

No. 1286.

INSTRUCTIONS MADE BY HIS EXCELLENCY
THE GOVERNOR UNDER THE CIVIL DEFENCE
CORPS REGULATIONS, 1941, PRESCRIBING THE
PERIOD OF ENROLMENT AND CONDITIONS OF
SERVICE OF MEMBERS OF THE HONG KONG
AUXILIARY RESCUE AND DEMOLITION CORPS.

Citation. **1.** These Instructions may be cited as the Hong Kong Auxiliary Rescue and Demolition Corps Instructions, 1941.

Interpretation. **2.** In these Instructions—

(a) “Controller” means the Director of Public Works;

(b) “Deputy Controller” means the officer of the Public Works Department appointed by the Controller or such other person as he may appoint;

(c) “Assistant Controllers” means the two officers of the Public Works Department appointed by the Controller or such other persons as the Controller may appoint;

(d) “rescue and demolition duties” includes the rescue of the living and the recovery of the dead from damaged structures and the taking of the necessary measures to render safe or to demolish damaged buildings;

(e) “Corps” means the Hong Kong Auxiliary Rescue and Demolition Corps;

(f) “Corps equipment” includes all uniform clothing, boots, accoutrements, badges, tools and other gear and effects supplied by the Government and issued to a member of the Corps;

(g) “officers” includes Deputy Controller, Assistant Controllers, Commanders of Depôts, Transport Officer, Paymaster and Quartermaster;

(h) “members” includes all persons who are enrolled or appointed for service or who may be appointed to serve in the Corps, irrespective of rank;

(i) “the period of the present emergency” means the period ending with such date as the Governor may by order declare to be the date on which the emergency which was the occasion of making these Instructions came to an end.

Constitution. **3.** The Corps shall consist of a Controller and such members as from time to time may be appointed or enrolled.

Administration. **4.** The Controller, subject to the directions of the Governor and the provisions of these Instructions, shall be charged with the administration and control of the Corps.

Enrolment and length of service. **5.** The Controller or the Government recruiting organization may enrol in the Corps for a term not exceeding the period of the present emergency such persons as qualify for enrolment in accordance with the regulations for the time being in force and offer their services, and every person so enrolled shall become a member of the Corps and be subject

to the provisions of these Instructions provided that he signs the following declaration—

“I have read or had explained to me the Hong Kong Auxiliary Rescue and Demolition Corps Instructions, 1941, and I agree to carry out such duties, general or particular, as may be allotted to me by duly authorized officers of the Corps and to abide by the said Instructions.”

6.—(a) The Deputy Controller and other officers shall be appointed by the Controller and they may be dismissed only by the Controller. Appoint-
ment of
Deputy
Controller,
officers, etc.

(b) Members may be appointed, promoted, reduced or dismissed by the Deputy Controller.

(c) Any of the powers conferred on the Deputy Controller by these Instructions may be exercised by any officer deputed by the Controller.

7. Every member of the Corps shall be supplied with such uniform, if any, and equipment as may be prescribed by the Government. Corps to be
supplied
with
equipment.

8.—(a) All Corps equipment shall be and remain the property of the Government. Corps
equipment
to remain
the property
of the
Government.

(b) All Corps equipment shall, when required by the Controller, be produced or delivered up as directed by him.

(c) On the death, resignation or discharge of any member of the Corps the person or persons into whose hands the Corps equipment may come shall forthwith return the same to the Controller.

9. If any member of the Corps wilfully makes away with, pawns, or wilfully damages, destroys or negligently loses or unlawfully refuses or neglects to produce or deliver up, any Corps equipment issued to him, the value thereof shall be recoverable from him summarily before a magistrate by the Controller or his representative. Corps
equipment
not to be
wrongfully
disposed of.

10.—(a) In case of apprehended or actual tumult or riot or attack on the Colony, the Governor, by order published in the Gazette, may call out for actual service all or any members of the Corps. Calling out
for actual
service.

(b) Every member so called out shall attend such places and perform such duties as the Controller or his officers may direct.

(c) The period of such actual service shall end only by order of the Governor.

11. Every member of the Corps, when called out on service, shall be entitled to such pay and allowances as may from time to time be prescribed. Pay when
called out.

12. It shall be lawful for the Deputy Controller subject to the approval of the Controller— Powers of
Deputy
Controller.

(a) to make departmental orders as he may think fit for the carrying out of the routine of the Corps, and for regulating the internal control thereof;

(b) to issue such orders as he may deem necessary to make the Corps efficient and so to maintain it, and to see that such orders are duly obeyed;

(c) to take full charge of the Corps when it is called out for service and to issue all necessary orders for the duties it may be called upon to perform and to take such steps as may be necessary to ensure that such duties are duly executed;

(d) to break into or take possession of any premises, by himself or by members of the Corps, whenever necessary for the purpose of carrying out rescue and demolition duties when the Corps is called out for actual service.

Duties of members of the Corps.

13. It shall be the duty of every member of the Corps—

(a) to obey all lawful orders of his superior officer;

(b) to attend such parades and to undergo such training as may be specified in orders issued by the Controller or Deputy Controller;

(c) to keep his equipment in good and serviceable order.

Penalty for refusal or neglect of duty when not on actual service.

14. Any member of the Corps who, when the Corps is not on actual service, wilfully refuses or neglects without reasonable excuse to carry out any duties assigned to him by a superior officer shall be liable to summary dismissal.

Penalty for refusal or neglect of duty when on actual service.

15. Any member of the Corps who, when on actual service, wilfully refuses or neglects without reasonable excuse to carry out any duties assigned to him by a superior officer shall be liable to summary dismissal and on summary conviction to a fine not exceeding two hundred and fifty dollars and to imprisonment for a term not exceeding six months.

Disciplinary penalties.

16.—(1) The Controller and the Deputy Controller are empowered to take the following disciplinary action—

(a) reduction in rank or class;

(b) a fine not exceeding twenty-five dollars which, in default of payment otherwise, may be deducted from pay due or accruing due to the person concerned;

(c) loss of pay during any period of absence from duty;

(d) dismissal, except in the case of officers, who may be dismissed only by the Controller;

(e) caution;

(f) reprimand.

(2) The offences to which paragraph (1) refers are—

(a) drunkenness on duty;

(b) insubordination or disrespect to a superior officer;

(c) infringement of any regulation or departmental order made under these Instructions;

(d) soliciting or accepting any gratuity;

(e) refusal to obey lawful orders or carry out duties assigned;

- (f) inefficiency;
- (g) bringing discredit on the Corps.

17.—(1) Any member may be granted leave of absence from his duties by the Controller or Deputy Controller. Leave of absence.

(2) Any member when not on actual service may be granted leave of absence from the Colony by or on behalf of the Governor but without such leave no member may quit the Colony.

18. The service of any member may be determined— Cessation of membership of the Corps.

(a) at any time, by dismissal by the Governor or the Controller;

(b) except when called out for actual service, by resignation with the consent of the Governor, provided that fourteen days' previous notice in writing be given by the member to the Controller.

19. Every member of the Corps who, within twelve months from the date of his enrolment in the Corps, ceases to be a member of the Corps either by resignation or dismissal may be called upon to pay to the Controller the cost of his uniform, if any. The cost of the uniform may be recovered in a summary way before a magistrate. Members leaving the Corps within 12 months to pay the cost of their uniform, if any.

20. The responsibility and powers vested by these Instructions in the Controller may be assumed and exercised wholly or in part by the Deputy Controller on instructions in writing from the Controller and with the assent of the Governor. Powers of Deputy Controller and others.

No. 1287.

ORDINANCE No. 32 of 1939. (COMPULSORY SERVICE).

The following persons, of ages from 18 to 45 years inclusive, shall, as from the date of publication of this list, be deemed to have been enrolled in, and to belong to, the Hong Kong Defence Reserve :—

Ascough, Herbert Louis Nicholson ... B.

Dated the 29th day of October, 1941.

By Order,

N. L. SMITH,
Colonial Secretary.

B. = Key-Posts Group.