed as referring to one person or thing, or more than one person or thing, and words importing the masculine as referring to females (as the case may require).

Repeal.

4. Subject to the provisions of this Order, Articles Eighty-five to Ninety-one, inclusive, of the China and Japan Order in Council, 1865, authorizing the making of Regulations for the purposes and by the authority therein mentioned, and the Regulations made thereunder, dated respectively 11 July, 1866, and 16 November, 1866, relating to mortgages, bills of sale, and proceedings against partnerships or partners or agents thereof, and Rule 252 of the Rules of the Supreme Court and other Courts in China and Japan of 4 May, 1865, relating to proceedings by or against partnerships, and Articles One hundred and seventeen and One hundred and eighteen of the China and Japan Order in Council, 1865, relating to foreigners and foreign tribunals, are hereby repealed, as from the commencement of this Order; but this repeal does not affect any right, title, obligation or liability acquired or accrued before the commencement of this Order.

Confirmation of Regulations not repealed.

5. Such Regulations as are described in the Schedule to this Order, being Regulations made or expressed or intended to be made under or in execution of the powers conferred by Articles Eighty-five to Ninety-one of the China and Japan Order in Council, 1865, and all other Regulations made or expressed or intended to be so made and having been approved, or, in case of urgency, not disapproved, under that Order, before the commencement of this Order, except the Regulations expressed to be repealed by this Order, are hereby confirmed, as from the passing of this Order, and the same, as far as they are now in force, shall be in force, and shall be deemed to have always been of the like validity and effect as if they had been originally made by Order in Council.

Authority for further Regulations.

6. Her Majesty’s Minister in China may from time to time, subject and according to the provisions of this Order, make such Regulations as to him seem fit for the peace, order, and good

government of British subjects, resident in or resorting to China.

7. The power aforesaid extends to the making of Regulations for securing observance of the stipulations of Treaties between Her Majesty, Her Heirs and Successors, and the Emperor of China, and for maintaining friendly relations between British subjects and Chinese subjects and authorities.

8. Her Majesty’s Minister in China may, as he thinks fit, make any Regulation under this Order extend either throughout China, or to some one or more only of the Consular districts in China.

9. Her Majesty’s Minister in China, in the exercise of the powers aforesaid, may, if he thinks fit, join with the Ministers of any foreign Powers in amity with Her Majesty in making or adopting Regulations with like objects as the Regulations described in the Schedule to this Order, commonly called the Shanghai Land Regulations, or any other Regulations for the municipal government of any foreign concession or settlement in China; and, as regards British subjects, joint Regulations so made shall be as valid and binding as if they related to British subjects only.

10. Her Majesty’s Minister in China may, by any Regulation made under this Order, repeal or alter any Regulation made under the China and Japan Order in Council, 1865, or under any prior like authority.

11.—(a.) Regulations made under this Order shall not have effect unless and until they are approved by Her Majesty the Queen, that approval being signified through one of Her Majesty’s Principal Secretaries of State,—save that, in case of urgency declared in any such Regulations, the same shall take effect before that approval, and shall continue to have effect unless and until they are disapproved by Her Majesty the Queen, that disapproval being signified through one of Her Majesty’s Principal Secretaries of State, and until notification of that disapproval has been received and published by Her Majesty’s Minister in China.

(b.) That approval, where given, shall be conclusive, and the validity or regularity of any Regulations so approved shall not be called in question in any legal proceeding whatever.

12. Any Regulations made under this Order may, if Her Majesty’s Minister in China thinks fit, impose penalties for offences against the same.

13. Penalties so imposed shall not exceed the following, namely,—for any offence imprisonment for three months, with or without hard labour, and with or without a fine of 500 dollars, or a fine of 500 dollars, without imprisonment,—with or without a further fine, for a continuing offence, of 25 dollars for each day during which the offence continues after the original fine is incurred.

14. Regulations imposing penalties shall be so framed as to allow in every case of part only of the highest penalty being inflicted.

15. All Regulations made under this Order, whether imposing penalties or not, shall be printed, and a printed copy thereof shall be affixed, and be at all times kept exhibited conspicuously in the public office of each Consulate in China.

16. Printed copies of the Regulations shall be kept on sale at such reasonable price as Her Majesty’s Minister in China from time to time directs.

17. Where a Regulation imposes a penalty, the same shall not be enforceable in any Consular district until a printed copy of the Regulation has been affixed in the public office of the Consulate for that district, and has been kept exhibited conspicuously there during one month.