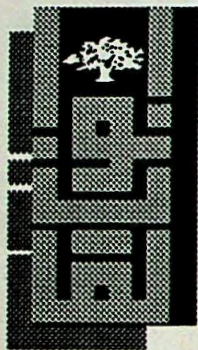




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THE LAW FINDER AND ANNOTATOR

COMPILED AND ARRANGED BY
JACOB BAR-ZEEV

EDITED BY
SIMON EPSTEIN

WITH A FOREWORD BY
M. J. P. HOGAN, ESQ. K.C.
Acting Attorney General

VOL. I

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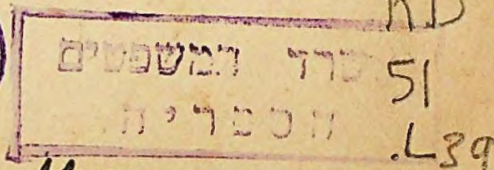
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Acting Attorney General



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שרד המשפטים
הסכסוך

TO
HIS HONOUR
SIR WILLIAM J. FITZGERALD, K.B., K.C., M.C.
CHIEF JUSTICE OF PALESTINE



FOREWORD.

No lawyer can hope to keep the whole of the law in his head. Success in practice, therefore, frequently depends on the speed and accuracy with which a lawyer can trace and look up the law. The increase and complexity of statute law makes this task more difficult every day, and anything which can facilitate it must be very welcome to lawyers as a whole.

This "Law Finder and Annotator", the work of Mr. Bar-Zeev, a graduate of the Law Classes and Interpreter in the Supreme Court, and Mr. Epstein, also a graduate of the Law Classes and Accountant and Establishment Officer of the Judicial Department, will be an asset in the office of any busy lawyer. It should save him, not only time, but also from the danger of overlooking some statutory provision that would otherwise have escaped his notice.

I have much pleasure in wishing the work every success.

M.J.P. Hogan, K.C.
Acting Attorney General

17th July, 1947.



INTRODUCTION.

The ever increasing volume of substantive and subsidiary laws and their constant changes make it more and more difficult to find a given enactment and to state with certainty whether or not it is still in force and applicable. This work is intended to meet this contingency by providing an easy system both for finding the law and keeping it up-to-date.

In compiling the "Law Finder and Annotator", edited by Mr. S. Epstein, I have relied to a great extent on the system adopted in the Revised Edition of the Laws (Revision) Ordinance, No. 1 of 1937. I have, however, introduced certain improvements for I do not deal solely with one set of laws (i.e. "Drayton") but with the entire substance of the law as it now stands. Moreover, I have included a "Law Finder" which, incidentally, also gives the history of a given enactment, its origin and development, the extent to which it is affected by other legislation, and what reference, if any, is made to it.

The present work comprises four parts, each separated by an index card.

1. "*The Law Finder (Substantive Law)*" contains, under the heading "Short Title", a list of ordinances in alphabetical order. The next column entitled "Cap. or No. and Year" indicates where to find any particular ordinance. Thus "Cap. 6" for example indicates Chapter 6 of the Revised Edition of the Laws of Palestine (Drayton), whereas "No. 1/34" indicates Ordinance No. 1 of 1934, published in Supplement No. 1 to the Palestine Gazette of 1934.

The columns "Amended by" and "Repealed by" are self-explanatory; and the last column either shows the direct effect of a given law on the ordinance in question, or any reference to it.

Attached to the "*Law Finder (Substantive Law)*" is a list of short titles of ordinances referred to in the last column.

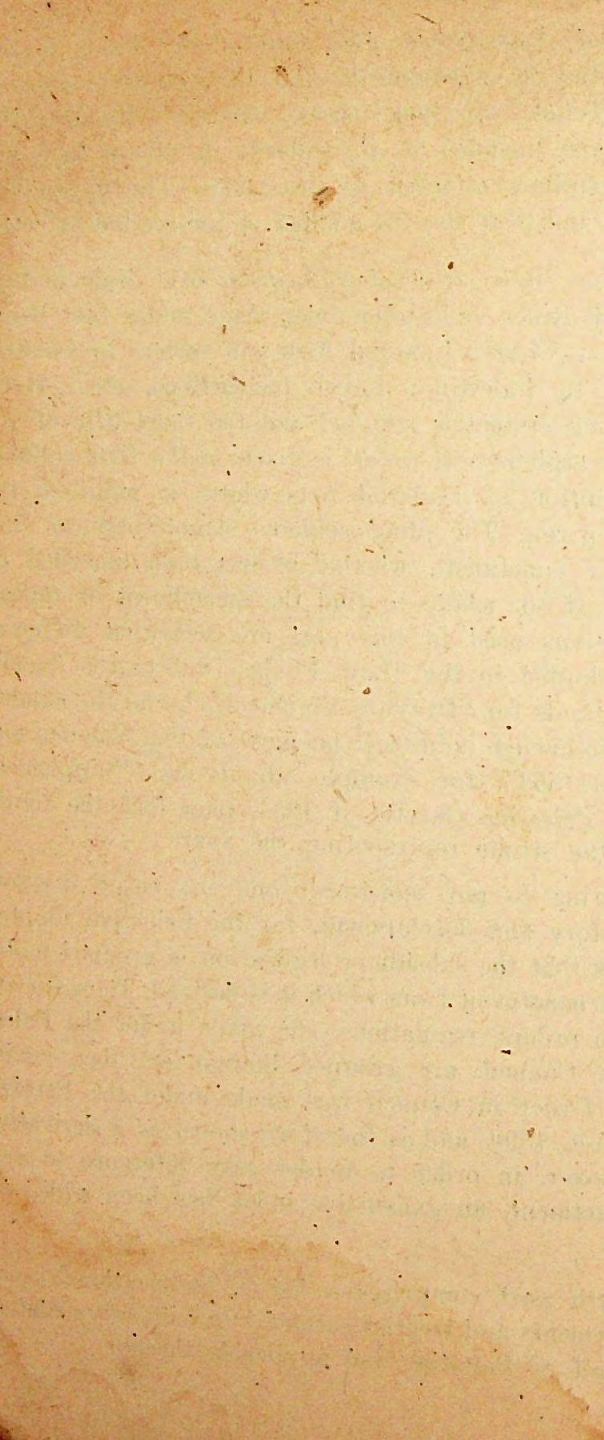


2. "*Tables of Amendments and Appendices*" designate the sections affected by amendments and the manner in which they are affected. In some cases, wherever feasible, the amendments are included in the tables; in others they are given in appendices attached to the tables. The appendices are numbered and bear also the number of the section affected.

3. "*The Law Finder (Subsidiary Legislation)*" deals in turn with Statutory Rules and Orders, etc., made under the Ordinances; Rules of Court; Imperial Acts and Orders in Council, etc., relating to Palestine; Royal Instructions, etc. Here, again, the same system is adopted and the short title of the legislation, in alphabetical order, is given in the first column, with the exception of Imperial Acts where, in addition, the long title is given. The other columns show where to find any particular enactment, whether it has been amended or repealed, and if so, where to find the amendment or repeal. The *abbreviations* used in this part are somewhat different from those adopted in the "*Law Finder (Substantive Law)*". Here, "Dr." stands for "Drayton Volume III", and the number immediately following indicates the page of that volume, and the figure "34/563", for example, stands for "Supplement No. 2 to the Palestine Gazette of 1934, page 563, the figure "34" before the stroke representing the year.

By referring to any enactment one can easily discover its origin, history and development, for the principle adopted in this part is that the subsidiary legislation is grouped under the title of the enactment from which it is derived. Thus, for example, certain orders, regulations, etc. made under the Palestine Order in Council, are grouped thereunder; then again, the Palestine Order in Council was made under the Foreign Jurisdiction Act, 1890, and is therefore shown as a derivative thereof. Moreover, in order to render easy reference to any particular enactment, an exhaustive index has been added to this part.

4. The fourth part comprises a list of international conventions, agreements and treaties entered into with other States by or on behalf of Palestine and applicable thereto.



The book is printed on loose leaves firmly bound, and on one side of the page only, in order to make it as practical as possible by leaving space for notes and enabling replacements to be made of such pages as should in time become obsolete. It is intended to supply such replacements periodically to subscribers at a minimum fee, thereby always keeping the "Law Finder and Annotator" up to date.

The second volume of this work, comprising the "Tables of Amendments and Appendices" in respect of ordinances from 1934 to 1947 and a comprehensive index relating to the whole body of law will, it is hoped, be issued shortly.

I take this opportunity of thanking Mr M. Cotran, Deputy Chief Registrar, Supreme Court, and Mr. S. K. Azouri, Law Reporter and Magistrate, for their valuable advice and help. My thanks are also extended to Mr. S. Epstein, the editor of this book, but for whose initiative and encouragement it would never have been published.

JACOB BAR-ZEEV.

Jerusalem, July 1947.



THE LAW FINDER (SUBSTANTIVE LAW).

Find your law in the "Law Finder" and see whether it has been amended or otherwise affected.

If amended, refer to the "Tables of Amendments and Appendices."

See page 61 for the list of ordinances referred to in column :
"Reference to, or effect of, other legislation."

Note: This brings the law up to date as on 1st August, 1947.
Please contact Publishers for subsequent amendments.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Accidents & Occupational Diseases (Notification)	No. 18 of 1945.			Sec. 71(1)(b) of No. 11/46.
Administration of Russian Properties	No. 31 of 1926.	No. 50/36 No. 29/38		
Administrator General	No. 37 of 1944.			
Advertisements.	Cap. 1.	No. 15/35 No. 29/41		Schedule of Cap. 97.
Advocates	Cap. 2.		Sec. 31 of No. 32/38	
Advocates	No. 32 of 1938.	No. 52/39 No. 24/41 No. 4/45 No. 60/46		Sec. 4(1)(h) of No. 33/38. Sec. 6,8 <i>ibid.</i> Suppl. 2/44 pp. 105, 403. Suppl. 2/46, p. 1023.
Agricultural Fertilizers	No. 27 of 1938.			Suppl. 2/43, p. 941.
Ain Fara Spring	No. 14 of 1941.			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Anglo Iranian Oil Convention.	No. 34 of 1938.			
Animal Diseases	Cap. 3.		Sec. 29 of No. 43/45	
Animal Diseases	No. 43 of 1945	Suppl. 2/46 pp. 803, 1182, 1537 47/984		
Animal Manure	No. 32 of 1937.			
Animal Tax Amendment.	Cap. 4.		Sec. 21(2) of No. 38/44	
Animal Tax	No. 38 of 1944	No. 10/46 No. 7/47		
Antiquities	Cap. 5	No. 1/37 No. 30/43 No. 62/46		Sec. 3 of Cap. 55. Sec. 2(1) of Cap. 94. Sec. 2(b) of No. 33/35. Sec. 5(a) of No. 18/38. Sec. 9(a) <i>ibid.</i>



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Antiquities (cont.)	Cap. 5			Sec. 13(a) <i>ibid.</i> Sec. 11 of No. 23/44.
Antiquities (Enclosures)	No. 33 of 1935			
Arbitration	Cap. 6	No. 63/46		Sec. 116(2) of Cap. 22. Sec. 203(3) of Cap. 22. Sec. 61 of Cap. 24. Cap. 154, Sch. III item 2(3). Sec. 3 and 8 of No. 17/34. Sec. 3 of No. 2/38. Sec. 14 of No. 16/47.
Arbitration (Foreign Awards)	No. 17 of 1934			
Banderolles	Cap. 7			
Banking	Cap. 8			
				Sec. 16 of No. 26/41
Banking.	No. 26 of 1941	No. 29/44 Suppl. 2/46, p. 498		Sec. 256(10) of Cap. 22. Sec. 62 of Cap. 24. Sec. 16 of Cap 29.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Antiquities (cont.)	Cap. 5			Sec. 13(a) <i>ibid.</i> Sec. 11 of No. 23/44.
Antiquities (Enclosures)	No. 33 of 1935			
Arbitration	Cap. 6	No. 63/46		Sec. 116(2) of Cap. 22. Sec. 203(3) of Cap. 22. Sec. 61 of Cap. 24. Cap. 154, Sch. III item 2(3). Sec. 3 and 8 of No. 17/34. Sec. 3 of No. 2/38. Sec. 14 of No. 16/47.
Arbitration (Foreign Awards)	No. 17 of 1934			
Banderolles	Cap. 7			
Banking	Cap. 8			Sec. 16 of No. 26/41
Banking.	No. 26 of 1941	No. 29/44 Suppl. 2/46, p. 498		Sec. 256(10) of Cap. 22. Sec. 62 of Cap. 24. Sec. 16 of Cap. 29.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Banking (cont.)				Sec. 14A of Cap. 54. Sec. 2 of No. 33/39.
Banking (Amendment & Further Provisions)	No. 9/36 No. 27/37		Sec. 16 of No. 26/41	
Banking Emergency	No. 33 of 1939	No. 38/39 No. 50/39		
Bankruptcy	No. 3 of 1936	No. 1/42		Sec. 48B of Cap. 112. Sec. 5 of No. 36/44. Sec. 16(2) of No. 8/47. Sec. 17 <i>ibid.</i>
Bearer Bonds.	No. 29/46			
Bearer Bonds (Establishment of Board).	No. 37/45			Sch. Rule 2 of No. 17/45. Sch. Rule 2 of No. 27/44.
Beduin Control.	No. 18 of 1942	No. 38/45		
Bee Diseases.	Cap. 9	No. 1/37		



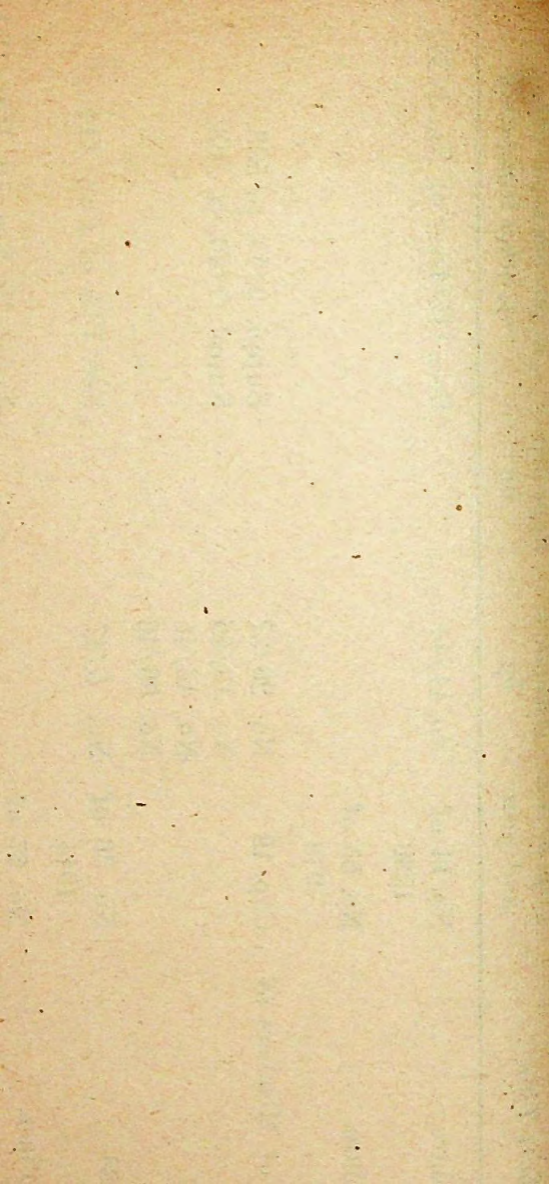
<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Bills of Exchange.	Cap. 10	No. 10/45		Sec. 4 of No. 13/34. Sec. 3 of No. 3/35. Sec. 2 of No. 15/39. Sec. 3 <i>ibid.</i> Sec. 3(2) of No. 33/39. Suppl. 2/44, p. 23.
Bills of Exchange (Protest).	No. 13/34 No. 3/35 No. 15/39			
British Council.	No. 32/46			
Brokers.	Cap. 11			
Carriage of Goods by Sea.	Cap. 12			
Census.	Cap. 13		Sec. 25 of No. 22/35	
Charitable Trusts.	Cap. 14			Sec. 4(3) of Cap. 15. Sec. 5(2) of Cap. 15. Sec. 11(2) of Cap. 15. Sec. 2 of Cap. 18. Sec. 4(3) of No. 18/38.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Charitable Trusts. (cont.)	Cap. 14			Sec. 9(b) of No. 18/38. Sec. 13(b) of No. 18/38.
Charities (Public Trustee)	Cap. 15			
Cinematograph Films.	Cap. 16	No. 1/37		Sec. 2 of Cap. 123.
Citrus Control.	No. 37 of 1940	No. 67/46.		Suppl. 2/41, p. 1443.
Citrus Crop Loans (Government Guarantee).	No. 19/40 No. 16/41 No. 25/42 No. 12/43 No. 26/44 No. 27/45 No. 36/46			Sec. 2 of No. 36/46. ibid ibid ibid ibid ibid ibid
Citrus Fruits Advertisement.	Cap. 17			
Citrus Marketing.	No. 47 of 1939	No. 55/46	Sec. 32 of No. 37/40	
Civil and Religious Courts (Jurisdiction).	Cap. 18	No. 6/47		



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Civil Procedure.	No. 14 of 1938	No. 44/44		Sec. 115(4)(e) of No. 1/34.
Civil Procedure.	No. 53 of 1939			
Civil Trial of Members of the Forces.	Cap. 19	No. 26/37 No. 13/46 No. 46/46 No. 66/46		Suppl. 2/43, p. 533. Suppl. 2/46, p. 363.
Civil Wrongs.	No. 36 of 1944	No. 5/47		Sec. 13A of Cap. 114.
Collective Fines.	No. 57 of 1936			Note: Re Sec. 10. Reg. 19A of Emer. Reg. 1936 repealed. See Suppl. 2/36, p. 1033.
Collective Punishments.	Cap. 20	No. 1/37 No. 6/44		Sec. 54 of Cap. 115. Sec. 11 of No. 57/36. Sec. 13(3)(d) of No. 31/40.
Commissioners' Powers (Conferment of).	No. 71 of 1936			
Commissions of Enquiry.	Cap. 21	No. 22/45		Sec. 8(3) of Cap. 155.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Companies.	Cap. 22	No. 1/37		Sec. 38(1) of Cap. 14.
		No. 12/37		Sec. 39(3) of Cap. 14.
		No. 30/37		Sec. 9(2) of Cap. 24.
		No. 26/39		Sec. 48(2) <i>ibid</i>
		Suppl. 2/44		Sec. 57 <i>ibid</i>
		p. 261		Sec. 59 <i>ibid</i>
				Sec. 60(1) <i>ibid</i>
				Sec. 2 of Cap. 29.
				Sec. 3 <i>ibid</i>
				Sec. 17 <i>ibid</i>
				Sec. 2 of Cap. 116.
				Sec. 70A of Cap. 133.
				Sec. 5(3) of No. 3/36.
				Sec. 210 of No. 74/36.
				Sec. 6 of No. 33/39.
				Sec. 7 of No. 36/39.
				Sec. 22 of No. 23/41.
				Sec. 26 <i>ibid</i> .
				Sec. 2 of No. 26/41.
				Sec. 3(1)(b) <i>ibid</i>
				Sec. 3(3) <i>ibid</i>



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Companies (Cont.).	Cap. 22			Sec. 3(4) <i>ibid</i> Sec. 9 <i>ibid</i> Sec. 11 <i>ibid</i> Sec. 2 of No. 19/44. Sec. 9(1) of No. 26/45. Sec. 96(1)(c) of No. 11/46. Sec. 9(1) of No. 12/47. Sec. 11(1)(j) of No. 13/47.
Company Profits Tax.	No 12 of 1947			
Compensation (Defence).	No. 18 of 1940	No. 39/46		Reg 117 Suppl. 2/45, p. 1088. Sec. 6 of No. 30/46.
Contempt of Court.	Cap. 23	No. 1/37		Sec. 2(d) of Cap. 146.
Cooperative Societies.	Cap. 24	No. 1/37 No. 16/37 No. 40/44		Sec. 2 of Cap. 22. Sec. 120 <i>ibid</i> Sec. 256(1) <i>ibid</i> Sec. 256 (10) <i>ibid</i> . Sec. 4 of Cap. 29. Sec. 2 of Cap. 116. Sec. 5(9) of No. 3/36. Sec. 210 of No. 74/36.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Cooperative Societies (cont.)	Cap 24			Sec. 2 of No. 33/39. Sec. 6 <i>ibid</i> Sec. 96(1)(c) of No. 11/46.
Copyright.	Cap. 25			
Coroners.	Cap. 26	No. 49/46		Suppl. 2/43, p. 573. Sec. 6(4) of No. 18/45.
Corporate Bodies (Abolition of Tax on Immovable Property).	Cap. 27			
Courts.	Cap. 28		Sec. 27 of No. 31/40	
Courts.	No. 31 of 1940	No. 20/42 No. 20/43 No. 20/44 No. 33/45 No. 14/46		Sec. 8 of Cap. 12. Sec. 9 of Cap. 38. Sec. 10 of No. 7/37.
Credit Banks.	Cap. 29			Sec. 3 of Cap. 95. Sec. 2 of No. 33/39. Sec. 2 of No. 11/41.



Short Title	Cap. or No. and year	Amended by	Repealed by	Reference to, or effect of, other legislation
Credit Banks	Cap. 29			Sec. 13(1) of No. 26/41.
(cont.)				Sec. 3(1) of No. 27/41.
Crime Prevention.	Cap. 30	No. 1/37		Sec. 28 of Cap. 33.
Criminal Code.	No. 74 of 1936	No. 37/37		Schedule to Cap. 97.
		No. 59/39		Sec. 91(1) of Cap. 115.
		No. 21/44		Sec. 2 of Cap. 116.
		No. 41/44		Sec. 5(3) <i>ibid.</i>
		No. 42/44		Sec. 11(5) <i>ibid.</i>
		No. 30/45		Sec. 8(3) of Cap. 155.
		No. 57/46		Sec. 16(1) of No. 2/37.
		No. 1/47		Sec. 2 of No. 45/39.
				Schedule III <i>ibid.</i>
				Sec. 2 of No. 2/40.
				Sec. 40 of No. 34/40.
				Sec. 12(3)(v) of No. 5/41.
				Sec. 9 of No. 2/43.
				Sec. 25 of No. 23/44.
				Rule 11, Sch. I, No. 42/44.
				Suppl. 2/45, p. 1059.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Criminal Code. (cont.)				Sec. 10(2) of No. 4/42. Sec. 21 of No. 8/47.
Criminal Law Amendment.	Cap. 31		Sec. 390 of No. 74/36	
Criminal Law (Prevention of Intimidation).	Cap. 32		Sec. 390 of No. 74/36	
Criminal Procedure (Arrests and Searches).	Cap. 33	No. 11/42 No. 52/46		Sec. 12(1) of Cap. 91, Sec. 11 of No. 17/36. Sec. 172(3) of No. 74/36. Reg. 16(2) Suppl. 2/45, p. 1063. Reg 17 <i>ibid.</i> Reg. 72(2) <i>ibid.</i> , p. 1072. Sec. 2 of No. 12/40.
Criminal Procedure (Evidence).	Cap. 34	No. 32/44 No. 30/45		Sec. 2 of No. 12/40.
Criminal Procedure (Release on Bail).	Cap. 35		Sec. 1(2) of No. 28/44	<i>Note</i> : See Release on Ba



Criminal Procedure (Summary Trials by District Courts). 1946 No. 70 of Criminal Procedure (Trial Upon Information). Cap. 36

Sec. 2 of Cap. 33.
 Sec. 13 of Cap. 48.
 Sec. 16 of Cap. 54.
 Sec. 2 of Cap. 56.
 Sec. 2 of Cap. 112.
 Sec. 130 of No. 1/34.
 Sec. 5 of No. 21/34.
 Sec. 2 of No. 17/36.
 Sec. 8 of No. 7/37.
 Sec. 3(1)(a) of No. 36/39.
 Sec. 5(4)(a) *ibid.*
 Sec. 96(4) *ibid.*
 Sec. 8 of No. 45/39.
 Sec. 13 *ibid.*
 Sec. 30 *ibid.*
 Sec. 2 of No. 2/40
 Sec. 7(d) of No. 31/40.
 Sec. 12(3) of No. 5/41.
 Reg. 70(b), Suppl. 2/45, p. 1072.

Reference to, or effect of, other legislation

Repealed by

Amended by

Short Title

Cap. or No. and year



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Criminal Procedure (Trial Upon Information). (cont.)	Cap. 36			Reg. 85(ii) Suppl. 2/45, p. 1075. Reg. 143 Suppl. 2/45, p. 1097. Sec. 2 of No. 3/46. Sec. 13 of No. 47/46.
Crops (Concealment).	Cap. 37			
Crown Actions.	Cap. 38	No. 31/40 No. 16/45		Sec. 12(1) of No. 29/36. Sec. 12(5) of No. 29/36. Sec. 15 of No. 18/38. Sec. 69 of No. 36/44. Sec. 94(1) of No. 11/46.
Cruelty to Animals (Prevention).	Cap. 39		Sec. 390 of No. 74/36	
Cultivators (Protection).	Cap. 40.	No. 1/37		Suppl. 2/39 p. 659. Sec. 6 of No. 7/40 as amended by suppl. 2/42, pp. 385, 1872, 1968.

<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Currency Notes.	Cap. 41	No. 1/37		Sec. 348 of No. 74/36. Sec. 353 of No. 74/36.
Customs.	Cap. 42	No. 1/37 No. 13/37 No. 35/37 No. 13/39 No. 60/39 No. 4/40 No. 16/40 No. 2/41 No. 18/46 No. 23/47		Sec. 4(2) of Cap. 44. Sec. 4(b) of Cap. 114. Sec. 14D <i>ibid.</i> Sec. 20 <i>ibid.</i> Sec. 2 of Cap. 115. Sec. 4(f) of No. 6/35. Sec. 2 of No. 35/39. Sec. 10(1) of No. 51/39. Suppl. 2/46, p. 361.
Customs Duties.	Cap. 43		Sec. 10 of No. 24/37	
Customs Duties (Variation of Tariff).	No. 51 of 1936			Sec. 5 of No. 24/37.
Customs Frontier.	Cap. 44			
Customs House Agents.	Cap. 45	No. 1/37 No. 43/37		Sec. 166(2) of Cap. 42. Sec. 9 of Cap. 114. Sec. 14C of Cap. 114.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Customs Tariff and Exemption.	No. 24 of 1937.	No. 5/38 No. 14/39 No. 18/46 Suppl. 2/46		Sec. 158A of Cap. 42. Sec. 6(3) of No. 15/44.
<i>Re Schedule see:</i>				
Suppl. 2/46, pp. 220, 277, 280, 475, 628, 679, 709, 885, 886, 962, 963, 1090, 1272, 1273, 1423, 1503.				
Suppl. 2/47, pp. 57, 117, 159, 385.				
Damage by Vessels under Pilotage.	No. 11 of 1939			
Dangerous Drugs.	Cap. 46		Sec. 18 of No. 17/36	
Dangerous Drugs.	No. 17 of 1936	No. 1/41 No. 3/42 Suppl. 2/42 p. 1456 No. 16/43 Suppl. 2/47 p. 526		Sec. 36(2) of Cap. 110. Suppl. 2/37, p. 1056. No. 42 of 1945.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Dangerous Drugs (Validation of Rules).	No. 42 of 1945			
Dead Sea Concession.	No. 23 of 1937	No. 5/40		Suppl. 2/41, p. 660.
Debt (Assignment).	Cap. 47			
Debt (Imprisonment).	Cap. 48			Suppl. 2/47, p. 435.
Defence Legislation (Incorporation in Certain Ordinances).	No. 30 of 1945			Sec. 10 of Cap. 149.
Dentists.	Cap. 49		Sec. 18 of No. 1/45	Sec. 2 of No. 1/45. Sec. 4(b) <i>ibid.</i> Sec. 7(2) <i>ibid.</i> Sec. 7(5) <i>ibid.</i> Sec. 10(1) <i>ibid.</i> Sec. 16(2) <i>ibid.</i>
Dentists.	No 1 of 1945			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Department of Labour.	No. 2 of 1943	No. 32/45 No. 25/46 Suppl. 2/45, p. 1537		Sec. 2 of No. 18/45.
Drainage (Surface Water).	No. 15 of 1942			
Education.	Cap. 50	No. 3/38 No. 2/42		Seh. 3(b) of Cap. 80. Sec. 102 of No. 1/34. Sec. 5(1)(a) of No. 36/41.
Electricity.	Cap. 51			
Electricity Concessions.	Cap. 52			Suppl. 2/39, p. 490. Suppl. 2/40, p. 543. Suppl. 2/41, p. 666. Suppl. 2/43, pp. 471, 822.
Electricity Concessions. (Jerusalem).	Cap. 53			
Employment of Children and Young Persons.	No. 19 of 1945			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Employment of Women.	No. 20 of 1945			
Essential Commodities (Reserves).	No. 35 of 1939			Sec. 2 of No. 34/39. Suppl. 2/39, pp. 813, 1137 Suppl. 2/40, pp. 813, 1524. Suppl. 2/41, pp. 503, 1151, 1579, 1619, 1735, 1856.
Evidence.	Cap. 54	No. 68/36 No. 1/37 No. 38/40 No. 40/46 No. 3/47		Sec. 68(1) of No. 2/40. Sec. 95(1) of No. 3/46.
Explosives.	No. 22 of 1937			
Export Duty (Abolition).	Cap. 55			
Extension of Time.	No. 35/46			
Extradition.	Cap. 56	No. 1/37 No. 41/40		



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Factories.	No. 11/46			Sec. 9 of No. 2/43.
Females (Contracts of Employment).	Cap. 57			
Firearms.	Cap. 58	No. 1 /37 No. 23/38 No. 19/41		Sec. 7(2) of Cap. 12. Reg. 60, Suppl. 2/45, p.1069. Reg. 137, Suppl. 2/45, p. 1095.
Fire Inquiry.	No. 7 of 1937			
Fisheries.	Cap. 59		Sec. 12 of No. 6/37	
Fisheries.	No. 6 of 1937	No. 27/39 No. 9/42 No. 7/44 No. 33/46		Sec. 9 of Cap. 114.
Flooding and Soil Erosion (Prevention).	No. 12 of 1941			
Food and Essential Commodities (Control).	No. 34 of 1939	No. 20/40 Suppl. 2/41 pp. 975, 1068, 1503		Sec. 2 of No. 4/42. Sec. 14 <i>ibid.</i>



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Food Control.	No. 4 of 1942	Suppl. 2/42 p. 1000 Suppl. 2/43 p. 333 Suppl. 2/44 p. 17 Suppl. 2/45 p. 17		Suppl. 2/42, pp. 576 (as amended by Suppl. 2/42 p.695 and Suppl. 2/46 p. 353), 1535. Suppl. 2/43, p. 527. Sec. 2 of No. 28/47
Food Control (Validation of Certain Appointments).	No. 28/47			
Foreign Prisoners (Detention).	Cap. 60			
Forests.	Cap. 61	No. 1/37 No. 7/42		Sec. 108 of Cap. 94. Sec. 16 of Cap. 131. Sec. 2 of No. 32/37.
Fruit Export.	Cap. 62		Sec. 32 of No. 37/40 No. 37/40	Sec. 32 of No. 37/40.
Fugitive Offenders (Pursuit).	Cap. 63			
Game Preservation.	Cap. 64	No. 6/40		Sec. 4(b) of Cap. 58.



Short Title

*Cap. or No.
and year*

*Amended
by*

*Repealed
by*

*Reference to, or effect
of, other legislation*

General Loan.

Cap. 65

Sec. 16 of No. 28/34.
Sec. 15 of No. 26/42.

Girl Guide.

No. 58 of
1946

Goodwin Pension.

No. 18/47

Government Railways.

No. 29 of
1936

No. 12/39
No. 35/41
No. 68/46

Guides.

Cap. 66

No. 58/39

Habimah Building Loan
(Guarantee) Validation.

No. 19 of
1939

Hooper Pension.

No. 40/37

Huleh Concession
(Boundaries).

No. 6 of
1938



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Immigration.	Cap. 67	<i>Schedule</i>	Sec. 19 of	Sec. 10(9) of No. 5/41.
		35/310	No. 5/41	
		37/445	Save Rules	
		39/34, 360,	thereunder	
		641		
		43/107		
		44/950, 259		
		45/1382		
Immigration.	No. 5 of 1941	Suppl. 2/46		See Sch. Cap. 67.
		pp. 156, 1383		Suppl. 2/34, p. 990. Reg. 102, Suppl. 2/45, p. 1081 Reg. 106 <i>ibid.</i> Suppl. 2/34, p. 731, 37/754, 38/608, 41/1574, 42/3120, 1838. 46/55.
Import, Export and Customs Powers (Defence).	No. 51 of 1939	Suppl 2/42		
		p. 1654		
		Suppl. 2/45, p. 19.		



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Income Tax	No. 23 of 1941	No. 10/42	Sect. 83 of No. 6/43.	
		No. 5/43	No. 13/47	Sec. 12 of No. 27/44.
		No. 12/44		Sec. 11 of No. 17/45.
		No. 11/45		Sec. 2 of No. 26/45.
		No. 26/46		Sec. 6(1)(c) of No. 26/45.
		No. 43/46		Sec. 11(2) of No. 26/45.
Income Tax	No. 13/47			Sec. 12 of No. 23/46.
				Sec 2,6, 11(2) of No. 12/47.
Industrial Courts.	No. 16/47			Sec. 72 of No. 13/47.
				Sec. 73 <i>ibid.</i>
Interest (Legal Rate).	Cap. 68			
	Cap. 69			
Interpretation.	No. 9 of 1945	No. 39/45		Sec. 2 of Cap. 40.
		No. 5/46		Sec. 4(2) of Cap. 78.
Interpretation.		{No. 53/46		Sec. 3D of Cap. 114.
				Sec. 132 of No. 1/34.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Interpretation (cont.)				<p>Sec. 2(3) of No. 6/35. Sec. 4(2) of No. 36/39. Sec. 14 of No. 4/42. Sec. 2 of No. 5/42. Suppl. 2/42, p. 1151. Suppl. 2/43, pp. 573, 883, 925. Sec. 2 of No. 23/44. Sec. 41 <i>ibid.</i> Sec. 2(1) of No. 36/44. Suppl. 2/45, p. 1059. Sec. 3 of No. 53/46. Sec. 83 of No. 13/47.</p>
Intoxicating Liquors and Public Entertainments.	Cap. 70		Sec. 28 of No. 4/35	



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Intoxicating Liquors (Manufacture and Sale).	Cap. 71	No. 1/37 No. 14/37 No. 18/37 No. 3/41 No. 3/43 Suppl. 2/44, p. 275 Suppl. 2/45, pp. 153, 297 No. 18/46 No. 24/46 Suppl. 2/46, p. 711		Sec. 3(2) of Cap. 92. Sec. 4(1) <i>ibid</i> Sec. 9(3) <i>ibid</i> Sec. 10(4) <i>ibid</i> Sec. 14 of No. 5/35. Suppl. 2/46, p. 361.
Iraq Petroleum Company Convention and Agreements.	No. 30 of 1939			
Jewish Community (Elected Assembly and General Council (Vaad Leumi)) Validation.	No. 63 of 1936			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Jewish Community (Rabbinical Council of Palestine) (Validation).	No. 17 of 1944			
Jewish Community (Rabbinical Council of Palestine) (Validation).	No. 25 of 1945			
Judgments (Reciprocal Enforcement).	Cap. 72			Sec. 2 of Cap. 73. Sec. 6 of Cap. 73.
Judgments (Reciprocal Enforcement-Egypt).	Cap. 73			
Juvenile Offenders.	No. 2 of 1937	No. 31/38 No. 42/44		Sec. 2 of No. 42/44. Rule 2, Sch. I <i>ibid.</i> Rule 6, <i>ibid.</i> Rule 11, <i>ibid.</i>
Land (Acquisition for the Army and Air Force).	Cap. 74		Sec. 26 of No. 24/43	Sec. 26 of No. 34/46.
Land (Acquisition for Public Purposes).	No. 24 of 1943	No. 34/46 No. 64/46		Sec. 98(6) of No. 1/34.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Land Courts.	Cap 75	No. 46/39 No. 14/42 No. 39/44 No. 16/46		Sec. 3(b) of No. 45/39. Sec. 11(4) <i>ibid.</i>
Land Disputes (Possession).	Cap. 76	No. 1/37		
Land (Expropriation).	Cap. 77		Sec. 26 of No. 24/43	Sec. 10(1) of Cap. 5. Sec. 19(1) <i>ibid.</i> Sec. 32(2) of No. 28/36. Sec. 2(1) of No. 18/40. Sec. 16(2) of No. 15/42. Sec. 26 of No. 34/46.
Land Law (Amendment).	Cap. 78	No. 34/37 No. 39/41		Sch. 2(ii) of Cap. 80. Sec. 2 of No. 12/40.
Landlords and Tenants (Ejection and Rent Restriction)	No. 11/34	No. 38/36 No. 52/36 No. 8/37 No. 1/38 No. 8/39		<i>Note</i> : expired on 31st March, 1940. Sec. 11(1) of No. 44/40. Sec. 10(3) of No. 6/41. Sec. 11(3) <i>ibid.</i>



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Landlords and Tenants (Ejection and Rent Restriction) (Extension).	No. 12/35			Sec. 6(6) of No. 6/41. Sec. 12(2) of No. 6/41.
Land (Mevat).	Cap. 79			Sec. 2 of No. 12/40.
Land Registers.	No. 30 of 1944			
Land (Settlement of Title).	Cap. 80	No. 1/37 No. 48/39 No. 12/42 No. 18/44 No. 1/46		Sec. 20 of Cap. 5. Sec. 9 of Cap. 23. Sec. 6 of Cap. 76. Sec. 9A(c) of Cap. 81. Sec. 17(5) of Cap. 133. Sec. 2 of Cap. 136. Sec. 11(1) of Cap. 136. Sec. 6 of No. 21/34. Sec. 131(2) of No. 74/36. Sec. 9 of No. 17/37. Sec. 2 of No. 12/40. Sec. 2(1) of No. 18/40. Sec. 2 of No. 5/42. Sec. 4(1) of No. 5/42. Sec. 2 of No. 45/46.



<i>Short Title</i>	<i>Cap. or No. 'and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Land Transfer.	Cap. 81	No. 20/37 No. 16/38 No. 1/39 No. 39/39 No. 13/43		Sec. 10(1) of Cap. 29. Sec. 5 of Cap. 95. Sec. 11(a) of No. 30/44. Sec. 12(a) <i>ibid.</i> Sch. Rule 2(1) (b) of Cap. 136
Land Transfer (Fees) Rules (Amendment).	No. 11 of 1941		Sec. 2 of No. 34/45	
Land Transfer (Fees) Rules (Amendment).	No. 34/45			
Land Valuers.	Cap. 82			Sec. 6 of Cap. 29. No. 12 of 1940. Sec. 2 of No. 42/40.
Law Council.	No. 33/38	No. 3/45		Sec. 2,6,13 of No. 32/38.
Law of Evidence Amendment.	No. 68/36			
Law of Execution Further Provisions.	No. 38 of 1936			
Law of Procedure (Amendment).	No. 21/34	No. 15/45		Sec. 44 of No. 36/44.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Limitation (Enemies and War Prisoners).	No. 45 of 1946			
Loans (Approved Companies).	No. 7/40	No. 16/42		
Loans (Recovery of Interest).	No. 9/38			
Local Authorities (Business Tax).	No. 5 of 1944		Sec. 6 of No. 29/45	
Local Authorities (Business Tax).	No. 29 of 1945			
Local Authorities (Replacement).	Cap. 83		Sec. 13 of No. 36/41	
Local Councils.	Cap. 84		Sec. 13 of No. 36/41	
Local Councils.	No. 36 of 1941	No. 22/42		Sec. 2 of Cap. 143.
		No. 2/44		Sec. 2 of No. 6/35.
		No. 19/47		Sec. 5A of No. 18/38.
				Sec. 3(2) of No. 40/40.
				Sec. 64 <i>ibid.</i>
				Sec. 2 of No. 6/41.
				Sec. 3 <i>ibid.</i>



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repeated by</i>	<i>Reference to, or effect of, other legislation</i>
Local Councils. (cont.)				Sec. 48 of No. 36/44. Sec. 5(2) of No. 2/45. Sec. 5(2) of No. 20/45. Sec. 2 of No. 29/45.
Locust Destruction.	Cap. 85			
Machinery (Fencing).	Cap. 86		Sec. 99 of No. 11/46	Sec. 9 of No. 2/43.
Magistrates' Courts Jurisdiction.	Cap. 87		Sec. 15 of No. 16/35	
Magistrates' Courts Jurisdiction.	No. 15 of 1935		Sec. 28 of No. 45/39	
Magistrates' Courts Jurisdiction.	No. 45/39	No. 13/42 No. 4/43 No. 28/44 No. 15/46 No. 31/46.		Sec. 3(d) of Cap. 75. Sec. 6(2) of Cap. 97. Sec. 20(5) of Cap. 155. Sec. 130 of No. 1/34. Sec. 5 of No. 21/34. Sec. 35(4) of No. 28/36. Sec. 35(8), 40 <i>ibid.</i> Sec. 5, 11 of No. 34/39. Sec. 16 of No. 35/39.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Magistrates' Courts Jurisdiction. (cont.)				Sec. 3(1)(b) of No. 36/39. Sec. 5(4)(b) <i>ibid.</i> Sec. 9C.(b) <i>ibid.</i> Sec. 10(g) of No. 4/42. Reg. 70(a) Suppl. 2/45, p. 1072. Reg. 85(i) <i>ibid.</i> , p. 1075. Sec. 94(1) of No. 11/46. Sec.3 of No. 47/46. Sec. 3(2) & 5 of No. 70/46.
Marriage and Divorce (Registration).	Cap. 88			
Matches Excise.	Cap. 89	No. 55/39 Suppl. 2/44 p. 279 Suppl. 2/45, p. 154 Suppl. 2/46, p. 1470		



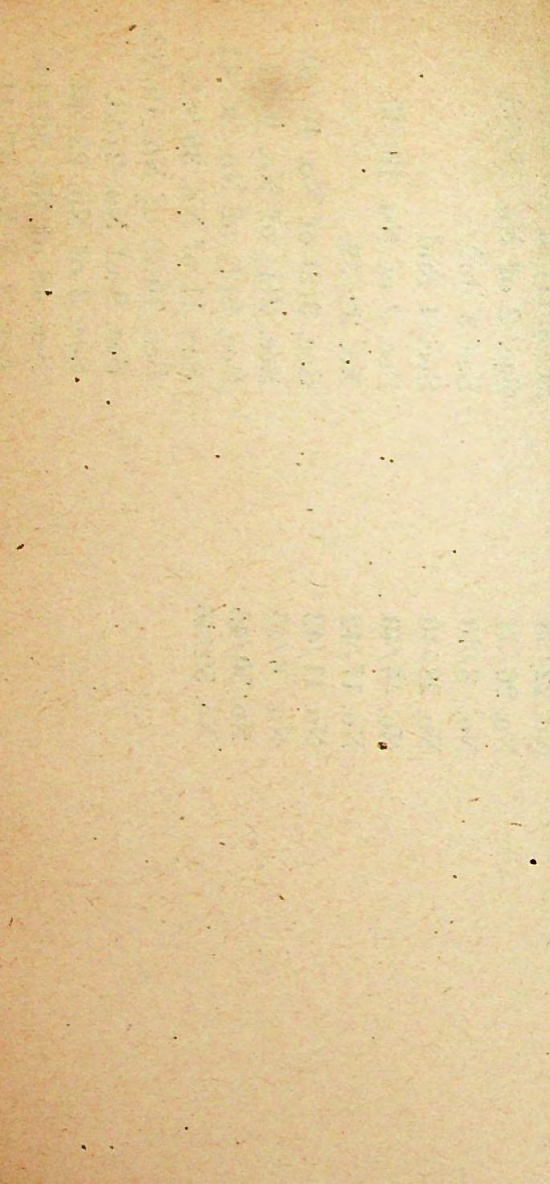
<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Medical Practitioners.	Cap. 90	No. 1/37 No. 19/37 No. 6/39		Sec. 156(2) of No. 74/36. Sec. 183(c) of No. 74/36.
Merchandise Marks.	Cap. 91	No. 28/39 No. 38/41		
Merchant Shipping (Wireless Telegraphy).	No. 21 of 1937			
Methylated Spirits.	Cap. 92	No. 11/37 No. 16/39 No. 29/40 No. 18/46		Sec. 2 of Cap. 71. Suppl. 2/46, p. 362.
Midwives.	Cap. 93			
Mining.	Cap. 94	No. 25/38 No. 8/40		Sec. 8(1) of No. 25/38. Sec. 38 <i>ibid.</i> Rule 10, Sch. <i>ibid.</i> Suppl. 2/41, p. 666. Sec. 9 of No. 2/43. Sec. 3 of No. 11/46.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Mortgage Law (Amendment).	Cap. 95			Sec. 7(b) of Cap. 40. Sec. 3 of No. 21/40. Sec. 2 of No. 11/41. Sec. 13 of No. 26/41. Sec. 3 of No. 27/41.
Mortgage Law (Approved Companies).	No. 21 of 1940	No. 27/41		
Moslem Family Law (Application).	Cap. 96			
Motor Vehicles Insurance (Third-Party Risks).	No. 8 of 1947			Sec. 2(1) & Sec. 23 of Cap. 128
Mukhtars (Appointment).	No. 21/42			Sec. 36(3) of No. 23/44.
Municipal Assessment Lists (Temporary Provisions).	No. 27/46			
Municipal Corporation of Petah Tiqva (Authorisation of Payments).	No. 43 of 1944			



<i>Short Title</i>	<i>Cap. or No. and year.</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Municipal Corporations.	No. 1 of 1934	No. 2/35		Sec. 2 of No. 13/34.
		No. 40/35		Sec. 2, 15 & 27 of No. 1/36.
		No. 4/37		Sec. 2 of No. 3/36.
		No. 22/38		Sec. 39(1) of No. 28/36.
		No. 26/38		Sec. 2 of No. 18/38.
		No. 3/40		Sec 3 <i>ibid.</i>
		No. 28/40		Sec. 4 <i>ibid.</i>
		No. 45/40		Sec. 2 of No. 19/39.
		No. 17/42		No. 32/39.
		No. 11/43		Sec. 3(2) of No. 40/40.
		No. 6/45		Sec. 2(1) of No. 9/41.
		No. 30/45		Sec. 8(2) of No. 36/41.
		No. 59/46		Sec. 11 of No. 36/41.
				Sec. 10(2) of No. 19/42.
				Sec. 9 of No. 2/43.
			Sec. 3 of No. 23/43.	
			Sec. 48 of No. 36/44.	
			Sec. 2 of No. 43/44.	
			Sec. 2 of No. 29/45.	
			Sec. 5 <i>ibid.</i>	
			Sec. 2 of No. 27/46.	



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Municipal Corporations (Sewerage, Drainage and Water).	No. 1 of 1936			Sec. 11 of No. 36/41.
Municipal Courts	Cap. 97	No. 9/39 Suppl. 2/42, p. 326 No. 40/45		Sec. 125 of No. 1/34. Sec. 7(4) of No. 28/36. Sec. 35(4) <i>ibid.</i>
Municipal Fees (Indirect Collection).	No. 32 of 1939			
Municipal Loans.	Cap. 98		Sec. 13 of No. 36/41	
Municipal Rates (Validation).	No. 9 of 1941			
Municipal Tribunals (Transitional Provisions).	No. 12/46			
Notaries Public (Foreign Documents).	Cap. 99	No. 5/37		Sec. 18 of No. 62/36.
Oaths.	No. 61/36	No. 21/43		Sec. 2 of No. 8/47.

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Other Documents)

Notes Public (Foreign

Transitional Provisions)

Municipal Ordinances

(Municipal Ordinances)

Municipal Ordinances

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Municipal Ordinances

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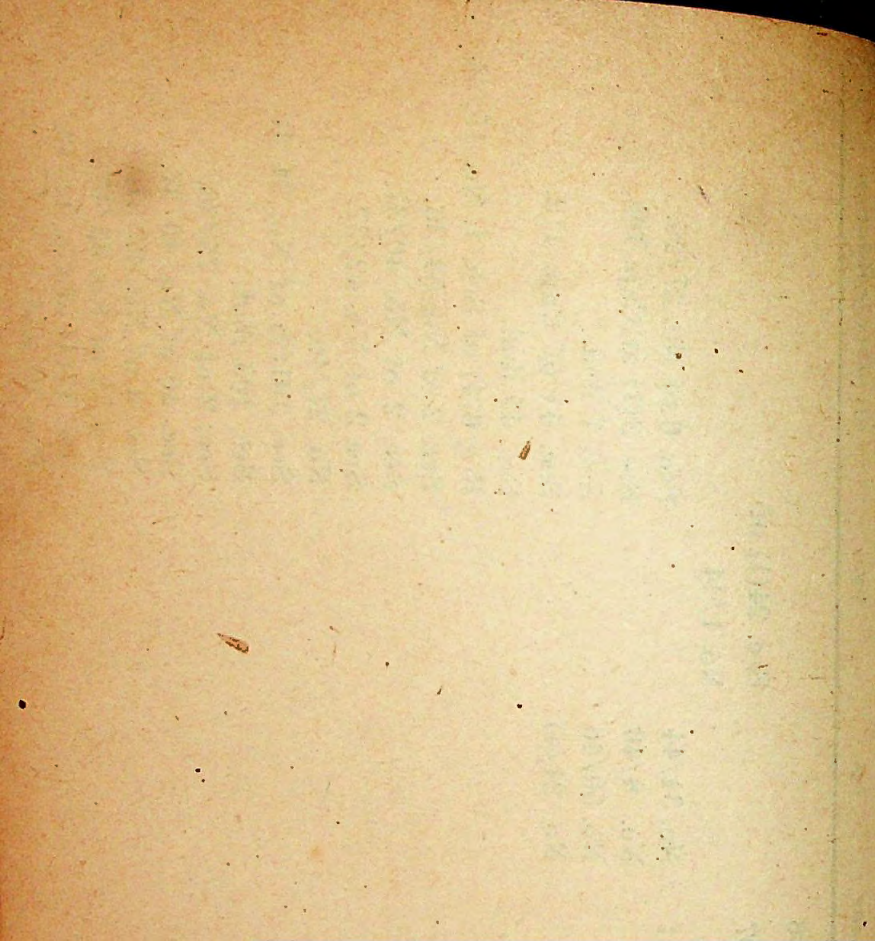
<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Official Secrets.	Cap. 100	No. 35/45		Sec. 387 of No. 74/36.
Oil in Navigable Waters.	No. 53/36			
Oil Mining.	No. 25 of 1938	Suppl. 2/39, pp. 272, 361 No. 9/40 Suppl. 2/44, p. 624		Suppl. 2/41, p. 666.
Orthodox Patriarchate.	No. 32/41			
Palestine Currency (Substitution).	Cap. 101			
Palestine Loan.	Cap. 102			Sec. 5 of No. 26/42.
Palestine Loan.	No. 28/34			
Palestine Loan.	No. 26/42			
Palestine Post Office Saving Bank.	No. 40 of 1941			
Palestine-Syria and Palestine-Lebanon Customs Agreements (Validation).	No. 16 of 1940			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Palestine Treasury Bills.	No. 25 of 1944	No. 13/45		
Palestine Volunteer Force.	No. 10 of 1941	No. 30/45		
Partnership.	Cap. 103			Sec. 96(1)(b) of No. 11/46.
Passports.	Cap. 104		Sec. 8 of No. 35/34	
Passports.	No. 35 of 1934	Suppl. 2/35, p. 841		Suppl. 2/35, p. 1146.
		Suppl. 2/36, No. 24/38 p. 375		
		Suppl. 2/44, p. 260		
Patents and Designs.	Cap. 105	No. 1/37		Sec. 5 of No. 56/39.
		No. 19/38		Sec. 7, 8 <i>ibid.</i>
Patents, Designs, Copyright and Trade Marks (Emergency).	No. 56 of 1939			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Penal Labour.	Cap. 106		Sec. 24(1) of No. 1/44	
Pensions.	Cap. 107			
Pensions.	No. 1 of 1944	No. 34/44 No. 8/46 No. 50/46 No. 24/47		Sec. 6 of No. 27/26. Sec. 3(1) of Cap. 108. Sec. 7 <i>ibid.</i> Sec. 44 of Cap. 112. Sec. 45 <i>ibid.</i> Reg 6(4) of Sch. I. No. 15/34. Sec. 2 of No. 54/36. Sec. 2 of No. 40/37. Sec 2 of No. 42/37. No. 27/40. Sec. 101(2) of No. 34/40. Sec. 103 <i>ibid.</i> Sec. 2 of No. 75/36. Sec. 40 of No. 40/37. Sec. 2 of No. 42/37. Sec. 12 of No. 35/40.. Sec. 17(4) of No. 15/43.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Pensions. (cont.)				Sec. 2 of No. 33/44. Sec. 42 of No. 3/46. Sec. 44 of No. 3/46. Sec. 2 of No. 18/47.
Pensions (Nursing Sisters).	Cap. 108	No. 1/37 No. 24/40		
Pensions (Ottoman) Service.	No. 27/26	No. 54/36		
Pensions (Palestine Gendarmerie).	No. 42 of 1937			
Pensions (War Service).	No. 27/40	No. 61/46		
Personal Injuries (Emergency Provisions).	No. 19 of 1942	No. 30/45		
Petition Writers.	Cap. 109	No. 20/39		
Pharmacists.	Cap. 110			Sec. 10 of Cap. 90. Sec. 9 of Cap. 148. Sec. 9(2) of No. 1/45.
Plague Evacuees Housing Schemes (Lydda District).	No. 23 of 1943			

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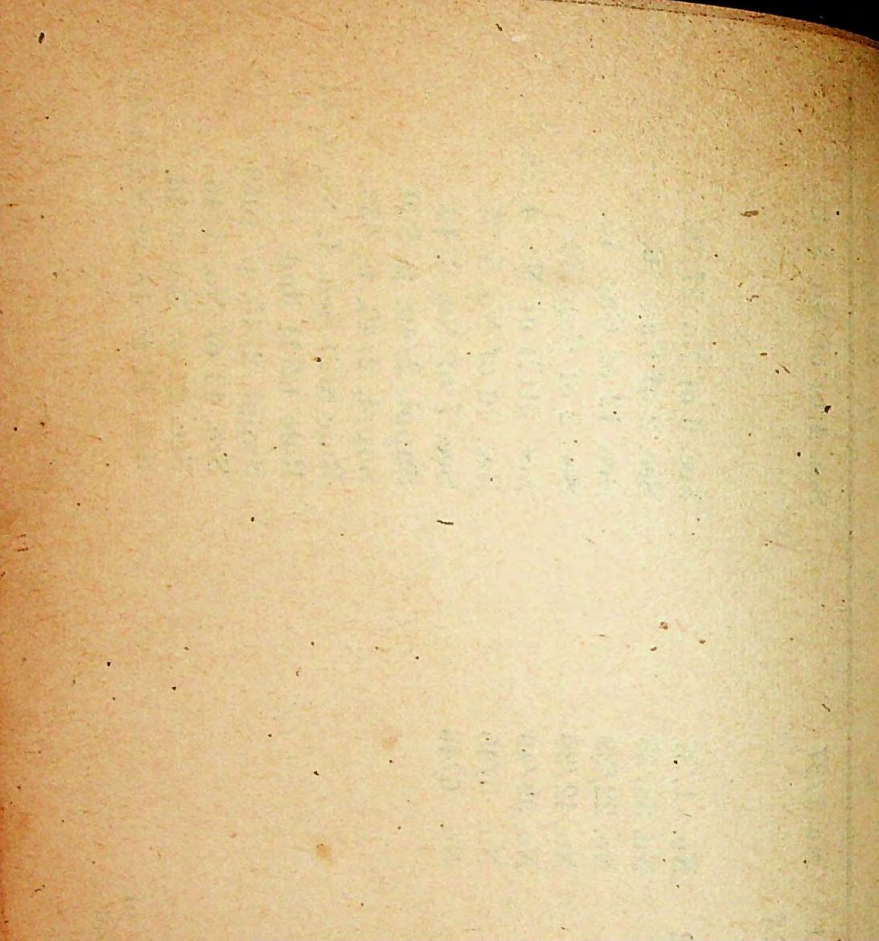
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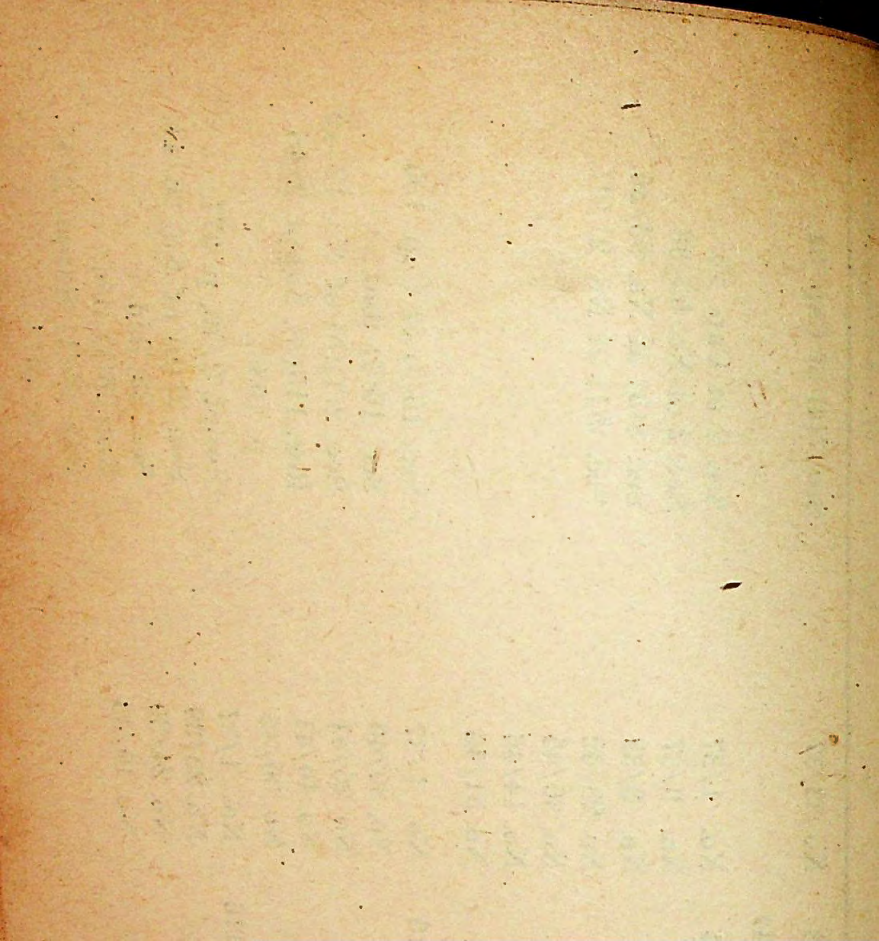
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<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Plant Protection.	Cap. 111	No. 1/37		Sec. 4(b) of No. 5/42.
Playing Cards Excise.	No 13 of 1938			
Police	Cap. 112	No. 1/37 No. 38/38 No. 22/39 No. 42/39 No. 39/40 No. 5/45 No. 6/46		Sec. 5 of No. 27/26. Sec. 2 of Cap. 16. Sec. 12 of Cap. 19. Sec. 2 of Cap. 33. Sec. 21(2) of No. 4/35. Sec. 10 of No. 5/35. Sec. 7 of No. 2/40. Suppl. 2/40, p. 920. Suppl. 2/43, p. 533. Rule 8(2) Sch. I, No. 1/44. Rule 12(1) <i>ibid.</i> Suppl. 2/45, p. 1059. Sec. 43 of No. 3/46. Sec. 51 of No. 3/46. Sch. II R. 18 of No. 3/46.
Police and Prisons (Separation) (Miscellaneous Provisions).	No. 5 of 1946			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Poor Prisoners' Defence.	Cap. 113	No. 39/37		Sec. 7(4) of Cap. 34.
Portland Cement.	No. 15/44			
Ports.	Cap. 114	No. 1/37 No. 9/37 No. 3/39 No. 28/42 No. 30/45 No. 44/46 No. 51/46		Sec. 2 of Cap. 42. Sec. 2 of No. 53/36. Sec. 8(3) of No. 53/36. Sec. 2(1) of No. 21/37.
Post Office.	Cap. 115	No. 1/37 No. 30/40 No. 25/41 No. 40/41 No. 30/45		Sec. 15(3) of Cap. 100. Sec. 16(6) <i>ibid.</i> Sec. 2(1)(b) of No. 18/40. Reg. 115(3), Suppl. 2/45. p. 1083.
Press.	Cap. 116	No. 1/37 No. 23/39 No. 24/39 No. 19/43		Suppl. 2/36, p. 577. Sec. 21(b) of No. 36/44. Sec: 22 <i>ibid.</i> Sec. 66(1) <i>ibid.</i> Reg. 95(1) Suppl. 2/45, p. 1079.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Prevention of Crimes (Tribes and Factions).	No. 47 of 1935			
Prisons.	Cap. 117		Sec. 70 of No. 2/40	
Prisons.	No. 2 of 1940		Sec. 97 of No. 3/46	Sec. 40(3) of No. 74/36. Sec. 23 of No. 23/44. Reg. 53(1) Suppl. 2/45, p. 1068.
Prisons.	No. 3/46	No. 29/47		
Private Railways.	No. 30/36			
Probates (British and Colonial).	Cap. 118	No. 1/37		
Probation of Offenders.	Cap. 119		Sec. 390 of No. 74/36	
Probation of Offenders.	No. 42 of 1944			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Provident Fund.	No. 15 of 1943	No. 2/45 No. 31/45 No. 56/46		Sec. 2 of No. 1/44. Rule 8(1) Sch. I, <i>ibid.</i> Rule 12(1) <i>ibid.</i> Rule 12(2) <i>ibid.</i> Rule 17(3) <i>ibid.</i> Sec. 9(1)(e) of No. 33/44.
Public Bathing Places.	Cap. 120			Sch. to Cap. 97.
Public Entertainments.	No 5 of 1935	No. 57/39 No. 31/43		Sec. 2 of Cap. 123. Sec. 74(1) of Cap. 133. Sec. 4(3) of Cap. 143. Sec. 9 of No. 2/43. Sec. 2(f) of No. 19/45. Rule 6, Sch. <i>ibid.</i> Rule 7 <i>ibid.</i>
Public Health.	Cap. 121			Sec. 2(f) of No. 20/45. Rule 6(2)(b) Sch. <i>ibid.</i>
			Sec. 73 of No. 40/40	



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Public Health.	No. 40 of 1940	No. 30/45 No. 41/46 No. 25/47		Sec. 19 of Cap. 90. Sec. 20 of Cap. 93. Sec. 9 of No. 17/36. Sec. 9 of No. 2/43. Sec. 48 of No. 36/44. Suppl. 2/40, p. 1052. Suppl. 2/47, p. 436.
Public Health (Rules as to Food).	No. 6 of 1935	No. 12/38 No. 29/39 No. 30/45		Schedule to Cap. 97.
Public Lands.	Cap. 122		Sec. 4 of No. 6/42	
Public Lands.	No. 6/42			Sec. 2 of No. 12/40.
Public Officers (Change of Title).	No. 10 of 1940	Suppl. 2/44, p. 312. Suppl. 2/47, p. 659		
Public Performances (Censorship).	Cap. 123	No. 1/37		



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Public Service (Supplementary Grants).	No. 26 of 1947			
Punishment of Offenders (Imprisonment).	No. 49 of 1936	No. 74/36		
Quarantine.	Cap. 124	No. 38/37		
Rabies.	No. 39/34			Suppl. 2/43, p. 924.
Railways.	Cap. 125		Sec. 45 of No. 29/36	
Rates and Taxes (Exemption).	No. 18 of 1938	No. 13/40 No. 9/43		Sec. 4(a) of No. 5/42. Suppl. 2/40, p. 469.
Registrars.	No. 62/36	No. 20/43 No. 65/46		
Registration of Business Names.	No. 23 of 1935	No. 23/42		
Release on Bail.	No. 28/44	No. 52/46		Reg. 18, Suppl. 2/45, p. 1064. Sec. 3(2) of No. 70/46.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Religious Communities (Organization).	Cap. 126	No. 1/37		Sec. 220A(1) of Cap. 22. Sec. 2 of Cap. 50. Sec. 33(2) of No. 3/36. Sec. 2 of No. 63/36. Suppl. 2/39, p. 462.
Religious Communities (Change).	Cap. 127	No. 15/47		Suppl. 2/39, p. 462.
Rent Restrictions (Business Premises).	No. 6 of 1941	No. 20/46		
Rent Restrictions (Dwelling Houses).	No. 44 of 1940	No. 17/41 No. 19/46 No. 48/46		Sec. 2 of No. 6/41.
Requisitioning etc. (Supplementary Provisions).	No. 30 of 1946			See Notice in Gaz, No. 1488, p. 391.
Revised Edition of the Laws (Revision).	No. 1/37			
Roads (Construction and Improvement) (Defence).	No. 2 of 1943			



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Road Transport.	Cap. 128	No. 1/37 No. 15/41 No. 14/44 No. 30/45 No. 9/47		Schedule to Cap. 97. Sec. 29A of Cap. 115. Suppl. 2/42, p. 1397. Reg. 80, Suppl. 2/45, p. 1074. Reg. 115(4) <i>ibid.</i> , p. 1087. Sec. 4(2), 12 & 25 of No. 8/47.
Roads (Width and Alignment)	Cap. 129	No. 1/37		Sec. 22 of Cap. 80.
Rural Property Tax.	No. 1 of 1935		Sec. 44(2) of No. 5/42	
Rural Property Tax.	No. 5 of 1942	No. 7/43 No. 11/44 No. 8/45 Suppl. 2/43, p. 298 Suppl. 2/44, p. 288 Suppl. 2/47, p. 517 No. 14/47 No. 20/47		Sec. 6 of No. 18/38. Sec. 7 <i>ibid.</i> Sec. 8 <i>ibid.</i> 1 Sec. 2 of No. 12/40. Sec. 2 of No. 23/41. No. 7/43. Sec. 2 of No. 13/47.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Safeguarding of Public Water Supplies.	No. 17 of 1937	No. 20/38		Suppl. 2/41, p. 666.
Sale of Intoxicating Liquor.	No. 4 of 1935	No. 10/38		Sec. 16 of Cap. 71.
		No. 41/41		Schedule of Cap. 97.
		No. 18/43		Sec. 4(3) of Cap. 143.
		Suppl. 2/43, p. 822		Sec. 9 of No. 2/43.
Salt.	Cap. 130	No. 18/46		Suppl. 2/44, p. 622.
		No. 23/46		Suppl. 2/46, p. 362.
Sand Drift.	Cap. 131			
Sewerage and Drainage.	Cap. 132			
				Sec. 13 of No. 36/41
Sharia Courts Pensions.	No. 15 of 1934	No. 59/36		
		Suppl. 2/37, p. 572		
		No. 37/38		
		No. 25/40		
		Suppl. 2/40, p. 1051		



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Shepherds (Licensing)	No. 28/46			Sec. 9D of No. 36/39.
Short Term Crop Loans (Security).	No. 27 of 1935	No. 15/36 No. 54/39		Sec. 2 of No. 19/40. Sec. 2 of No. 16/41. Sec. 2 of No. 25/42. Sec. 2 of No. 12/43. Sec. 2 of No. 26/44. Suppl. 2/44, p. 23. Sec. 2 of No. 27/45. Sec. 2 of No. 36/46.
Sir Michael McDonnell Pension.	No 75 of 1936			
Stamp Duty.	Cap. 133	No. 1/37 No. 25/43 No. 30/45 No. 6/46		Sec. 27(5) of Cap. 80. Sec. 93 of Cap. 115. Sec. 21(5) of No. 32/38. Sec. 2 of No. 33/41. Sec. 5 of No. 33/41. Sec. 9 of No. 27/44. Sec. 8 of No. 17/45. Sec. 9 of No. 29/46.

<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Statistics.	No. 22/35			
Steam Boilers.	Cap. 134		Sec. 99 of No. 11/46	Suppl. 2/41, p. 259. Sec. 9 of No. 2/43. Suppl. 2/44, p. 887.
Succession.	Cap. 135	No. 19/44 No. 38/46		Sec. 11(2) of Cap. 80. Sec. 11(a)(ii) of No. 30/44. Sec. 12(b) <i>ibid.</i> Sec. 39 of No. 37/44.
Summary Offences (Procedure).	No. 24 of 1935	No. 60/36		
Survey.	Cap. 136	No. 2/46		Sec. 12 of Cap. 80. Suppl. 2/42, p. 944.
Taxes (Collection)	Cap. 137	No. 1/37		Sec. 58(1) of Cap. 24. Sec. 17 of Cap. 136. Sec. 13 of Cap. 140. Sec. 115(5)(a) & 116 of No. 1/34. Sec. 9D(2) of No. 36/39. Sec. 18 of No. 40/40.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Taxes (Collection). (cont.)	Cap. 137			Sec. 49 <i>ibid.</i> Sec. 57(1)(b) of No. 23/41. Sec. 32 of No. 5/42. Sec. 6(4) of No. 15/42. Sec. 11 <i>ibid.</i> Sec. 12 <i>ibid.</i> Sec. 34(b) of No. 26/45. Sec. 34 of No. 12/47. Sec. 64 of No. 18/47.
Telegraphic Press Messages.	Cap. 138			
Time Determination.	No. 15/40			
Tithe Law (Amendment).	Cap. 139			
Tithe (Commutation).	Cap. 140	No. 24/45		Sec. 6 of Cap. 139. Sec. 7 <i>ibid.</i> Sec. 26 of No. 42/40. Sec. 2 of No. 5/42. Sec. 44(1) <i>ibid.</i>



<i>Short Title</i>	<i>and year Cap. or No.</i>	<i>by Amended</i>	<i>by Repealed</i>	<i>of, other legislation Reference to, or effect</i>
Tobacco.	Cap. 141	No. 1/37 No. 28/37 No. 4/39 No. 14/45 No. 37/46		
Town Planning.	Cap. 142		Sec. 41 of No. 28/36	
Town Planning.	No. 28 of 1936	No. 58/36 No. 8/38 No. 5/39 No. 30/41		Sec. 9A of Cap. 81. Sch. to Cap. 97. Sec. 3(d) of No. 45/39.
Trade Boards.	No. 23/45			



<i>Short Title</i>	<i>and year Cap. or No.</i>	<i>by Amended</i>	<i>by Repealed</i>	<i>of, other legislation Reference to, or effect</i>
Trades and Industries (Regulation).	Cap. 143	No. 1/37 No. 7/39 No. 18/41 Suppl. 2/41, pp. 978, 1378, 1804 Suppl. 2/44, p 677 No. 28/45 Suppl. 2/46, pp. 627, 963 Suppl. 2/47, p. 594.		Sch. of Cap. 97. Sec. 3 to Cap. 110. Sec. 34 <i>ibid.</i> Sec. 9 of No. 2/43.
Trade Marks.	Cap. 144		Sec. 48 of No. 35/38	
Trade Marks.	No. 35/38	No. 37/41		Sec. 2(1) of Cap. 91. Sec. 5,7,8 of No. 56/39.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Trading with the Enemy.	No. 36 of 1939	No. 30/45 No. 22/47		Sec. 2 of No. 51/39. Sec. 2 of No. 56/39. Sec. 3(6) <i>ibid</i> Sec. 5, 6, 11 <i>ibid</i> . Suppl. 2/41, p. 971. Sec. 2 & 3 of No. 45/46. Suppl. 2/46, pp. 1267. 1269, 1270, 1271. Sec. 22 of No. 13/47. Schedule to No. 13/47.
Trans-Arabian Pipe Line Company Convention.	No. 21/46			
Trans-Jordan Frontier Force.	Cap. 145		Sec. 115 of No. 34/40	Sec. 2 of No. 54/36. Rule 8(2), Sch. I. No. 1/44.
Trans-Jordan Frontier Force.	No. 34 of 1940	No. 20/41 No. 36/45		Sec. 11(4) of No. 35/40. Sec. 23 of No. 35/40. Sec. 2 of No. 36/40. Sec 4, 10, 13, 17, 20, 22 <i>ibid</i> Sec. 2 of No. 18/47.
Trans-Jordan Frontier Force (Reserve of Officers).	No. 35 of 1940			Sec. 2 of No. 34/40.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Trans-Jordan Frontier Force (Reserve of other Ranks).	No. 36 of 1940			Sec. 2 of No. 34/40. Sec. 68 <i>ibid.</i>
Treaty of Peace (Turkey).	Cap. 146			
United Nations Immunities and Privileges.	No. 27/47			
Urban Property Tax.	Cap. 147		Sec. 30 of No. 42/40	Sec. 107 of No. 1/34. Sec. 2 of No. 23/41. Sch. to No. 13/47.
Urban Property Tax.	No. 42 of 1940	No. 24/42 No. 10/44 No. 7/45 No. 17/46 No. 11/47		Sec. 107 of No. 1/34. Sec 10, 11, 12 of No. 18/38. Sec. 2 of No. 12/40. Sec. 4(1) of No. 18/40. Sec. 9 <i>ibid.</i> Sec. 2(1) of No. 9/41. Sec. 2 of No. 23/41. Sec. 2 of No. 5/42. Sec. 2, 5 of No. 13/47.
Usurious Loans.	No. 20/34			
Veterinary Surgeons.	Cap. 148	No. 21/41		Sec. 2 of No. 43/45.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Village Administration.	No. 23/44	No. 4/47		Sec. 2 of Cap. 149.
Village Roads and Works.	Cap. 149	No. 22/43 No. 30/45 No. 42/46		Sec. 64 of No. 40/40. Sec. 9(8) of No. 23/44.
War Loan.	No. 33/41	No. 21/47		
War Loan (Bearer Bonds).	No. 27 of 1944	No. 12/45 No. 37/45		Sec. 4 of No. 12/45.
War Loan (Bearer Bonds).	No. 12 of 1945	No. 29/46		
War Loan (Bearer Bonds) (No. 2).	No. 17 of 1945	No. 37/45 No. 17/47		
War Revenue (Company Profits Tax).	No. 26 of 1945			Suppl. 2/45, p. 885. Sec. 6(1)(i) of No. 12/47.
War Revenue (Income Tax Amendment).	No. 6 of 1943			
War Revenue (Rural Property Tax) (Amendment).	No. 7 of 1943			Sec. 37 of No. 5/42.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
War Risks Insurance.	No. 31 of 1941	Suppl. 2/42, pp. 318, 1007, 1421, 1627 Suppl. 2/43, pp. 11, 675		Suppl. 2/41, p. 666. Sec. 4(e) of No. 6/35. Sec. 10 of No. 24/44. Sec. 8 of No. 2/47.
Water Survey.	No. 2/38			
Weights and Measures.	Cap. 150		Sec. 19 of No. 24/44	
Weights and Measures.	No. 24/44		Sec. 16 of No. 2/47	
Weights and Measures.	No. 2/47			
White Phosphorous Matches (Prohibition).	Cap. 151		Sec. 99 of No. 4/46	Sec. 9 of No. 2/43.
Widows' and Orphans Pensions.	No. 33 of 1944	No. 7/46 No. 10/47		Sec. 19(3) of No. 15/43.
Wireless Telegraphy.	Cap. 152	No. 1/37 No. 43/39		Sec. 15(3) of Cap. 100.



<i>Short Title</i>	<i>Cap. or No. and year</i>	<i>Amended by</i>	<i>Repealed by</i>	<i>Reference to, or effect of, other legislation</i>
Women and Children (Industrial Employment).	Cap. 153		Sec. 15 of No. 19/45	Sec. 9 of No. 2/43.
Workmen's Compensation.	Cap. 154	Suppl. 2/38, p. 695		Sch. para 1 item 1 of Cap. 133.
		No. 33/40		Sec 220A(d) of Cap. 22.
		No. 27/40		Sec. 220A(2) of Cap. 22.
		Suppl. 2/42, p. 728		Sec. 33(2) of No. 28/36.
		No. 17/43		Sec. 5(1) of No. 19/42.
		No. 28/43		Sec. 9(2) <i>ibid.</i>
Workmen's Compensation (Temporary Increases).	No. 21 of 1945	Suppl. 2/43, p. 738		Sec. 9 of No. 2/43.
				Sec 55C(6) and 62 of No. 36/44
				Rule 17, Sch. No. 19/45.
Wrecks and Salvage.	Cap. 155			Rule 14, Sch. No. 20/45. No. 21/45.
Young Offenders.	Cap. 156			Sec 19 of No. 8/47.
			Sec. 25 of No. 2/37	Sec. 13A of Cap. 114.



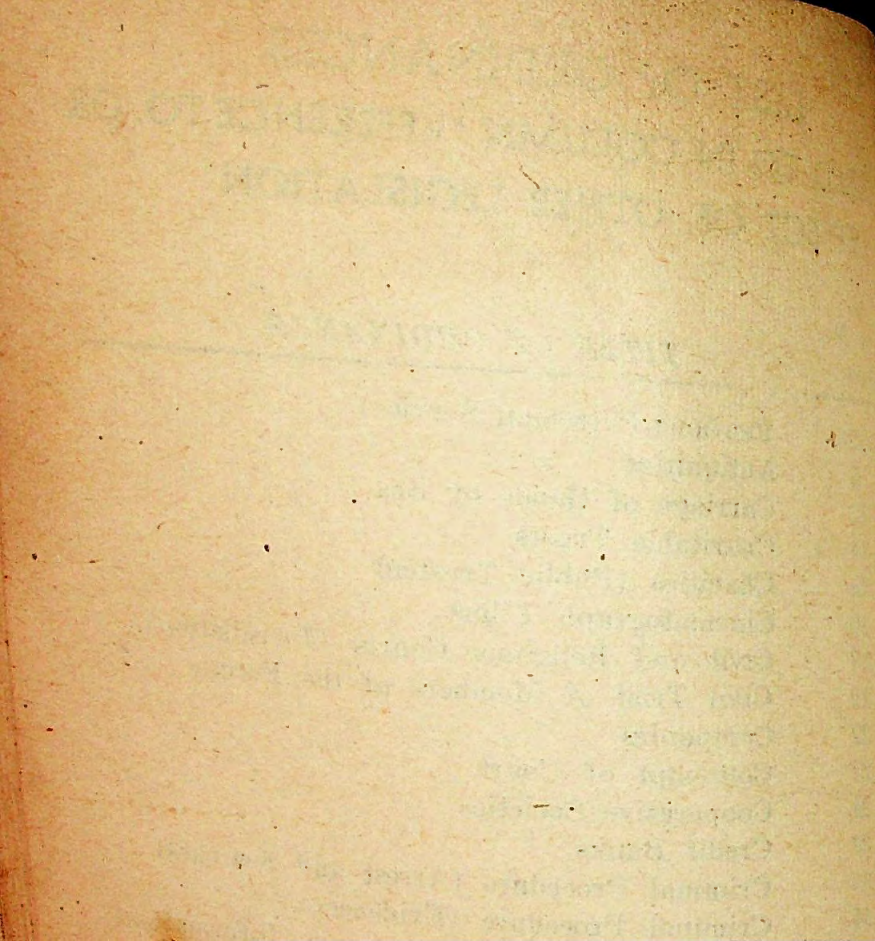
LIST OF ORDINANCES

REFERRED TO IN COLUMN "REFERENCE TO, OR
EFFECT OF, OTHER LEGISLATION"

*Cap. or No.
and year.*

TITLE OF ORDINANCE

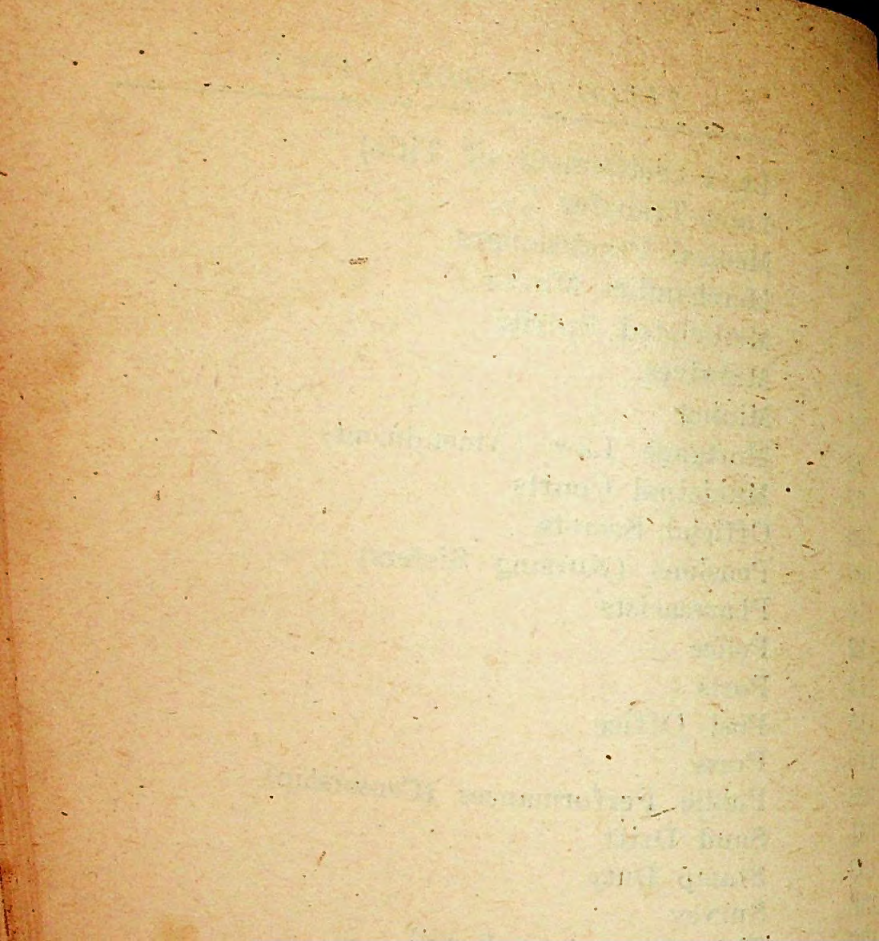
No. 27/26	Pensions (Ottoman Service)
Cap. 5	Antiquities
Cap. 12	Carriage of Goods by Sea
Cap. 14	Charitable Trusts
Cap. 15	Charities (Public Trustee)
Cap. 16	Cinematograph Films
Cap. 18	Civil and Religious Courts (Jurisdiction)
Cap. 19	Civil Trial of Members of the Forces
Cap. 22	Companies
Cap. 23	Contempt of Court
Cap. 24	Cooperative Societies
Cap. 29	Credit Banks
Cap. 33	Criminal Procedure (Arrest and Searches)
Cap. 34	Criminal Procedure (Evidence)
Cap. 36	Criminal Procedure (Trial upon Information)
Cap. 38	Crown Actions
Cap. 40	Cultivators (Protection)
Cap. 42	Customs
Cap. 44	Customs Frontier
Cap. 48	Debt (Imprisonment)
Cap. 50	Education
Cap. 54	Evidence
Cap. 55	Export Duty (Abolition)
Cap. 56	Extradition
Cap. 58	Firearms
Cap. 71	Intoxicating Liquors (Manufacture and Sale)
Cap. 73	Judgments (Reciprocal Enforcement-Egypt)
Cap. 75	Land Courts
Cap. 78	Land Law (Amendment)



Cap. or No.
and year.

TITLE OF ORDINANCE

Cap. 80	Land (Settlement of Title)
Cap. 81	Land Transfer
Cap. 90	Medical Practitioners
Cap. 91	Merchandise Marks
Cap. 92	Methylated Spirits
Cap. 93	Midwives
Cap. 94	Mining
Cap. 95	Mortgage Law (Amendment)
Cap. 97	Municipal Courts
Cap. 100	Official Secrets
Cap. 108	Pensions (Nursing Sisters)
Cap. 110	Pharmacists
Cap. 112	Police
Cap. 114	Ports
Cap. 115	Post Office
Cap. 116	Press
Cap. 123	Public Performances (Censorship)
Cap. 131	Sand Drift
Cap. 133	Stamp Duty
Cap. 136	Survey
Cap. 139	Tithe Law (Amendment)
Cap. 140	Tithe (Commutation)
Cap. 143	Trades and Industries (Regulationn)
Cap. 146	Treaty of Peace (Turkey)
Cap. 148	Veterinary Surgeons
Cap. 149	Village Roads and Works
Cap. 154	Workmen's Compensation
Cap. 155	Wrecks and Salvage



1934

No. 1	Municipal Corporation
No. 13	Bills of Exchange (Protest)
No. 17	Arbitration (Foreign Awards)
No. 21	Law of Procedure (Amendment)
No. 28	Palestine Loan

1935

No., 3	Bills of Exchange (Protest)
No. 4	Sale of Intoxicating Liquor
No. 5	Public Entertainments
No. 6	Public Health (Rules as to Food)
No. 33	Antiquities (Enclosures)

1936

No. 1	Municipal Corporations (Sewarage, Drainage and Water)
No. 3	Bankruptcy
No. 17	Dangerous Drugs
No. 28	Town Planning
No. 29	Government Railways
No. 53	Oil in Navigable Waters
No. 57	Collective Fines
No. 62	Registrars
No. 63	Jewish Community (Elected Assembly and General Council (Vaad Leumi)) Validation
No. 75	Sir Michael McDonnel Pension

1937

No. 1	Revised Edition of the Laws (Revision)
No. 2	Juvenile Offenders
No. 7	Fire Inquiry
No. 17	Safeguarding of Public Water Supplies
No. 21	Merchant Shipping (Wireless Telegraphy)



No. 24	Customs Tariff and Exemption
No. 32	Animal Manure
No. 40	Hooper Pension
No. 42	Pensions (Palestine Gendarmerie)

1938

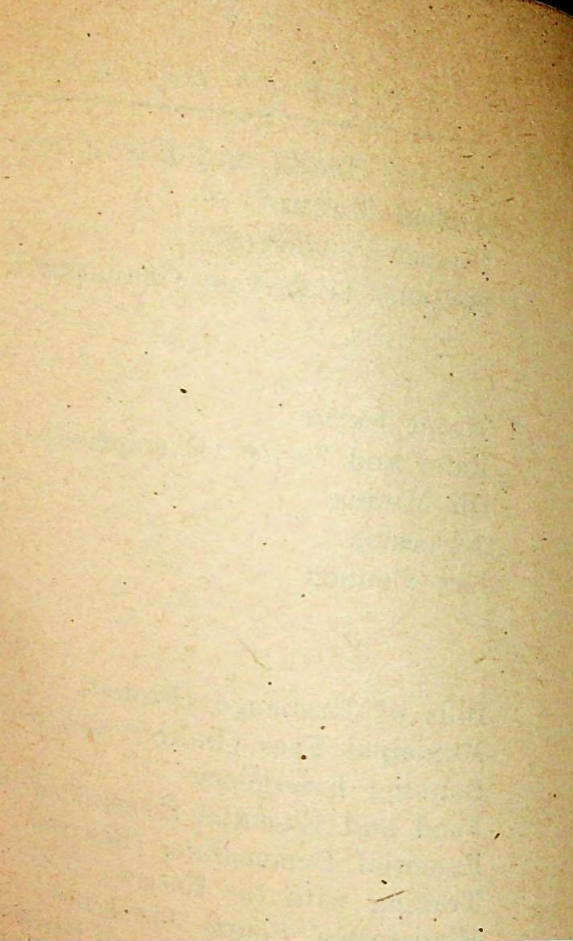
No. 2	Water Survey
No. 18	Rates and Taxes (Exemption)
No. 25	Oil Mining
No. 32	Advocates
No. 33	Law Council

1939

No. 15	Bills of Exchange (Protest)
No. 32	Municipal Fees (Indirect Collection)
No. 33	Banking Emergency
No. 34	Food and Essential Commodities (Control)
No. 35	Essential Commodities (Reserves)
No. 36	Trading with the Enemy
No. 45	Magistrates' Courts Jurisdiction
No. 51	Import, Export and Customs Powers (Defence)
No. 56	Patents, Designs, Copyright and Trade Marks (Emergency)

1940

No. 2	Prisons
No. 7	Loans (Approved Companies)
No. 12	Public Officers (Change of Title)
No. 18	Compensation (Defence)
No. 19	Citrus Crop Loans (Government Guarantee)
No. 21	Mortgage Law (Approved Companies)
No. 27	Pensions (War Service)
No. 31	Courts
No. 34	Trans-Jordan Frontier Force



*Year and
Number*

TITLE OF ORDINANCE

No. 35	Trans-Jordan Frontier Force (Reserve of Officers)
No. 36	Trans-Jordan Frontier Force (Reserve of Other Ranks)
No. 37	Citrus Control
No. 40	Public Health
No. 42	Urban Property Tax
No. 44	Rent Restrictions (Dwelling Houses)

1941

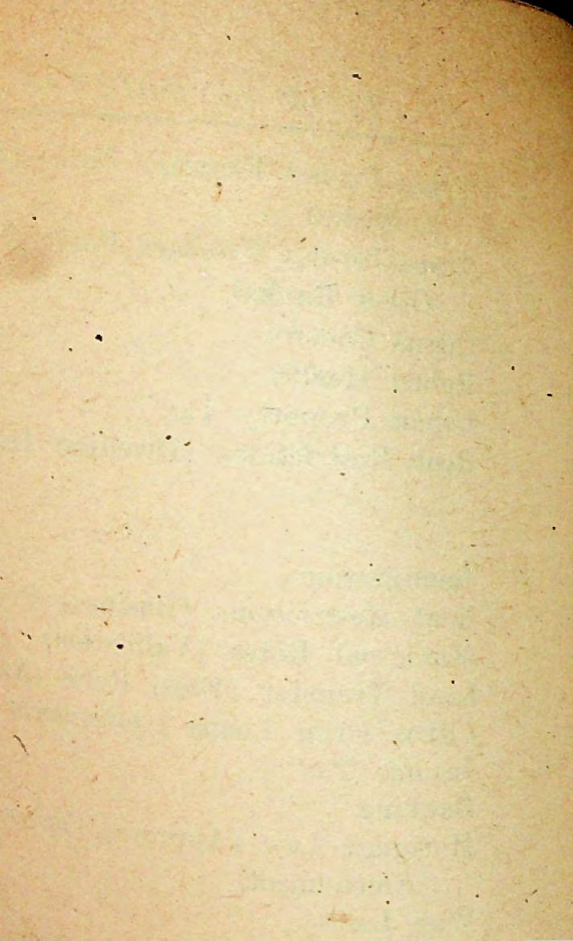
No. 5	Immigration
No. 6	Rent Restrictions (Business Premises)
No. 9	Municipal Rates (Validation)
No. 11	Land Transfer (Fees) Rules (Amendment)
No. 16	Citrus Crop Loans (Government Guarantee)
No. 23	Income Tax
No. 26	Banking
No. 27	Mortgage Law (Approved Companies) (Amendment)
No. 33	War Loan
No. 36	Local Councils

1942

No. 4	Food Control
No. 5	Rural Property Tax
No. 15	Drainage (Surface Water)
No. 19	Personal Injuries (Emergency Provisions)
No. 25	Citrus Crop Loans (Government Guarantee)
No. 26	Palestine Loan

1943

No. 2	Department of Labour
No. 5	Income Tax (Amendment)
No. 6	War Revenue (Income Tax) (Amendment)
No. 12	Citrus Crop Loans (Government Guarantee)



*Year and
Number*

TITLE OF ORDINANCE

- No. 15 Provident Fund
No. 23 Plague Evacuees Housing Schemes (Lydda District)

1944

- No. 1 Pensions
No. 12 Income Tax (Amendment)
No. 15 Portland Cement
No. 19 Succession (Amendment)
No. 23 Village Administration
No. 24 Weights and Measures
No. 26 Citrus Crop Loans (Government Guarantee)
No. 27 War Loan (Bearer Bonds)
No. 30 Land Registers
No. 33 Widows' and Orphans' Pensions
No. 36 Civil Wrongs
No. 37 Administrator General
No. 42 Probation of Offenders
No. 43 Municipal Corporation of Petah Tiqva
(Authorisation of Payments)

1945

- No. 1 Dentists
No. 2 Provident Fund (Amendment)
No. 17 War Loan (Bearer Bonds) (No. 2)
No. 18 Accidents and Occupational Diseases
(Notification)
No. 19 Employment of Children and Young Persons
No. 20 Employment of Women
No. 26 War Revenue (Company Profits Tax)
No. 27 Citrus Crop Loans (Government Guarantee)
No. 29 Local Authorities (Business Tax)
No. 42 Dangerous Drugs (Validation of Rules)
No. 43 Animal Diseases



TABLES OF AMENDMENTS AND APPENDICES.

1. The "Tables of Amendments and Appendices" are arranged in alphabetical order.

2. The "Tables of Amendments" show the sections affected by amendments.

3. The amendments are given either in the tables, or, in the case of replacements, additions, etc., in appendices.

4. The appendices are numbered and bear the number of the section affected.

5. The appendices may either be kept together, as in this compilation, or they may be used as amending slips and pasted in the respective ordinances.

Note: This brings the law up to date as on 1st August, 1947.

Please contact Publishers for subsequent amendments.



TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3	The first three lines substituted. (See appendix No. 1)	Sec. 2 of No. 29/41.
4(1)	The first three lines substituted. (See appendix No. 2)	Sec. 3(a) of No. 29/41.
4(2)	Replaced. (See appendix No 3)	Sec. 3(b) of No. 29/41.
5	Insert "or authorised" between "ad- vertisement exhibited" and "by any department".	No. 1/37, p. 2
6	Replaced. (See appendix No. 4)	Sec. 4 of No. 29/41.
9	Repealed.	Sec. 5 of No. 29/41.



Apdx. 1 Sec. 3.

3. A local authority may in its area of jurisdiction, with the consent of the district commissioner, and elsewhere the district commissioner may, authorise —

Sec. 2 of
No. 29/41

Apdx. 2 Sec. 4(1).

4. (1) A local authority may in its area of jurisdiction, with the consent of the district commissioner, and elsewhere the district commissioner may, make by-laws —

Sec. 3(a) of
No. 29/41

Apdx. 3 Sec. 4(2).

(2) No by-law made by a municipal council shall have effect unless it has been confirmed by the High Commissioner.

Sec. 3(b) of
No. 29/41

Apdx. 4 Sec. 6.

6. Any person committing a contravention of the provisions of this Ordinance or of any by-law made thereunder is guilty of an offence and is liable on conviction to a fine not exceeding twenty pounds for any one offence and in the case of a continuing offence to an additional fine not exceeding two pounds for every day during which the offence is continued after his conviction.

Offences.
Sec. 4 of
No. 29/41

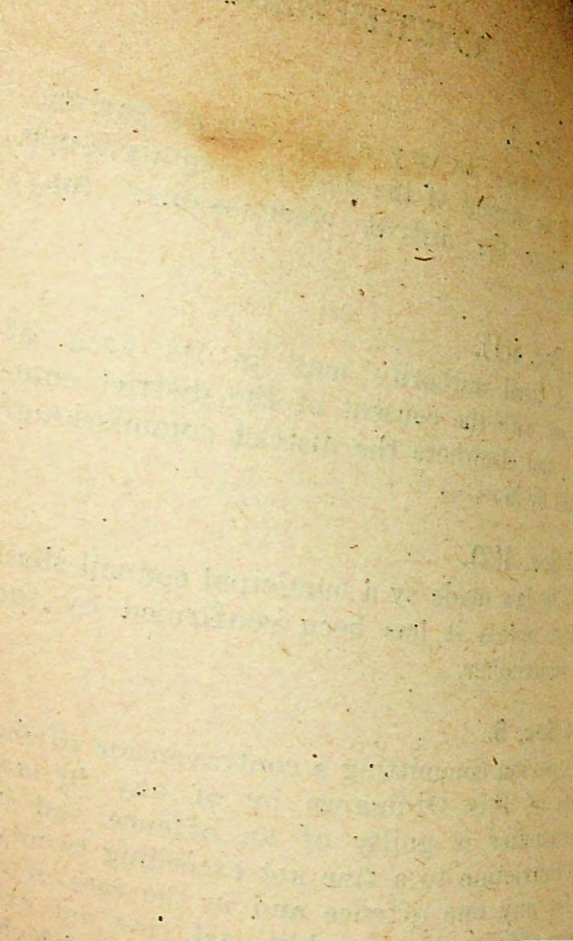


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
13(a)	Insert "or exchanged" after "purchased".	Sec. 2 of No. 62/46.
13(c)	Replaced. (See appendix No. 1)	No. 1/37, p. 5.
13(d)	Delete "or exchanged".	Sec. 2 of No. 62/46.
16(a)	Replaced. (See appendix No. 2)	No. 1/37, p. 5.
17(1)	Replaced.	No. 1/37, p. 5.
(2)	(See appendix No. 3)	Sec. 2 of No. 30/43.
26	Replaced. (See appendix No. 4)	Sec. 3 of No. 62/46.
27(1)	Sub-section (1) replaced. (See appendix No. 4)	Sec. 4(a) of No. 62/46
27(2)	Insert " , educational institution or body," after "learned society".	Sec. 4(b) of No. 62/46.



Apdx. 1 Sec. 13(c).

(c) antiquities which the Director is satisfied were imported into Palestine subsequent to the thirty first day of December, 1900.

No. 1/37
p. 5.

Apdx. 2 Sec. 16(α).

(a) antiquities which the Director is satisfied were imported into Palestine subsequent to the thirty first day of December, 1900;

No. 1/37
p. 5.

Apdx. 3 Sec. 17(1).

PART V.- HISTORICAL MONUMENTS
AND SITES.

17.—(1) The Director shall publish in the Gazette a schedule of historical monuments and historical sites and may, from time to time, make additions or amendments thereto :

Schedule of
historical
monuments
and sites.
No. 1/37
p. 5.

Provided that until such time as the Director shall exercise the power hereby conferred upon him, the Provisional Schedule of Historical Sites and Monuments, dated the fifteenth day of June, 1929, and published in the Gazette Extraordinary of that date shall be deemed to be a schedule of historical monuments and historical sites duly published by the Director hereunder.

(2) Copies of the relevant parts of the schedule shall be available for inspection in every District Office and Police Station in the sub-district in which an historical monument or historical site is situated.

Sec. 2 of
No. 30/43.



Apdx. 4 Sec. 26.

26. The High Commissioner may authorise the sale or exchange of antiquities which are the property of the Government and, in the opinion of the Director, are not required for the Palestine Archaeological Museum.

Authorisation for sale or exchange of Government antiquities.
Sec. 3 of
No. 62/46.

27.—(1) The Director, with the approval of the High Commissioner, may make loans to learned societies, educational institutions or bodies, or museums, of any antiquities which are the property of the Government, and may authorise the exportation of such antiquities from Palestine for the purpose.

Loan of Government antiquities.
Sec. 4 of
No. 62/46.



TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "court", (as enacted by No. 1/37) replaced. (See appendix No. 1).	Sec. 2 of No. 63/46.



Apdx. 1 Sec. 2.

"court" means —

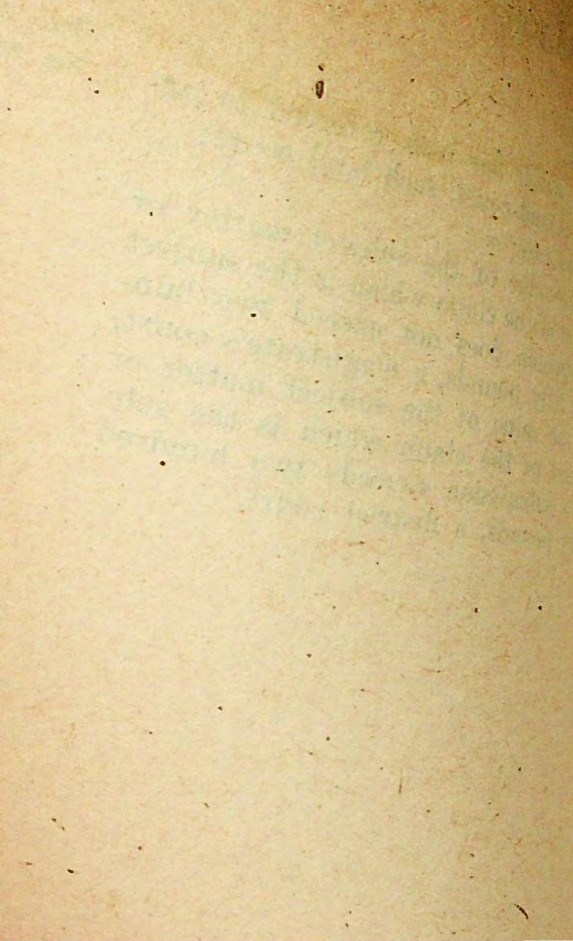
(a) where any matter has been referred to arbitration by a land court, such land court;

(b) in any other case —

(i) where the value of the subject matter or the amount of the claim which is the subject of a submission does not exceed two hundred and fifty pounds, a magistrate's court,

(ii) where the value of the subject matter or the amount of the claim which is the subject of a submission exceeds two hundred and fifty pounds, a district court.

Sec. 2 of
No. 63/46



BEE DISEASES. CAP. 9.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
Long Title	Add "and other harm" at the end.	No. 1/37.
1	Substitute "protection" for "diseases".	No. 1/37.
2	Insert the following definition after the definition of "foul brood". (See appendix No. 1)	No. 1/37. p. 6.
7A	Section 7A added. (See appendix No. 2)	No. 1/37. p. 7.
9	Replaced. (See appendix No. 3)	No. 1/37.



Apdx. 1 Sec. 2.

“genuine bee wax” means the substance prepared by bees and obtained from wax combs;

No. 1/37 p. 6

Apdx. 2 Sec. 7A.

7A. No wax comb foundation shall be imported into or manufactured in Palestine, or sold or exposed for sale in Palestine, unless it conforms to the following specifications, that is to say, it shall consist of sheets made of pure genuine bees-wax with no traces of cerasin, paraffin or other adulterants, and shall be embossed with hexagonal cells of the same size as those made by bees.

Requirements as to composition of wax comb foundation.

No. 1/37 p. 7

Apdx. 3 Sec. 9.

9. The High Commissioner may make, and when made vary or revoke, rules :-

Rules.
No. 1/37

- (a) as to the treatment and protection of bees;
- (b) as to the places at which bees or queens may be imported, and the conditions of importation and the period during which such bees or queens are to be kept under observation or quarantine;
- (c) as to the treatment of bees, bee-hives, and other material infected with foul brood or any other contagious diseases;
- (d) generally for the application of this Ordinance.

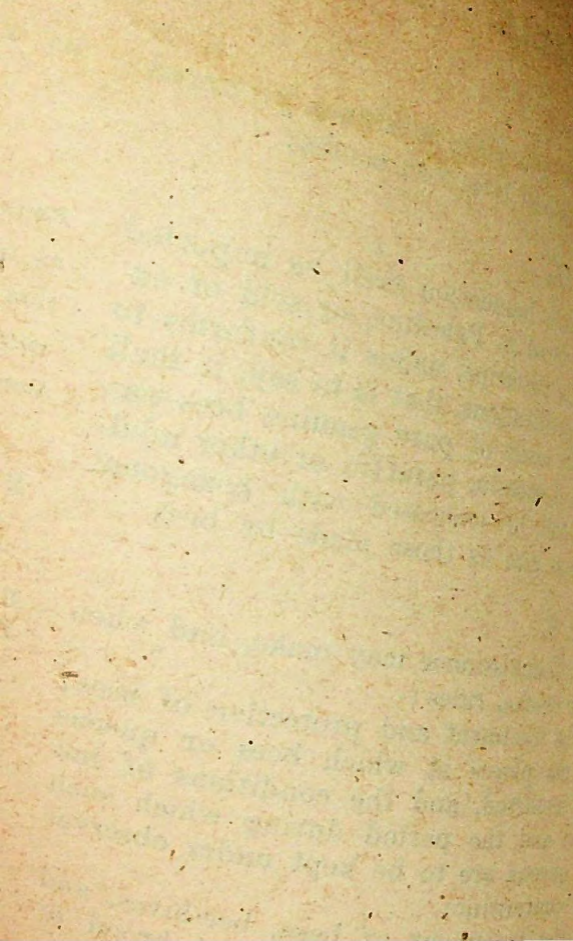
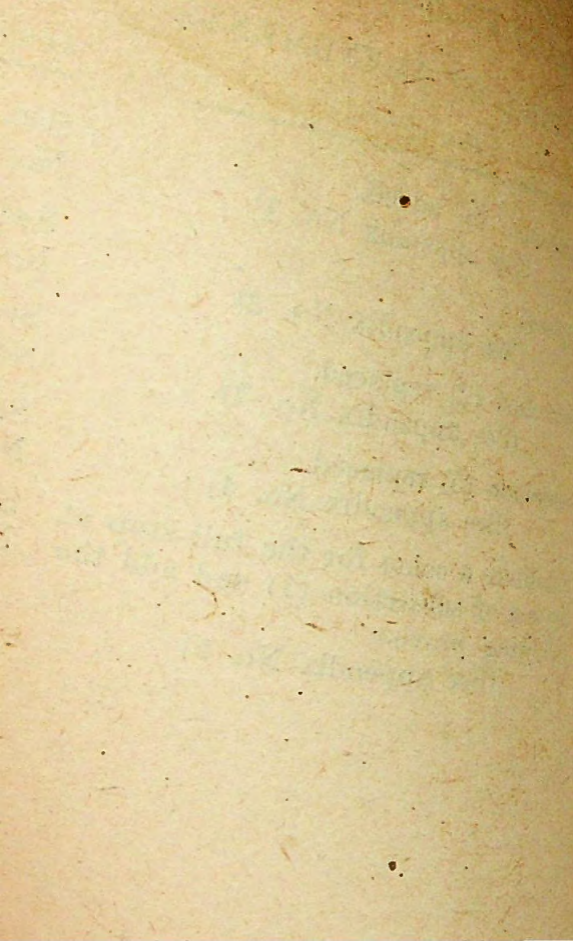


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
15(3)	Sub-section (3) added. (See appendix No. 1)	Sec. 2 of No. 10/45.
53	Replaced. (See appendix No. 2)	Sec. 3 of No. 10/45.
57(2)	Subsection (2) replaced. (See appendix No. 3)	Sec. 4 of No. 10/45.
72(5)	Subsection (5) replaced. (See appendix No. 4)	Sec. 5 of No. 10/45.
96(1) Proviso	Substitute a colon for the full stop at the end of subsection (1) and add the following proviso. (See appendix No. 5)	Sec. 6 of No. 10/45.



Apdx. 1 Sec. 15(3).

(3) Nothing contained in this section shall preclude the drawer of a bill, or any indorser, from inserting in a separate document any stipulation which under subsection (1) he may insert in such bill, and if the stipulation inserted in a separate document as aforesaid is a stipulation waiving protest, the provisions of subsection (2) shall apply thereto as they apply to a stipulation waiving protest inserted in such bill :

Sec. 2 of
No. 10/45

Apdx. 2 Sec. 53.

53. A bill, of itself, does not operate as an assignment of funds in the hands of the drawee available for the payment thereof, and the drawee of a bill who does not accept as required by this Ordinance is not liable on the instrument.

Funds in
hands of
drawee.
Sec. 3 of
No. 10/45

Apdx. 3 Sec. 57(2).

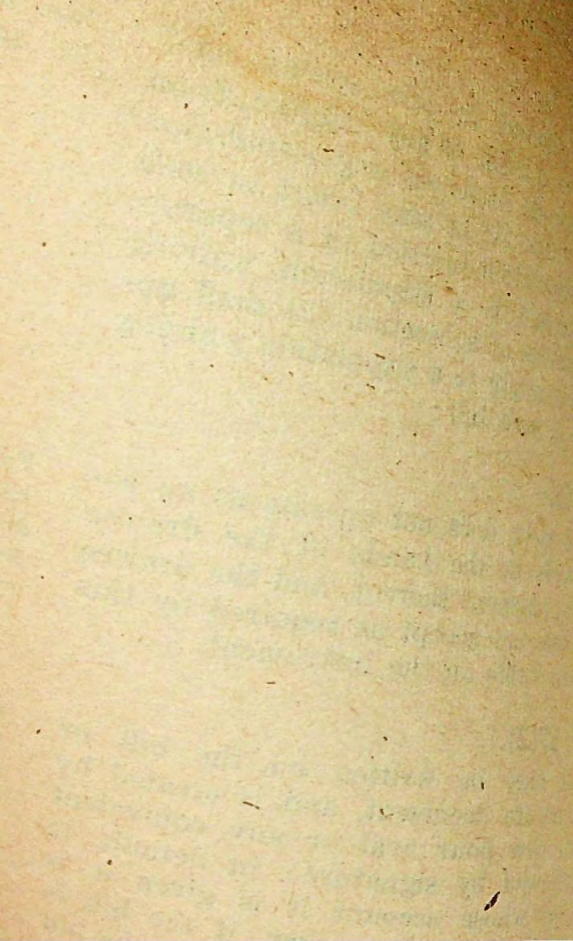
(2) An aval may be written on the bill or given by a separate document, and is created by the expression bon pour aval or any equivalent expression followed by signature: in default of a statement on whose account it is given it is deemed to be given for the maker, if the bill is a promissory note, and for the drawer, if the bill is not a promissory note.

Sec. 4 of
No. 10/45

Apdx. 4 Sec. 72(5).

(5) Where a bill is drawn in one country and is payable in another, the due date thereof is determined according to the law of the place where it is payable.

Due date.
Sec. 5 of
No. 10/45



Apdx. 5 Sec. 96(1)

Provided that any party to a bill of exchange, cheque or promissory note may waive the defence to an action against him on such bill of exchange, cheque or promissory note that such action is not maintainable by reason of the expiration of the appropriate period mentioned in this subsection, and such waiver may be inserted either in the said bill of exchange, cheque or promissory note or in a separate document, and either before or after any such action is commenced :

Provided further that if such waiver is inserted in a separate document it shall not be binding unless valuable consideration has been received therefor by the person inserting it in such document.

Sec. 6 of
No. 10/45

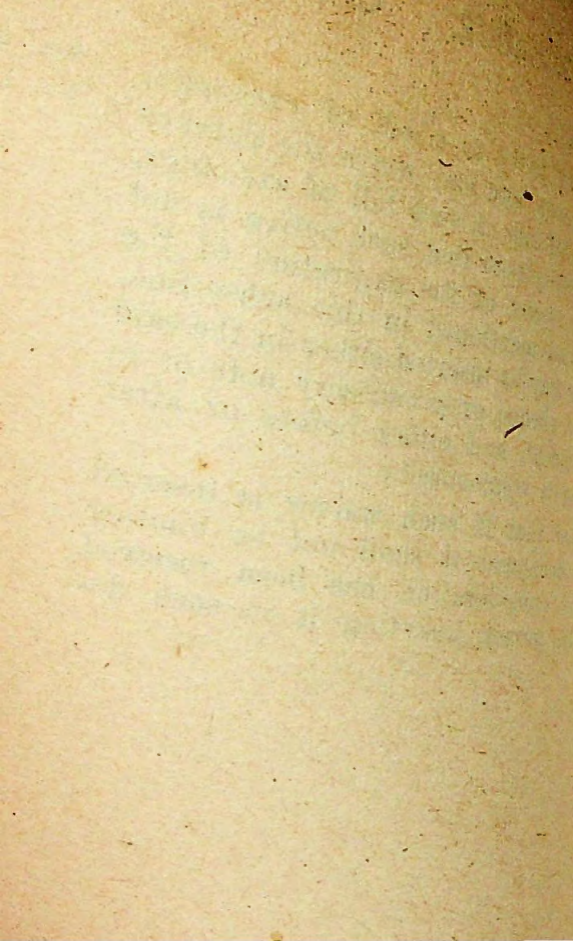


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "public entertainment" replaced by the following : (See appendix No. 1)	No. 1/37 p. 7.



Apdx. 1 Sec. 2.

“public entertainment” has the meaning assigned to the term in the Public Entertainments Ordinance, 1935. No. 1/37 p. 7



CIVIL AND RELIGIOUS COURTS
(JURISDICTION). CAP. 18

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
6	Replaced (See appendix No. 1)	Sec. 2 of No. 6/47.



CIVIL AND RELIGIOUS COURTS (JURISDICTION).
CAP. 18.

Apdx. 1 Sec. 6.

6. The Moslem religious court shall have jurisdiction in cases of application for blood money on account of homicide or injury to a member (diya) where all the parties concerned are Moslems, or, not being Moslems, agree to refer the application to the Moslem religious court.

Jurisdiction in
cases in diya.
Sec. 2 of
No. 6/47



TABLE OF AMENDMENTS

<i>Section No.</i>	<i>How affected</i>	<i>Amended by</i>
Long title.	Replace "Members of His Majesty's Fighting Forces" by "Members of His Majesty's Forces and certain other Forces operating therewith."	Sec. 2 of No. 46/46.
2	Replaced. (See appendix No. 1)	Sec. 3 of No. 46/46.
3(1)	Replaced. (See appendix No. 1)	Sec. 4 of No. 46/46.
6	Replaced. (See appendix No. 2)	Sec. 4 of No. 26/37 Sec. 2 of No. 66/46.
7	Substitute the following for "A civil court". (See appendix No.2)	Sec. 3 of No. 66/46.
8(1)	Sub-section (1) replaced. (See appendix No. 3)	Sec. 5 of No. 26/37
10	Substitute the following for: from "sections 97 and 98 of the Naval Discipline Act" to "to one or other of these acts or Ordinances". (See appendix No. 4)	Sec. 4 of N. 66/46.
12	Section 12 added : (See appendix No. 5)	Sec. 2 of No. 13/46.



Apdx. 1 Sec. 2.

2. In this Ordinance the expression "member of the forces" means a member of any of His Majesty's sea, land or air forces, or of the Trans-Jordan Frontier Force or a member of any other armed force who is stationed with, or attached to, any of His Majesty's Forces serving in Palestine or any of His Majesty's ships or aircraft in Palestine.

3.—(1) In the event of a member of the forces being charged with any of the following offences, namely, treason, murder, manslaughter, treason-felony or rape, the preliminary investigation, unless the holding thereof has been precluded in accordance with the provisions of section 6 of this Ordinance, shall be held by a British magistrate who, if he is of opinion that there is sufficient credible evidence to justify putting the accused on his trial, shall commit him for trial before the Court of Criminal Assize.

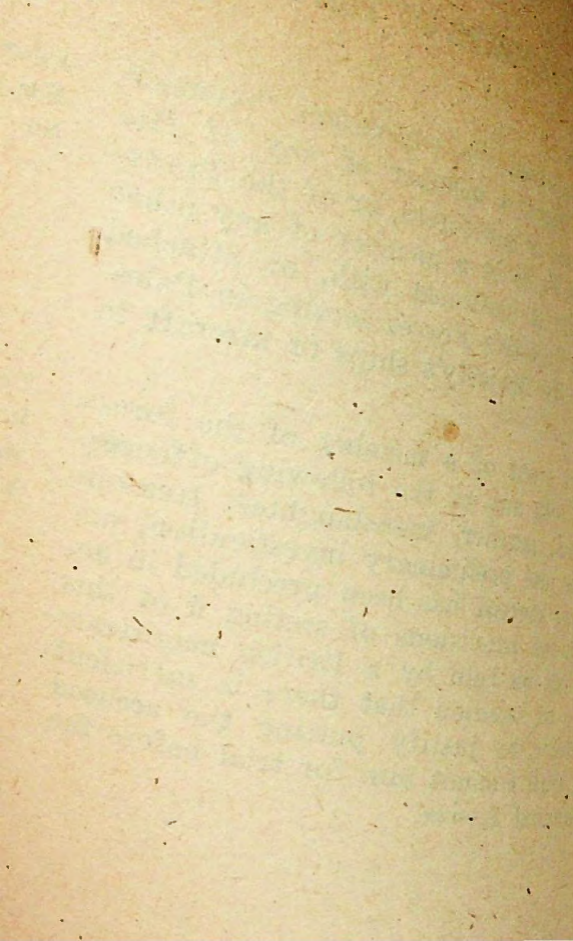
Interpretation.

Sec. 3 of

No. 46/46.

Preliminary
investigation.**Sec. 4 of**

No. 46/46.



Apdx. 2 Sec. 6.

6. If an offence (including any of the offences set out in section 3 of this Ordinance) with which a member of the forces is charged is one triable by court martial, and the officer commanding the force or ship in which the member of the force is serving elects, at any time before the trial has commenced before the civil court, to cause the accused to be dealt with under the provisions of *the naval, military or air force law to which he may be subject*, no proceedings in respect of the same offence shall be taken before the civil court, and if such officer so elects at any time before the commencement of a preliminary investigation of the charge in respect of such offence by a magistrate, no such preliminary investigation shall be held.

7. Save in cases where a member of the forces is prosecuted under an Ordinance of Palestine by virtue of proviso (b) to section 5, a civil court.

Apdx. 3 Sec. 8(1).

8.(1) Where a warrant is issued for the arrest of a member of the forces charged with a crime triable by a civil court, it shall be addressed to the officer in command of the ship or unit to which the member of the forces belongs or is attached, and shall be executed by him unless the officer referred to in section 6 of this Ordinance shall, before the date of the return of the warrant, elect to act as in that section provided.

Apdx. 4 Sec. 10.

sections 97 and 98 of the Naval Discipline Act, section 144 of the Army Act, section 144 of the Air Force Act, or the corresponding provisions of the naval, military or air force law to which he may be subject, as the case may be.

Trial by Court
Martial or
Summarily.

Sec. 4 of
No. 26/37

Sec. 2 of
No. 66/46.

English law
to be applied
by civil courts
Sec. 3 of
No. 66/46.

Arrest of a
member of the
forces.
Sec. 5 of
No. 26/37

Sec. 4 of
No. 66/46



Apdx. 5 Sec. 12.

12.—(1) In this section, "member of the forces" means any person who became a member of the forces —

- (a) by appointment or enlistment in Palestine, or
- (b) by virtue of any proclamation made under section 51 of the Police Ordinance.

(2) The High Commissioner may, by order, prescribe that all or any of the following provisions shall have effect, that is to say :-

- (a) notwithstanding anything contained in section 3, in the event of a member of the forces being charged with having committed any of the offences mentioned in that section, it shall be lawful for either a British magistrate or any other magistrate to hold the preliminary investigation;
- (b) notwithstanding anything contained in section 5, in the event of a member of the forces being charged with having committed any offence other than those mentioned in section 3, it shall not be necessary that the civil court for the hearing of such charge shall consist solely of a British judge or judges or a British magistrate or magistrates;
- (c) notwithstanding anything contained in section 10, in the event of a member of the forces being a party to a civil action brought for hearing before a civil court, it shall not be necessary that the court shall consist of a British judge or a British magistrate or British judges.

Power of High Commissioner to vary certain provisions of the Ordinance. Sec. 2 of No. 13/46. Cap. 112.

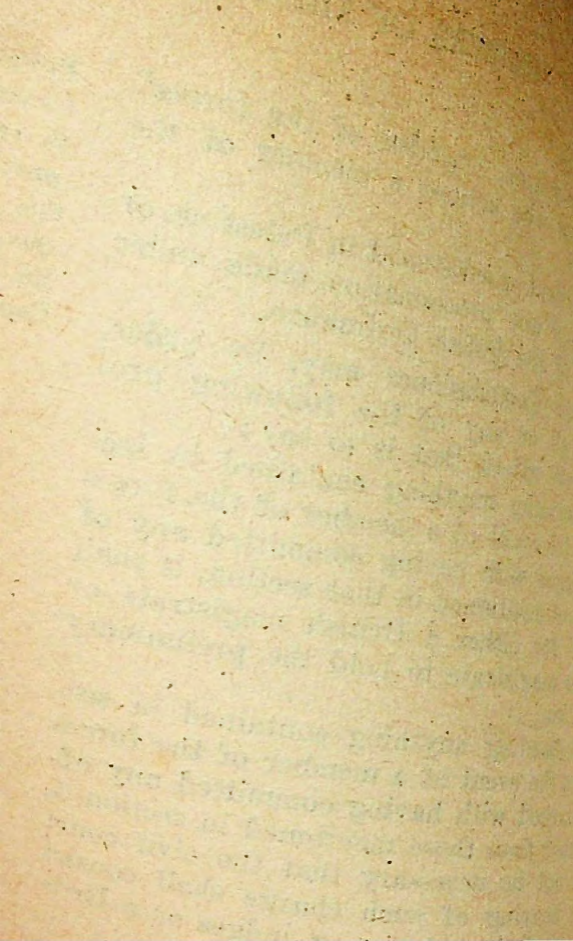


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3	Replaced. (See appendix No. 1)	Sec. 2 of No. 6/44.
5	Replaced. (See appendix No. 2)	No. 1/37 p. 8. Sec. 3 of No. 6/44.
Schedule	Repealed.	Sec. 4 of No. 6/44.



Apdx. 1 Sec. 3.

3. This Ordinance shall apply to all places in Palestine :

Provided that in every case where any of the powers conferred by this Ordinance are exercised in relation to any Municipal area or any place forming a part of a Municipal area the High Commissioner shall forthwith report particulars of such case to the Secretary of State.

Application of
Ordinance.
Sec. 2 of
No. 6/44.

Apdx. 2 Sec. 5.

5.—(1) If an offence has been committed or loss of or damage to property has occurred and the district commissioner has reason to believe that the inhabitants of any area have :-

- (a) committed the offence or caused the loss or damage, or
- (b) connived at or in any way abetted the commission of the offence or the loss or damage, or
- (c) failed to render all the assistance in their power to discover the offender or offenders, or to effect his or their arrest, or
- (d) connived at the escape of, or harboured, any offender or person suspected of having taken part in the commission of the offence or implicated in the loss or damage, or
- (e) combined to suppress material evidence of the commission of the offence or of the occurrence of the loss or damage,

he may after enquiry, and subject to the approval of the High Commissioner, order that a fine be levied collectively from the assessable inhabitants of such area.

Collective fine
on area.
No. 1/37 p. 8

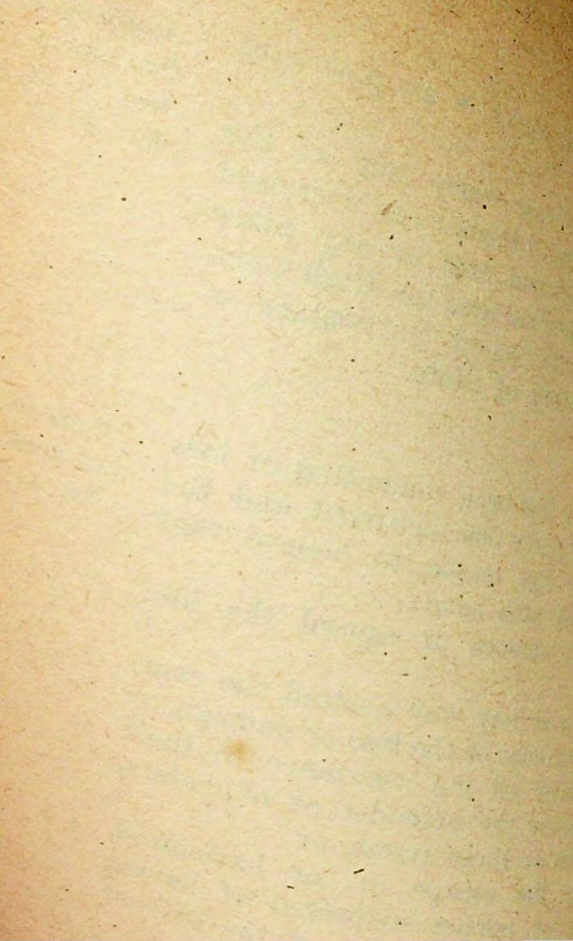


TABLE OF AMENDMENTS,

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2(1)(a)	Insert "composed of one or more persons" immediately after "Commission of Enquiry" appearing in the first line.	Sec. 2 of No. 22/45.
3(a) (b)	Paragraphs (a) and (b) replaced. (See appendix No. 1)	Sec. 3 of No. 22/45.
8	Replaced. (See appendix No. 2)	Sec. 4 of No. 22/45.



Apdx. 1 Sec. 3.

- (a) the name of the person, or the names of the persons, of whom the Commission shall be composed;
- (b) the appointment of the Chairman of the Commission, if the Commission is composed of two or more persons;

Sec. 3 of
No. 22/45.

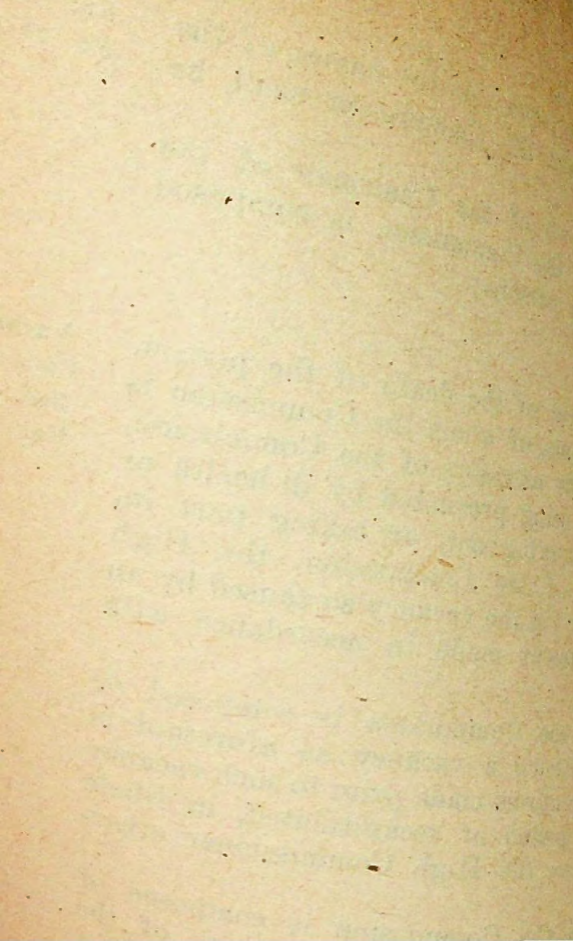
Apdx. 2 Sec. 8.

8.—(1) In the event of the death of the person, or any of the persons, of whom the Commission is composed, or of any assessors of the Commission, or of his or their being prevented by ill-health or otherwise from carrying out, or taking part in, the investigation of the Commission, the High Commissioner may fill the vacancy so caused by an order of appointment made in accordance with section 2.

Vacancies in
Commission.
Sec. 4 of
No. 22/45

(2) (a) Where the Commission is composed of one person, and such a vacancy as aforesaid is filled, the investigations made prior to such vacancy shall not be reopened or recapitulated, in whole or in part, unless the High Commissioner otherwise directs.

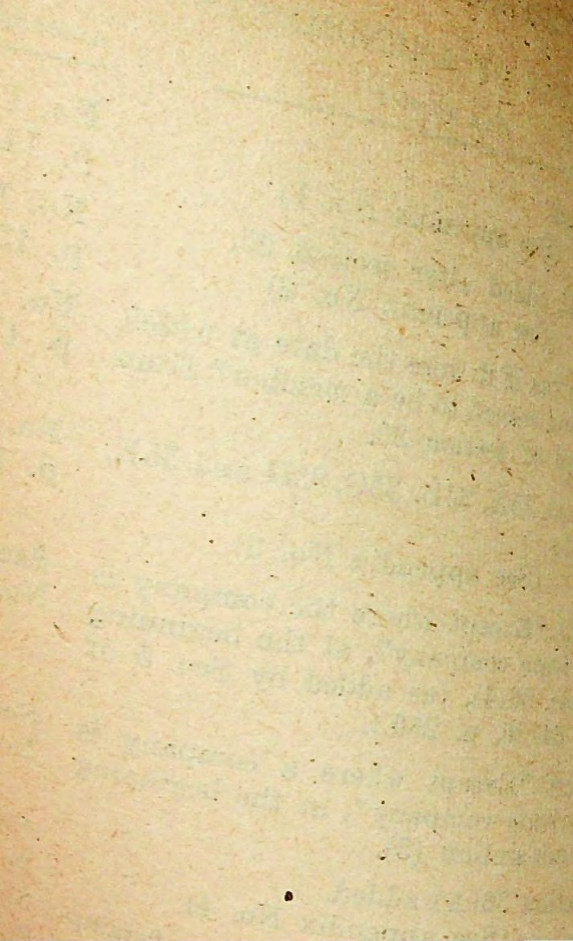
(b) Where the Commission is composed of two or more persons, the investigations of the Commission shall continue notwithstanding that such a vacancy as aforesaid is not filled and, if such vacancy is filled, the investigations made prior to such vacancy shall not be reopened or recapitulated, in whole or in part, unless the High Commissioner otherwise directs.



COMPANIES. CAP. 22.

TABLE OF AMENDMENTS

<i>Section No.</i>	<i>How affected</i>	<i>Amended by</i>
4	Replaced. (See appendix No. 1)	No. 1/37, p. 14.
25(A)	Part II added after section 25.	No. 1/37,
(B)	(See appendix No. 2)	p. 15.
30(2)	Delete "as if it were the date at which a person ceased to be a member" from the end of section 30.	No. 1/37, p. 17.
35 A—E	Sections 35A, 35B, 35C, 35D and 35E, added : (See appendix No. 3)	No. 1/37, p. 17.
36(4)	Delete "Except where the company is a private company", at the beginning of sec. 36(4), (as added by Sec. 5 of No. 64/36, p. 260.).	Sec. 2(a) of No. 30/37.
36(5)	Insert "Except where a company is a private company", at the beginning of sub-section (5).	Sec. 2(b) of No. 30/37.
36(A)	Section 36(A) added. (See appendix No. 4)	No. 1/37, p. 20.
39(1)	Substitute "capital duty" for "stamp duty" wherever the latter occurs.	No. 1/37, p. 20.
53(A)	Section 53(A) added. (See appendix No. 5)	No. 1/37, p. 20.
54	Replaced. (See appendix No. 5)	No. 1/37, p. 21.
62(3) (a)	Substitute "are so paid up, and in either case the consideration for which they have been allotted" for "have been allotted".	No. 1/37, p. 22.
62(11)	Sub-section (11) added as follows : "(11) This section shall not apply to a private company".	No. 1/37, p. 23.



COMPANIES. CAP. 22.

TABLE OF AMENDMENTS

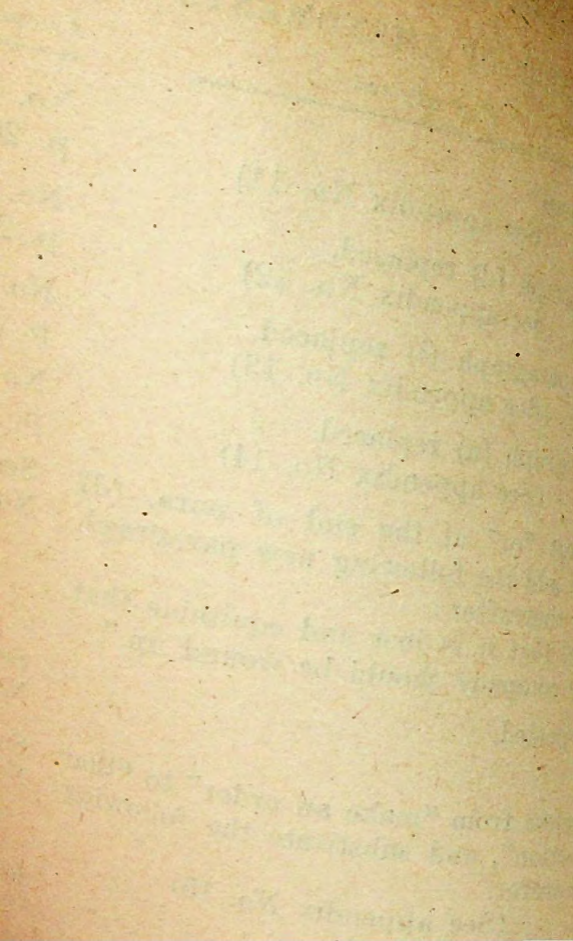
<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
64(1) (d)	Paragraph (d) replaced. (See appendix No. 6)	No. 1/37, p. 23.
68(5)	Substitute "any of the minutes referred to in sub-section (4) hereof" for "any such minutes as aforesaid".	Sec. 2 of No. 26/39.
70(6)	Subsection (6) added as follows: "(6) This section shall not apply to a private company."	No. 1/37, p. 23
88(3)	Subsection (3) added as follows: "(3) This section shall not apply to a private company."	No. 1/37, p. 23
89(1) (2)	Section 89 renumbered as section 89(1) and sub-section (2) added: "(2) This section shall not apply to a private company."	No. 1/37, p. 23
92	Replaced. (See appendix No. 7)	No. 1/37, p. 23.
105(3)	Sub-section (3) substituted. (See appendix No. 8)	Sec. 3 of No. 30/37.
105(4)	Substitute "the High Commissioner or any officer or committee authorised by him in that behalf" for "the Government of Palestine"	Sec. 3(a) of No. 26/39.
105(4A)	Sub-section (4A) added: (See appendix No. 9)	Sec. 3(b) of No. 26/39.
110(1)	Sub-section (1) replaced. (See appendix No. 10)	No. 1/37, p. 25.
110(2)	Insert "In the case of a company not being a private company" at the beginning of sec. 110(2).	No. 1/37, p. 25.
111(3)	Sub-section (3) added: (See appendix No. 11)	No. 1/37, p. 25.



COMPANIES. CAP. 22.

TABLE OF AMENDMENTS

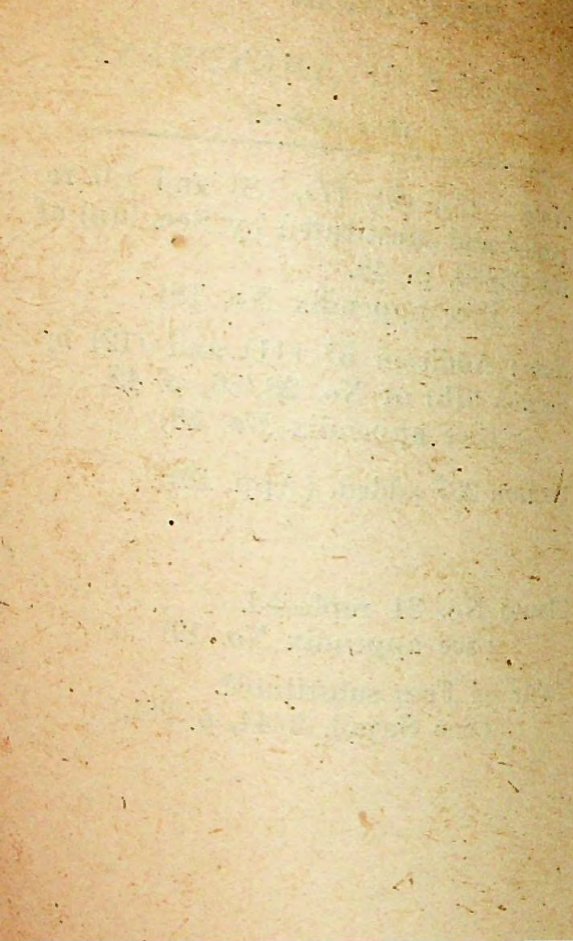
<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
112	Replaced. (See appendix No. 11)	No. 1/37, p. 26.
148(d)	Paragraph (d) replaced. (See appendix No. 12)	No. 1/37, p. 26.
151(1) (a)(i)	Sub-paragraph (i) replaced. (See appendix No. 13)	No. 1/37, p. 26.
151(2)(a)	Paragraph (a) replaced. (See appendix No. 14)	No. 1/37, p. 26.
151(2)(e)	Insert "or" at the end of para. (d) and add the following new paragraph (e) thereafter: "(e) that it is just and equitable that the company should be wound up."	Sec. 4 of No. 26/39.
159(2)	Repealed.	Sec. 5 of No. 26/39.
161(3)(i)	Delete from "make an order" to "that section", and substitute the following therefor. (See appendix No. 15)	Sec. 4 of No. 30/37.
220	Replaced.	Sec. 6 of
220 A.B.C.	(See appendix No. 16)	No. 26/39.
242 A.	Sections 242A and 242B added.	Sec. 7 of
B.	(See appendix No. 17)	No. 26/39.
Part X. 255.	Part X as follows, inserted after section 254: (See appendix No. 18)	No. 1/37, p. 27.
255(6)	<i>Note</i> : Sec. 255(6) replaced by Sec. 8 of No. 26/39, p. 48. (App. 18).	No. 26/39, p. 48.
Part XI. 256(1)-(4)	Part XI added. (See appendix No. 18)	Sec. 2 of No. 12/37.



COMPANIES. CAP. 22.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
256(5)-(12)	<i>Note:</i> (5), (6), (7), (8) and (9) repealed and substituted by Sec. 9(a) of No. 26/39, p. 48. (See appendix No. 18)	No. 26/39.
	<i>Note:</i> Addition of (11) and (12) by Section 9(b) of No. 26/39, p. 49. (See appendix No. 18)	No. 26/39.
257	Section 257 added. (App. 18).	No. 12/37.
Sch. III Table A. Clause No. 81.	Clause No. 81 replaced. (See appendix No. 19)	No. 1/37, p. 29.
Sch. VI.	Table of Fees substituted. (See Suppl. 2/44, p. 261.)	Suppl. 2/44, p. 261.

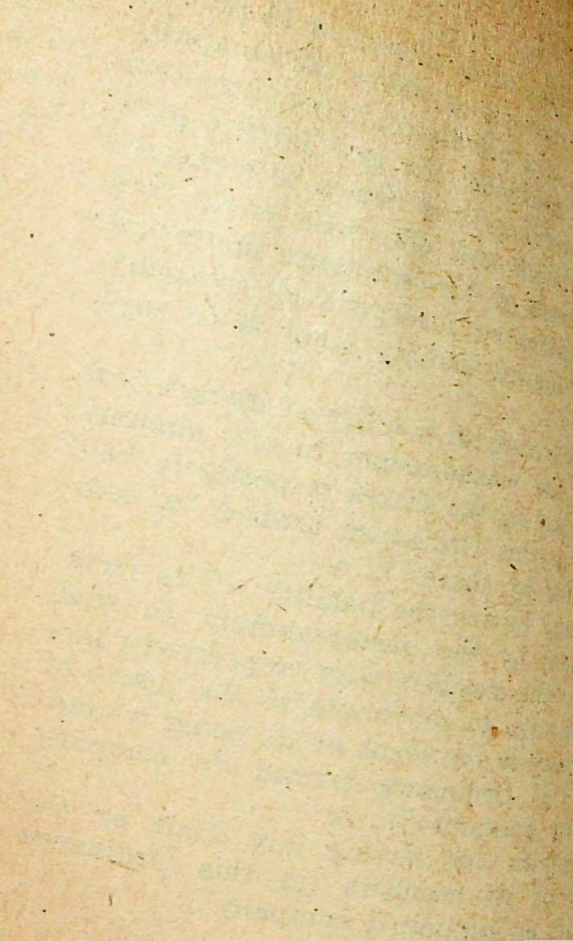


Apdx. 1 Sec. 4.

4. Subject to the provisions of section 14 hereof, any seven or more persons or where the company to be formed will be a private company, any two or more persons, associated for any lawful purpose, may by subscribing their names to a memorandum of association and otherwise complying with the requirements of this Ordinance in respect of registration, form an incorporated company, with or without limited liability (that is to say), either :-

Mode of
forming in-
corporated
company.
No. 1/37.

- (i) a company having the liability of its members limited by the memorandum to the amount, if any, unpaid on the shares respectively held by them (in this Ordinance termed "a company limited by shares"); or
- (ii) a company having the liability of its members limited by the memorandum to such amount as the members may respectively thereby undertake to contribute to the assets of the company in the event of its being wound-up (in this Ordinance termed "a company limited by guarantee"); or
- (iii) a company not having any limit on the liability of its members (in this Ordinance termed "an unlimited company").



Apdx. 2 Sec. 25(A)

PART II A.

25.(A)-(1) For the purpose of this Ordinance the expression "private company" means a company which by its articles :-

Meaning of "private company".
No. 1/37
p. 15.

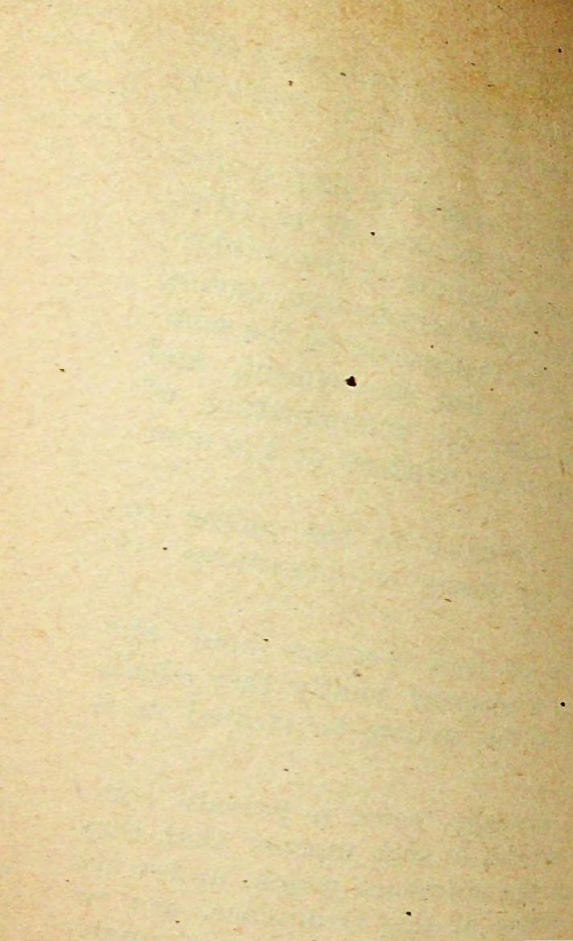
- (a) restricts the right to transfer its shares; and
- (b) limits the number of its members to fifty, not including persons who are in the employment of the company and persons who, having been formerly in the employment of the company, were while in that employment, and have continued after the determination of that employment to be, members of the company; and
- (c) prohibits any invitation to the public to subscribe for any shares or debentures of the company.

(2) Where two or more persons hold one or more shares in a company jointly they shall, for the purposes of this section, be treated as a single member.

25.(B)-(1) If a company, being a private company, alters its articles in such manner that they no longer include the provisions which, under the last foregoing section of this Ordinance, are required to be included in the articles of a company in order to constitute it a private company, the company shall, as on the date of the alteration, cease to be a private company and shall, within a period of fourteen days after the said date, deliver to the registrar of companies for registration a prospectus or a statement in lieu of prospectus in the form and containing the particulars set out in the fourth schedule to this Ordinance.

Circumstances in which a company ceases to be or to enjoy privileges of a private company.
No. 1/37,
p. 1.6

(2) If default is made in complying with subsection (1) of this section, the company and every director, manager, secretary and other officer of the company who knowingly and wilfully

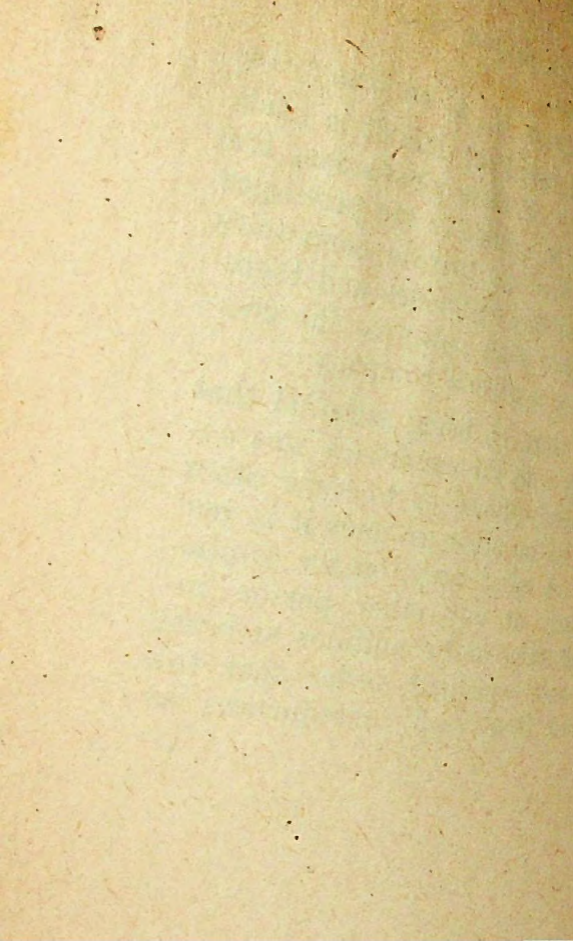


COMPANIES. CAP. 22.

authorises or permits the default shall be liable to a fine of fifty pounds.

(3) Where the articles of a company include the provisions aforesaid but default is made in complying with any of those provisions, the company shall cease to be entitled to the privileges and exemptions conferred on private companies under the provisions of this Ordinance and thereupon the said provisions shall apply to the company as if it were not a private company :

Provided that the court, on being satisfied that the failure to comply with the conditions was accidental or due to inadvertence or to some other sufficient cause or that on other grounds it is just and equitable to grant relief, may, on the application of the company or any other person interested and on such terms and conditions as seem to the court just and expedient, order that the company be relieved from such consequences as aforesaid.



Apdx. 3 Sec. 35A.

35A.—(1) A company having a share capital may, if so authorised by its articles, cause to be kept in the United Kingdom of Great Britain and Northern Ireland a branch register of members resident in the United Kingdom of Great Britain and Northern Ireland (in this Ordinance called a "branch register").

(2) The company shall give to the registrar notice of the situation of the office where any branch register is kept and of any change in its situation, and if it is discontinued of its discontinuance, and any such notice shall be given within one month of the opening of the office or of the change or discontinuance, as the case may be.

(3) If a company fails to comply with this section it shall be liable to a fine of two pounds for every day during which the default continues, and every director, manager, secretary or other officer of the company who knowingly or wilfully authorises or permits the default shall be liable to the like penalty.

35B.—(1) A branch register shall be deemed to be part of the company's register of members (in this section called "the principal register").

(2) It shall be kept in the same manner in which the principal register is by this Ordinance required to be kept, except that the advertisement before closing the register shall be inserted in some newspaper circulating in the district where the branch register is kept.

(3) The company shall transmit to its registered office in Palestine a copy of every entry in its branch register as soon as may be after the entry is made, and shall cause to be kept at such registered office, duly entered up from time to time, a duplicate of its branch register.

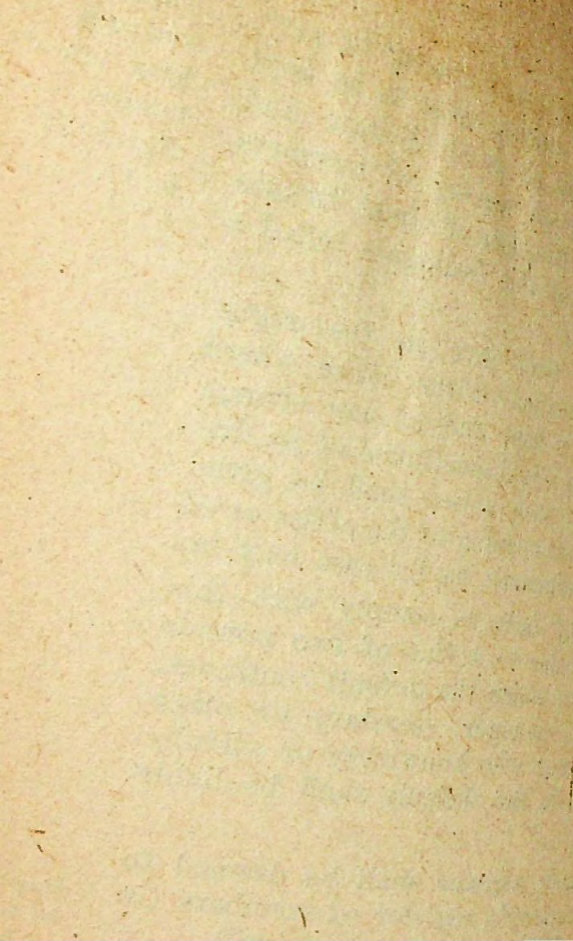
Every such duplicate shall, for all the purposes

Power for company to keep branch register.

No. 1/37
p. 17.

Regulations as to branch register.

No. 1/37
pp. 17-18.



COMPANIES. CAP. 22.

of this Ordinance, be deemed to be part of the principal register.

(4) Subject to the provisions of this section with respect to the duplicate register, the shares registered in a branch register shall be distinguished from the shares registered in the principal register, and no transaction with respect to any shares registered in a branch register shall, during the continuance of that registration, be registered in any other register.

(5) A company may discontinue to keep a branch register and thereupon all entries in that register shall be transferred to the principal register.

(6) Subject to the provisions of this Ordinance any company may, by its articles, make such provisions as it may think fit respecting the keeping of branch registers.

(7) If a company fails to comply with this section it shall be liable to a fine of two pounds for every day during which the default continues, and every director, manager, secretary or other officer of the company who knowingly or wilfully authorises or permits the default shall be liable to the like penalty.

35 C. An instrument of transfer of a share registered in a branch register, shall be deemed to be a transfer of property situate out of Palestine, and unless executed in any part of Palestine shall be exempt from a stamp duty chargeable in Palestine.

35 D. The High Commissioner-in-Council may by order published in the Gazette direct that subsections (4), (5), (7), and (8) of section 29 and section 35 of this Ordinance shall, subject to any modifications and adaptations specified in the order apply to and in relation to any branch registers of members resident in Palestine, of companies incorporated under the law of the United

Stamp
duties in
case of
shares
registered
in branch
registers.

Provisions as
to branch
registers
kept in
Palestine.
No. 1/37
p. 19.



COMPANIES. CAP. 22.

Kingdom of Great Britain and Northern Ireland, kept in Palestine as they apply to and in relation to the registers of companies within the meaning of this Ordinance.

35 E. If the High Commissioner is satisfied that by virtue of the law in force in any country other than the United Kingdom of Great Britain and Northern Ireland :-

- (a) companies incorporated under that law have power to keep in Palestine branch registers of their members resident in Palestine, and
- (b) any instrument of transfer of a share registered in any register so kept (unless executed in any part of such country) is exempted from stamp duty chargeable therein, and
- (c) power exists to inspect and rectify any branch register kept in such country by a company incorporated in Palestine,

the High Commissioner may by order published in the Gazette direct that sections 35 A to 35 D inclusive of this Ordinance shall, subject to the modifications and adaptations specified in the order, be deemed to be extended to such country.

Apdx. 4 Sec. 36A.

36 A. A private company shall send with the annual return required by section 36 of this Ordinance a certificate signed by a director or the secretary of the company that the company has not, since the date of the last return, or in the case of a first return, since the date of the incorporation of the company, issued any invitation to the public to subscribe for any shares or debentures of the company, and, where the annual return discloses the fact that the number of members of the company exceeds fifty, also a certificate so signed that the excess consists wholly of persons who under paragraph (b) of sub-section (1) of section 25(A) of this Ordinance are not to be included in reckoning the number of fifty.

Power of High Commissioner to extend provisions of sections 35A to 35D of this Ordinance to certain countries.
No. 1/37
pp. 19-20.

Certificates to be sent by private company with annual return.
No. 1/37
p. 20.



Apdx. 5 Sec. 53A.

53 A. When the capital of any company not being a foreign company is altered under the provisions of this Ordinance, the amount of new shares issued or the capital so altered shall be expressed in Palestine currency :

Currency of altered etc., capital.
No. 1/37
p. 21.

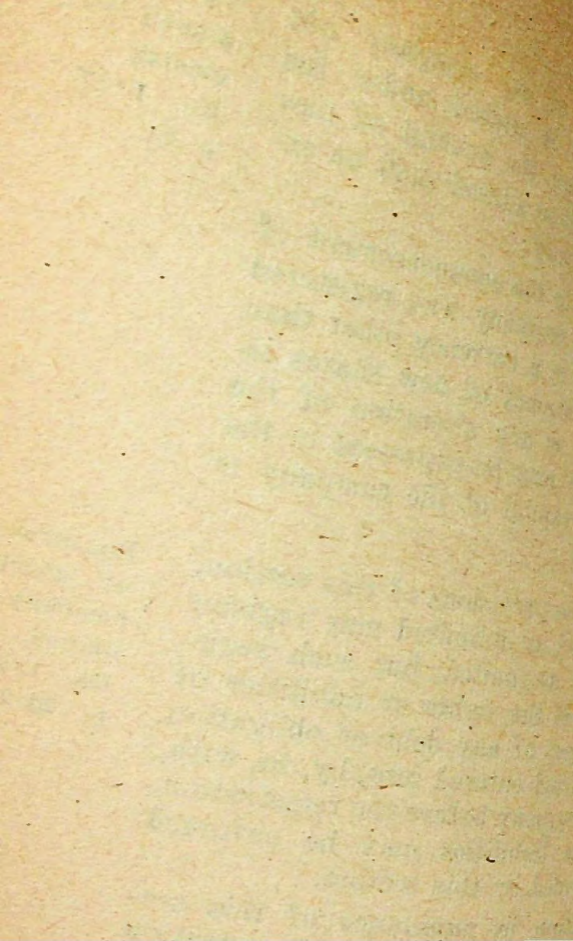
Provided that if prior to the commencement of this Ordinance any such company was registered with a capital expressed in a currency other than Palestine currency any amount of new shares issued by such company or any alteration of the capital of such company may be expressed in the currency in which the capital of the company is expressed.

54.—(1) Subject to the provisions of this section, any company registered as unlimited may register under this Ordinance as limited, but such registration shall not affect the rights or liabilities of the company in respect of any debt or obligation incurred, or any contract entered into, by, to, with, or on behalf of the company before the registration, and those rights or liabilities may be enforced in the manner provided by this section.

Registration of unlimited company as limited.
No. 1/37
p. 21-22.

(2) On registration in pursuance of this section, the registrar shall close the former registration of the company and may dispense with the delivery to him of copies of any documents with copies of which he was furnished on the occasion of the original registration of the company, but, save as aforesaid, the registration shall take place in the same manner and shall have effect as if it were the first registration of the company under this Ordinance, and as if the provisions under which the company was previously registered and regulated had been contained in different Ordinances from those under which the company is registered as a limited company.

(3) In the event of the company being wound-up, every person shall be a contributory, in re-



spect of the debts and liabilities of the company contracted before registration, who is liable to pay or contribute to the payment of any debt or liability of the company contracted before registration, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves in respect of any such debt or liability, or to pay or contribute to the payment of the costs and expenses of winding-up the company, so far as relates to such debts or liabilities as aforesaid.

(4) In the event of the company being wound-up, every contributory shall be liable to contribute to the assets of the company, in the course of the winding-up, all sums due from him in respect of any such liability as aforesaid, and in the event of the death, bankruptcy, or insolvency of any contributory the provisions of this Ordinance with respect to the executors or administrators and heirs of deceased contributories and to the trustees of bankrupt or insolvent contributories shall apply.

Apdx. 6 Sec. 64(1)(d)

(d) in the case of a private company two members, and in the case of any other company three members personally present, shall be a quorum;

No. 1/37
p. 23.



Apdx. 7 Sec. 92.

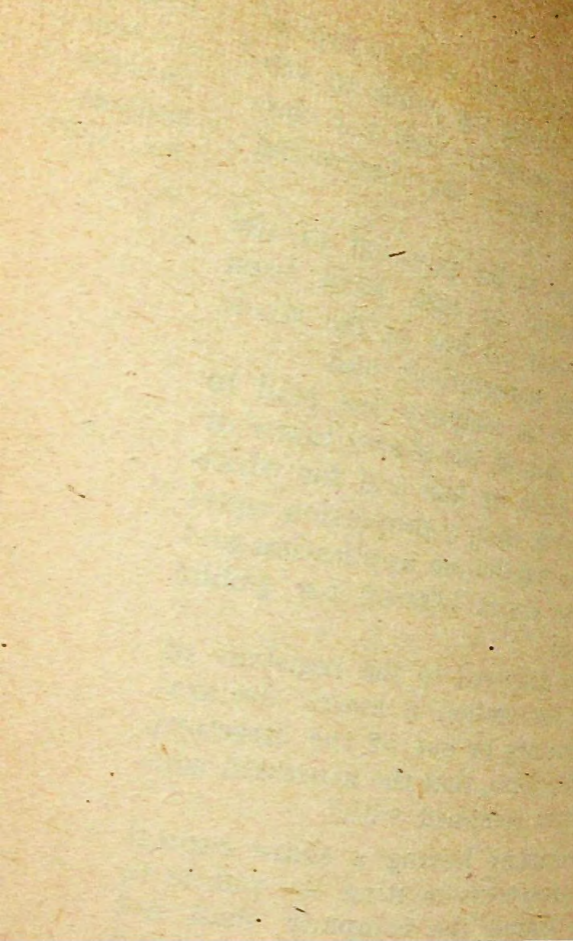
92.—(1) Where a company having a share capital has issued a prospectus inviting the public to subscribe for its shares, the company shall not commence any business or exercise any borrowing powers unless :-

Restrictions
on com-
mencement of
business.
No. 1/37
p. 23.

- (a) shares held subject to the payment of the whole amount thereof in cash have been allotted to an amount not less in the whole than the minimum subscription; and
- (b) every director of the company has paid to the company, on each of the shares taken or contracted to be taken by him and for which he is liable to pay in cash, a proportion equal to the proportion payable on application and allotment on the shares offered for public subscription; and
- (c) there has been delivered to the registrar of companies for registration a sworn declaration by the secretary or one of the directors, in the prescribed form, that the aforesaid conditions have been complied with.

(2) Where a company having a share capital has not issued a prospectus inviting the public to subscribe for its shares, the company shall not commence any business or exercise any borrowing powers, unless :-

- (a) there has been delivered to the registrar of companies for registration a statement in lieu of prospectus; and
- (b) every director of the company has paid to the company, on each of the shares taken or contracted to be taken by him and for which he is liable to pay in cash, a proportion equal to the proportion payable on application and allotment on the shares payable in cash; and
- (c) there has been delivered to the registrar of companies for registration a sworn declaration by the secretary or one of the directors in the



COMPANIES. CAP. 22.

prescribed form that paragraph (b) of this sub-section has been complied with.

(3) The registrar of companies shall, on the delivery to him of the said sworn declaration, and, in the case of a company which is required by this section to deliver a statement in lieu of prospectus, of such a statement, certify that the company is entitled to commence business, and that certificate shall be conclusive evidence that the company is so entitled.

(4) Any contract made by a company before the date at which it is entitled to commence business shall be provisional only, and shall not be binding on the company until that date, and on that date it shall become binding.

(5) Nothing in this section shall prevent the simultaneous offer for subscription or allotment of any shares and debentures or the receipt of any money payable on application for debentures.

(6) If any company commences business or exercises borrowing powers in contravention of this section, every person who is responsible for the contravention shall, without prejudice to any other liability, be liable to a fine of fifty pounds for every day during which the contravention continues.

(7) This section shall not apply to a private company.

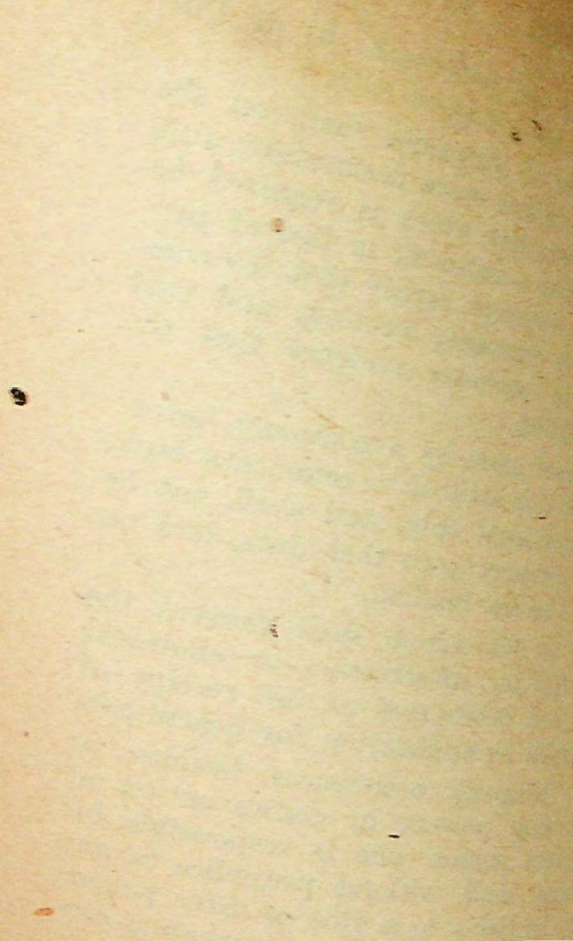
Apdx. 8 Sec 105(3).

(3) None of the following persons shall be qualified for appointment as auditor of a company —

(a) a director or officer of the company;

(b) except where the company is a private company, a person who is a partner of or in the employment of an officer of the company.

No. 30/37
p. 279.



Apdx. 9 Sec. 105(4A).

(4A) Where it appears to the High Commissioner that any person holding a certificate from the High Commissioner, or from any officer or committee authorised by him in that behalf as aforesaid, entitling him to practise in Palestine as an auditor, has been guilty of unprofessional conduct, or has proved himself incapable or grossly negligent in the performance of his professional duties, or has been convicted of a criminal offence, the High Commissioner may cancel the certificate, or direct that it shall be suspended for such time as may be fixed by him :

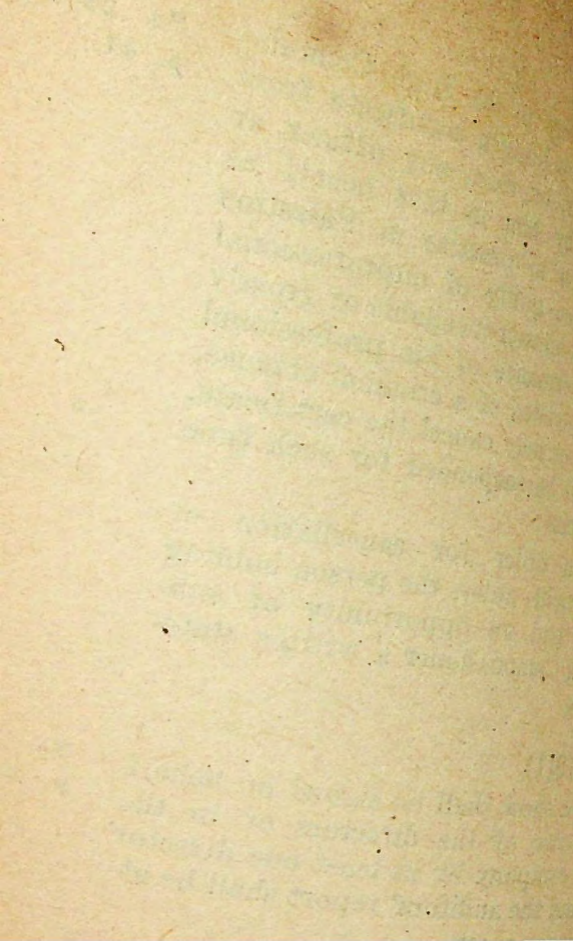
Provided that no order for cancellation or suspension shall be made, unless the person holding the certificate has had an opportunity of submitting to the High Commissioner a written statement in his defence.

Apdx. 10 Sec. 110(1).

(1) The balance sheet shall be signed on behalf of the board by two of the directors or in the case of a private company by at least one director of the company and the auditors' report shall be attached to the balance sheet.

No. 26/39
p. 41.

No. 1/37
p. 25.



Apdx. 11 Sec. 111(3).

(3) In the case of a company being a private company, any member and any holder of debentures shall be entitled to be furnished, within seven days after he has made a request in that behalf to the company, with a copy of the balance sheet and auditors' report at a charge not exceeding twenty mils for every hundred words. If default is made in furnishing such a copy to any member or any holder of debentures who demands it and tenders to the company the amount of the proper charge therefor, the company and every director, manager, secretary and other officer of the company who is knowingly a party to the default, shall be liable to a fine of five pounds for every day during which the default continues.

No. 1/37
pp. 25-26.

Carrying on business with less than legal minimum of members.

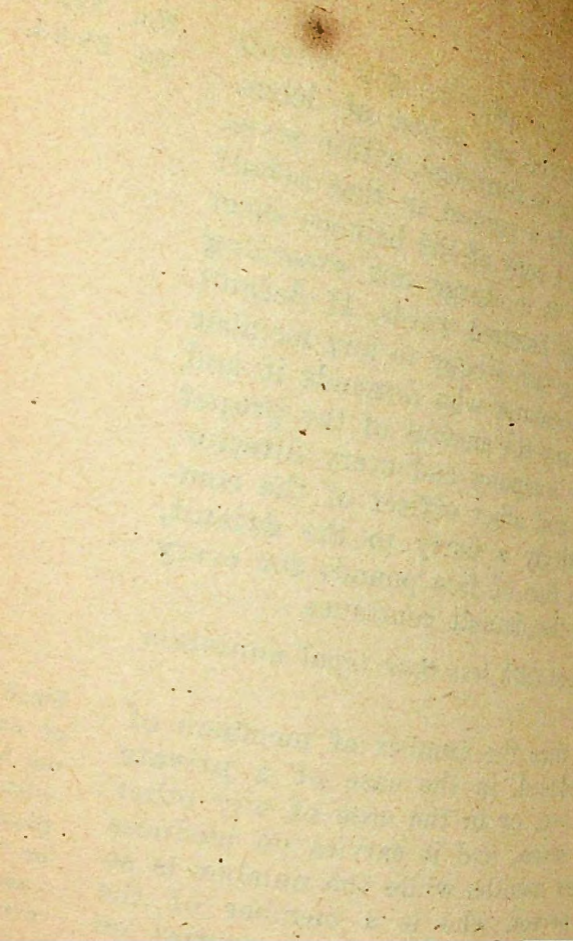
112. If at any time the number of members of a company is reduced, in the case of a private company, below two, or in the case of any other company, below seven, and it carries on business for more than six months while the number is so reduced, every person who is a member of the company during the time that it so carries on business after those six months and is cognizant of the fact that it is carrying on business with fewer than two members, or seven members, as the case may be, shall be severally liable for the payment of the whole of the debts of the company contracted during that time, and may be sued for the same without joinder in the action of any other member.

Prohibition of carrying on business with fewer than seven, or in the case of a private company, two members.
No. 1/37
p. 26.

Apdx. 12 Sec. 148(d).

(d) if the number of members is reduced, in the case of a private company, below two, or in the case of any other company, below seven; or

No. 1/37
p. 26.



COMPANIES. CAP. 22.

Apdx. 13 Sec. 151(1)(α)(i).

(i) either the number of members is reduced in the case of a private company, below two, or, in the case of any other company, below seven; or

No. 1/37
p. 26.

Apdx. 14 Sec. 151(2)(α).

(a) that the number of members is reduced, in the case of a private company, below two, or, in the case of any other company below seven, or

No. 1/37
p. 26.

Apdx. 15 Sec. 161(3)(i).

make an order under subsection (5) of section 234 as though the person by whom the fraud is alleged in the report to have been made were a person in respect of whom a declaration has been made under subsection (1) of that section.

No. 30/37



COMPANIES. CAP. 22.

Apdx. 16 Sec. 220.

220. In the winding up of an insolvent company the same rules shall prevail and be observed with regard to the respective rights of secured and unsecured creditors and to debts provable and to the valuation of annuities and future and contingent liabilities as are in force for the time being under the Law of Bankruptcy with respect to the estates of persons adjudged bankrupt, and all persons who in any such case would be entitled to prove for and receive dividends out of the assets of the company may come in under the winding up, and make such claims against the company as they respectively are entitled to by virtue of this section.

220A.—(1) In a winding up there shall be paid in priority to all other debts :-

- (a) All municipal rates, local council rates, or contributions in the nature of rates levied under the Religious Communities (Organisation) Ordinance, due at the relevant date, and having become due and payable within 12 months next before that date, and all assessed Government taxes, assessed on the company up to the thirty-first day of March next before that date and not exceeding in the whole one year's assessment;
- (b) All wages or salary of any clerk or servant in respect of services rendered to the company during six months next before the relevant date not exceeding fifty pounds whether or not earned wholly or in part by way of commission;
- (c) All wages not exceeding fifty pounds, whether payable for time or for piece work, of any labourer or workman in respect of services rendered to the company during six months next before the relevant date;
- (d) All amounts, not exceeding in any individual case one hundred pounds, due in respect of

Application
of Bankruptcy
Rules in
winding up of
insolvent
companies.
No. 26/39

Preferential
payments.
No. 26/39

Cap. 126.



compensation under the Workmen's Compensation Ordinance which accrued before the relevant date, subject nevertheless to the provisions of section 5 of that Ordinance;

Cap. 154.

(e) All sums due to a lessor by way of rent of houses and lands leased by the company in respect of a period not exceeding one year prior to the relevant date.

(2) Where any compensation under the Workmen's Compensation Ordinance is a weekly payment, the amount due in respect thereof shall, for the purpose of paragraph (d) of subsection (1) of this section, be taken to be the amount of the lump sum for which the weekly payment could, if redeemable, be redeemed if the employer made an application for that purpose under the said Ordinance.

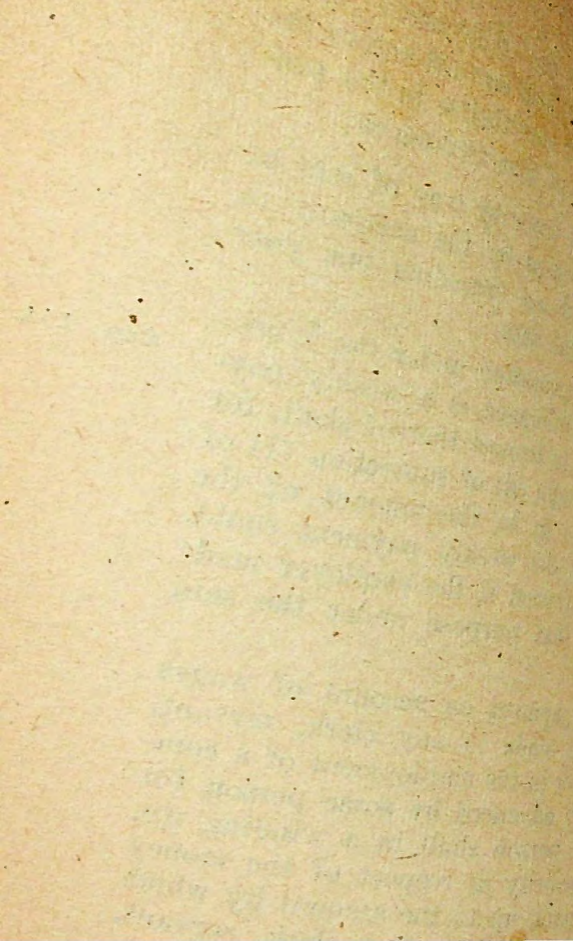
Cap. 154.

(3) Where any payment on account of wages or salary has been made to any clerk, servant, workman or labourer in the employment of a company out of money advanced by some person for that purpose, that person shall in a winding up, have a right of priority in respect of the money so advanced and paid, up to the amount by which the sum in respect of which that clerk, servant, workman or labourer would have been entitled to priority in the winding up has been diminished by reason of the payment having been made.

(4) The foregoing debts shall —

(a) rank equally among themselves and be paid in full, unless the assets are insufficient to meet them, in which case they shall abate in equal proportions; and

(b) so far as the assets of a company available for payment of general creditors are insufficient to meet them, have priority over the claims of holders of debentures under any floating charge created by the company and



COMPANIES. CAP. 22.

be paid accordingly out of any property comprised in or subject to that charge.

(5) Subject to the retention of such sums as may be necessary for the costs and expenses of the winding up, the foregoing debts shall be discharged forthwith so far as the assets are sufficient to meet them.

(6) In this section the expression "the relevant date" means —

(a) in the case of a company ordered to be wound up compulsorily by the Court, which had not previously commenced to be wound up voluntarily, the date of the winding up order; and

(b) in any other case, the date of the commencement of the winding up.

220B.—(1) Any transfer, mortgage, delivery of goods, payment, execution or other act relating to property which would, if made or done by or against an individual, be deemed in his bankruptcy a fraudulent preference, shall, if made or done by or against a company, be deemed in the event of its being wound up, a fraudulent preference of its creditors, and be invalid accordingly.

Fraudulent preference.

(2) For the purposes of this section the commencement of the winding up shall be deemed to correspond with the presentation of the bankruptcy petition in the case of an individual.

(3) Any transfer by a company of all its property to trustees for the benefit of all its creditors shall be void to all intents.

220C.—(1) Where any part of the property of a company which is being wound up by the court consists of land burdened with onerous conditions, of shares or stock in companies, of unprofitable contracts, or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of

Disclaimer of onerous property.



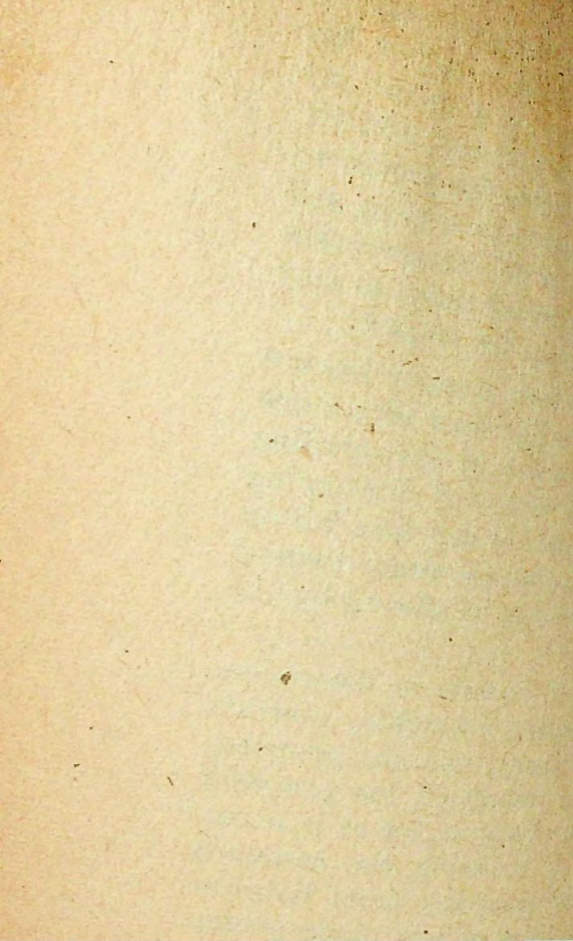
money, the liquidator of the company, notwithstanding that he has endeavoured to sell or has taken possession of the property, or exercised any act of ownership in relation thereto, may, with the leave of the court, and subject to the provisions of this section, by writing signed by him, at any time within twelve months after the commencement of the winding up or such extended period as may be allowed by the court, disclaim the property :

Provided that, where any such property has not come to the knowledge of the liquidator within one month after the commencement of the winding up, the power under this section of disclaiming the property may be exercised at any time within twelve months after he has become aware thereof or such extended period as may be allowed by the court.

(2) The disclaimer shall operate to determine, as from the date of disclaimer, the rights, interests and liabilities of the company, and the property of the company, in or in respect of, the property disclaimed, but shall not, except so far as is necessary for the purpose of releasing the company and the property of the company from liability, affect the rights or liabilities of any other person.

(3) The court, before or in granting leave to disclaim, may require such notices to be given to persons interested, and impose such terms as a condition of granting leave and make such other order in the matter as the court thinks just.

(4) The liquidator shall not be entitled to disclaim any property under this section in any case where an application in writing has been made to him by any persons interested in the property requiring him to decide whether he will or will not disclaim, and the liquidator has not, within a period of twenty eight days after the receipt of the application or such further period as may be allowed by the court, given notice to the applicant



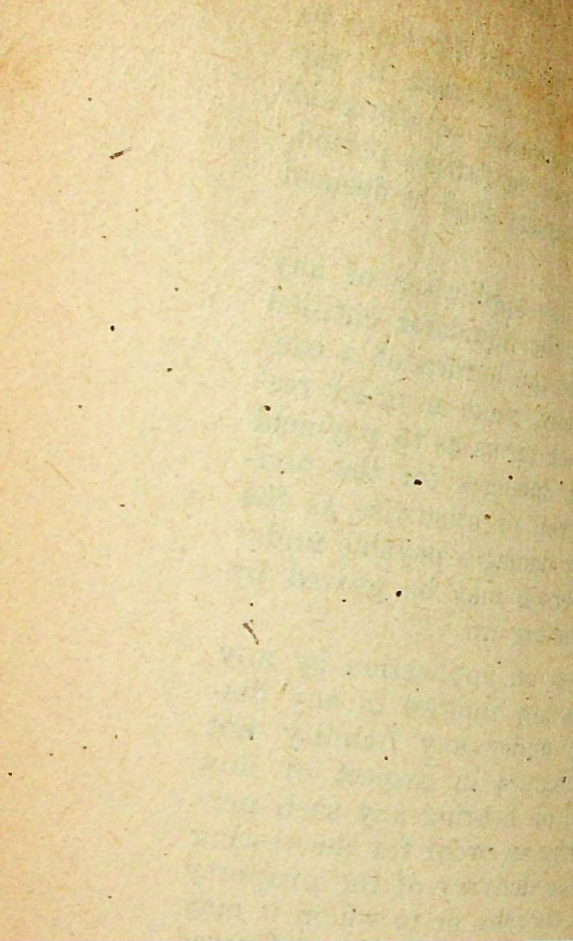
that he intends to apply to the court for leave to disclaim, and, in the case of a contract, if the liquidator, after such an application as aforesaid does not within the said period or further period, disclaim the contract, the company shall be deemed to have adopted it.

(5) The court may, on the application of any person who is, as against the liquidator entitled to the benefit or subject to the burden of a contract made with the company, make an order rescinding the contract on such terms as to payment by or to either party of damages for the non-performance of the contract, or otherwise as the court thinks just, and any damages payable under the order to any such person may be proved by him as a debt in the winding up.

(6) The Court may, on an application by any person who either claims any interest in any disclaimed property or is under any liability not discharged by this Ordinance in respect of any disclaimed property and on hearing any such persons, as it thinks fit, make an order for the vesting of the property in or the delivery of the property to any persons entitled thereto, or to whom it may seem just that the property should be delivered by way of compensation for such liability as aforesaid, or a trustee for him, and on such terms as the court thinks just, and on any such vesting order being made, the property comprised therein shall vest accordingly in the person therein named in that behalf without any transfer for the purpose :

Provided that, where the property disclaimed is of a leasehold nature, the court shall not make a vesting order in favour of any person claiming under the company, whether as under-lessee or as mortgagee by demise, except upon the terms of making that person —

- (a) subject to the same liabilities and obligations as those to which the company was subject



COMPANIES. CAP. 22.

under the lease in respect of the property at the commencement of the winding up; or

(b) if the court thinks fit, subject only to the same liabilities and obligations as if the lease had been assigned to that person at that date, and in either event (if the case so requires) as if the lease had comprised only the property comprised in the vesting order, and any mortgagee or under-lessee declining to accept a vesting order, upon such terms, shall be excluded from all interest in and security upon the property, and, if there is no person claiming under the company who is willing to accept an order upon such terms, the court shall have power to vest the estate and interest of the country in the property in any person liable either personally or in a representative character, and either alone or jointly with the company to perform the lessee's covenants in the lease, freed and discharged from all estates, encumbrances and interests created therein by the company.

(7) Any person injured by the operation of a disclaimer under this section shall be deemed to be a creditor of the company to the amount of the injury and may accordingly prove the amount as a debt in the winding-up.



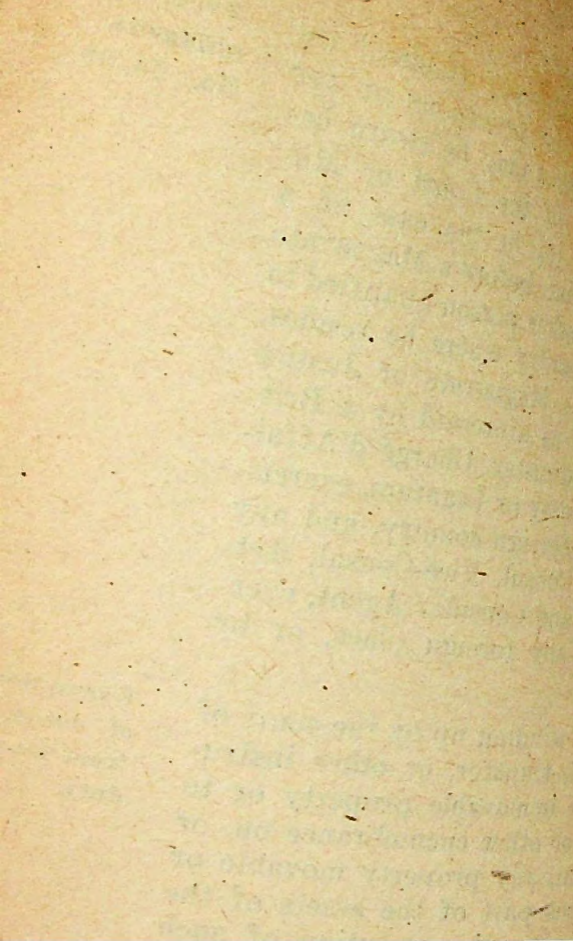
Apdx. 17 Sec. 242A.

242A. Subject to general rules any affidavit required to be sworn under the provisions or for the purposes of this Ordinance may be sworn before any Judge, Registrar of the Court or Magistrate, Official Receiver or, in the case of a person who is out of Palestine, before a Magistrate or Justice of the Peace or other person qualified to administer oaths in the country where he resides, he being certified to be a Magistrate or Justice of the Peace, or qualified as aforesaid by a British Ambassador, Envoy, Minister, Chargé d'Affaires and Secretary of Embassy or Legation, exercising his functions in any foreign country, and any British Consul-General, Consul, Vice-Consul, Acting-Consul, Pro-Consul and Consular Agent, exercising his functions in any foreign place, or by a Notary Public.

Swearing
affidavits.
No. 26/39

242B. In the case of a winding up by the court of a company, every deed, transfer, or other instrument relating solely to immovable property or to any mortgage, charge or other encumbrance on, or any right or interest in, any property movable or immovable, which forms part of the assets of the company and which, after the execution of such instrument is, or remains part of the assets of the company and every power of attorney, proxy paper, order, certificate, affidavit, bond or other instrument in writing relating solely to the property of any company which is being wound up or to any proceeding under any such winding up, shall be exempt from stamp duty, except in respect of of fees under this Ordinance.

Exemptions
of deeds, etc.
from stamp
duty.



Apdx. 18 Sec. 255.

PART X.

255.—(1) Subject to the provisions of this section any company registered under this Ordinance otherwise than as a private company may register as a private company but such registration shall not affect the rights or liabilities of the company in respect of any debt or obligation incurred, or any contract entered into, by, to, with, or on behalf of the company before the registration and those rights or liabilities may be enforced in manner provided by this section.

(2) A company registered under this Ordinance otherwise than as a private company desiring to register as a private company shall by special resolution alter its articles to bring them into conformity with the provisions of Part II A of this Ordinance unless the articles of the company already embody those provisions and shall, upon application for registration, deliver to the registrar of companies a printed or typewritten copy of its articles.

(3) The registrar shall submit the application to the High Commissioner who may in his absolute discretion either authorise or refuse the registration of the company as a private company.

(4) Upon receiving the authorisation of the High Commissioner for the registration of the company as a private company, the registrar shall close the former registration of the company and may dispense with the delivery to him of documents with which he was furnished on the occasion of the original registration of the company, but save as aforesaid the registration shall take place in the same manner and shall have effect as if it were the first registration of the company under this Ordinance.

(5) A registration fee of ten pounds or such other fee as may be prescribed and a fee to be

Registration as private company, of company otherwise registered under the Ordinance. No. 1/37 p. 27.



COMPANIES. CAP. 22.

prescribed for the publication of the registration of the company in the Gazette shall be paid to the registrar upon the registration of a company under this section.

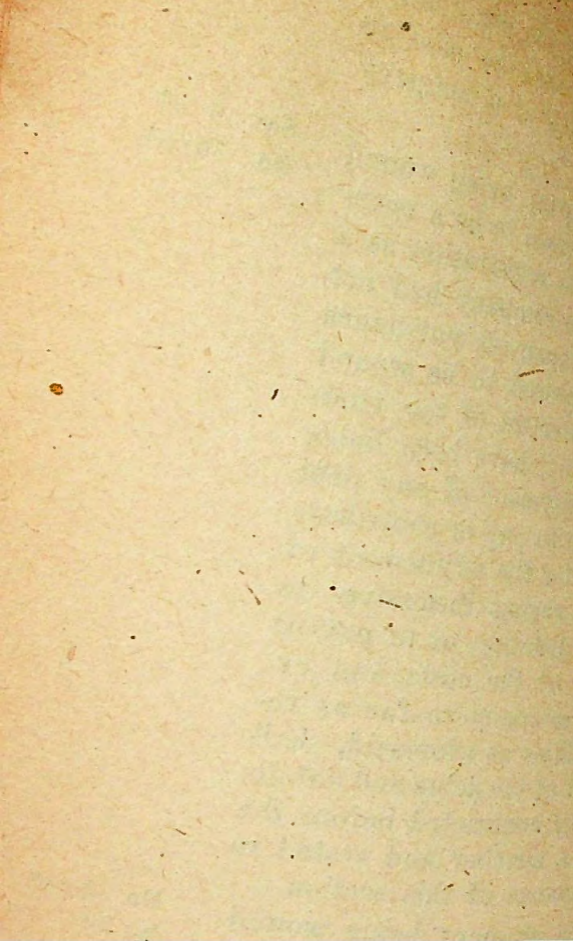
(6) In the event of the company being wound up, every person who, having ceased to be a member of the company prior to its registration as a private company, would, if the company had not been registered as a private company in pursuance of this section and had commenced to be wound up at the date of the commencement of the winding up of the private company, have been liable to pay or contribute to the payment of any debt or liability of the company, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves in respect of any such debt or liability, or to pay or contribute to the payment of the costs and expenses of winding up the company so far as relates to such debts or liabilities as aforesaid, shall be a contributory in respect of the debts and liabilities of the private company contracted before the date of his ceasing to be a member and vested in it by registration in pursuance of this section.

(7) In the event of the company being wound-up, every contributory shall be liable to contribute to the assets of the company in the course of the winding-up, all sums due from him in respect of any such liability as aforesaid, and in the event of the death, bankruptcy, or insolvency of any contributory, the provisions of this Ordinance with respect to the executors or administrators and heirs of deceased contributories and to the trustees of bankrupt or insolvent contributories shall apply.

(8) All property, real and personal, belonging to or vested in a company at the date of its registration in pursuance of this section, shall on registration pass to and vest in the company as incorporated under this section for all the estate and interest of the company therein.

Sec. 8 of
No. 26/39.

No. 1/37
p. 28.



(9) All actions and other legal proceedings which at the time of the registration of a company in pursuance of this section are pending by or against the company, or any officer or any member thereof, may be continued in the same manner as if the registration had not taken place.

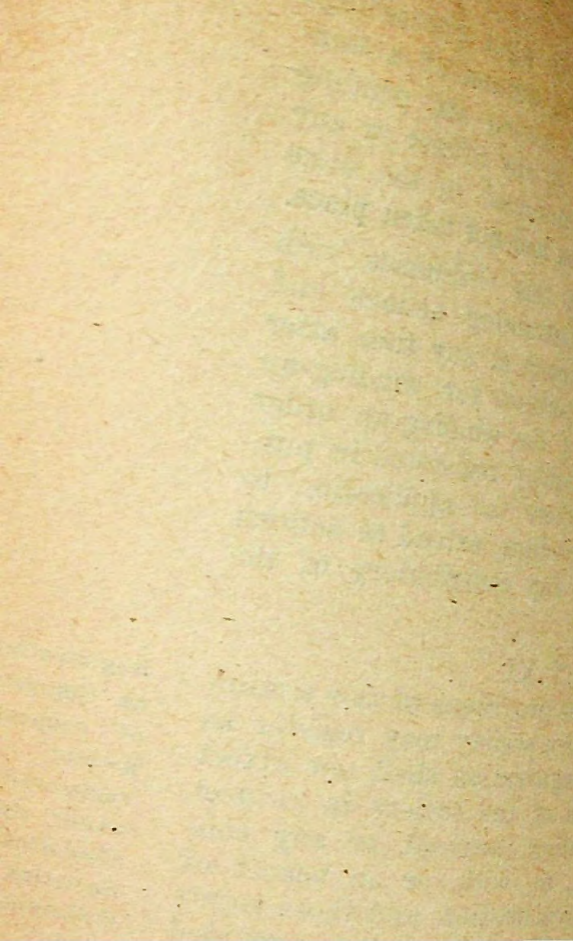
(10) The provisions of this Ordinance with respect to staying and restraining actions and proceedings against a company at any time after the presentation of the petition for winding-up and before the making of the winding-up order shall, in the case of a company registered in pursuance of this section where the application to stay or restrain is by a creditor, extend to actions and proceedings against any contributory of the company.

PART XI

256.—(1) Subject to the provisions of this section any registered cooperative society may register as a company, but such registration shall not affect the rights or liabilities of the society in respect of any debt or obligation incurred, or any contract entered into, by, to, with, or on behalf of the society before the registration, and those rights or liabilities may be enforced in manner provided by this Ordinance.

(2) A registered cooperative society desiring to register as a company shall prepare a scheme for the reconstruction of the society as a company and shall submit such scheme for the approval of the registrar of cooperative societies, who may in his absolute discretion refuse his approval without assigning any reason for such refusal. If the registrar of cooperative societies approves of the scheme it shall be placed before a general meeting of the members of the society, of which not less than twenty-one days notice specifying the intention to propose the scheme has been duly given, and if a resolution adopting the scheme is passed by

Registration
as Company
of cooperative
society
registered
under the
Cooperative
Societies
Ordinance
(Cap. 24)
No. 12/37.



COMPANIES. CAP. 22.

a majority of not less than three-fourths of such members as, being entitled so to do, vote at such meeting in person or by proxy, a memorandum of association, and if so desired, articles of association shall be drawn up in conformity with Part II of this Ordinance and upon application for registration a printed or typewritten copy of such memorandum and articles of association, if any, shall be delivered to the registrar of companies.

(3) The registrar of companies shall submit the application to the High Commissioner who may in his absolute discretion either authorise or refuse the registration of the society as a company.

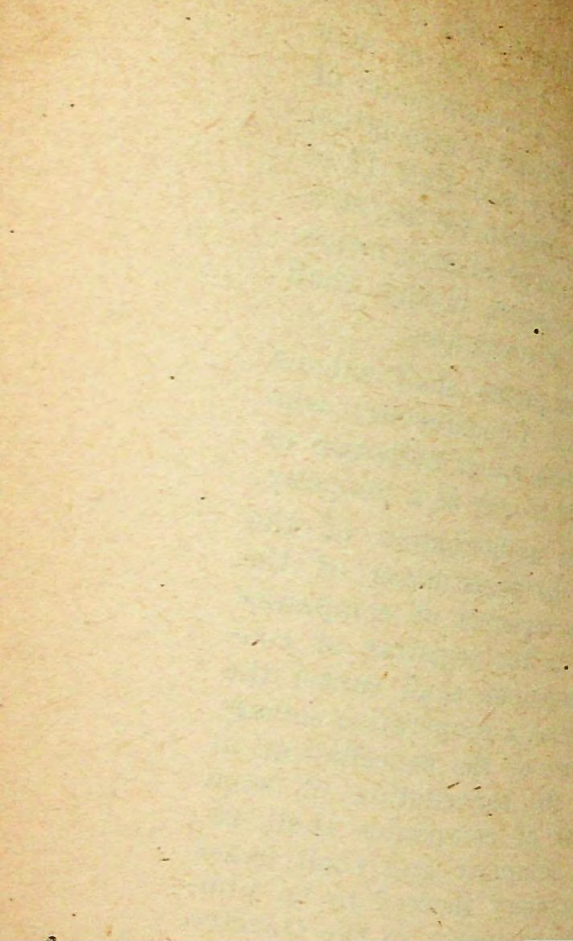
(4) Upon receiving the authorisation of the High Commissioner for the registration of the society as a company the registrar of companies shall give notice thereof to the registrar of cooperative societies who thereupon shall cancel the registration of the society as a cooperative society and shall publish a notice of the cancellation in the Gazette, and upon the cancellation of such registration the registrar of companies shall register the society as a company and shall cause the memorandum or summary thereof to be published, at the cost of the company, in the Gazette.

(5) There shall be paid to the Registrar of Companies in respect of the registration of the society under this section the several fees specified in the sixth schedule to this Ordinance.

No. 26/39

(6) All property, movable or immovable in possession or in action, belonging to or vested in a cooperative society at the date of its registration as a company in pursuance of this section, shall, on registration, pass to and vest in the company as incorporated under this section for all the estate and interest of the society therein.

(7) All debts, liabilities and obligations whether present, future or contingent, incurred by a cooperative society subsisting at the date



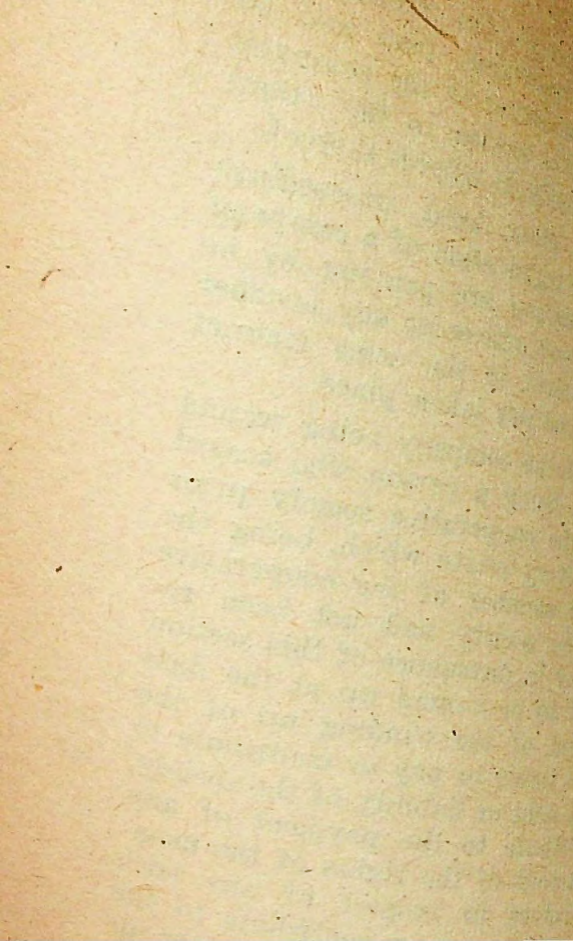
of its registration as a company in pursuance of this section, shall, on registration, pass and be deemed to have been transferred to the company as incorporated under this section to the extent of the liability of the society in respect thereof.

(8) All actions and other legal proceedings which at the time of the registration of a company in pursuance of this section are pending by or against the society, or any officer or any member thereof, may be continued in the same manner as if the registration had not taken place.

(9) In the event of the company being wound up every person who, being a person who ceased to be a member of the cooperative society prior to registration, and every estate which, being the estate of a deceased member of the cooperative society, would, if the society had not been registered as a company in pursuance of this section and had commenced to be wound up at the date of the commencement of the winding up of the company, have been liable to pay or contribute to the payment of any debt or liability of the society, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves in respect of any such debt or liability, or to pay or contribute to the payment of the costs and expenses of winding up the society so far as relates to such debts or liabilities as aforesaid, shall be a contributory in respect of the debts and liabilities of the company contracted by the society and passing to the company on registration in pursuance of this section, as such debts and liabilities existed at the time when such person ceased to be a member or, in the case of such estate as aforesaid, at the time of the decease of such member.

(10) Upon the registration of a cooperative society as a company under this section the registrar of companies shall close the registration, if

No. 12/37



COMPANIES. CAP. 22.

any, of the society under the provisions of section 3 of the Banking Ordinance, or under the provisions of section 56(4) and sections 60 and 62 of the Cooperative Societies Ordinance.

(11) The provisions of section 62 and 92 of this Ordinance shall not apply to a cooperative society registered as a company under this section.

No. 26/39

(12) Upon the registration of a cooperative society as a company under this section the Registrar of Cooperative Societies shall transmit to the Registrar of Companies a transcript of all entries in his Register of Mortgages and Charges relating to mortgages or charges created by the society prior to its registration as a company and subsisting at the time of such registration, together with all instruments in his possession creating or evidencing such mortgages or charges, and the Registrar of Companies shall thereupon enter, without any fee, in his Register of Mortgages and Charges the particulars contained in the said transcript with respect to every such mortgage or charge.

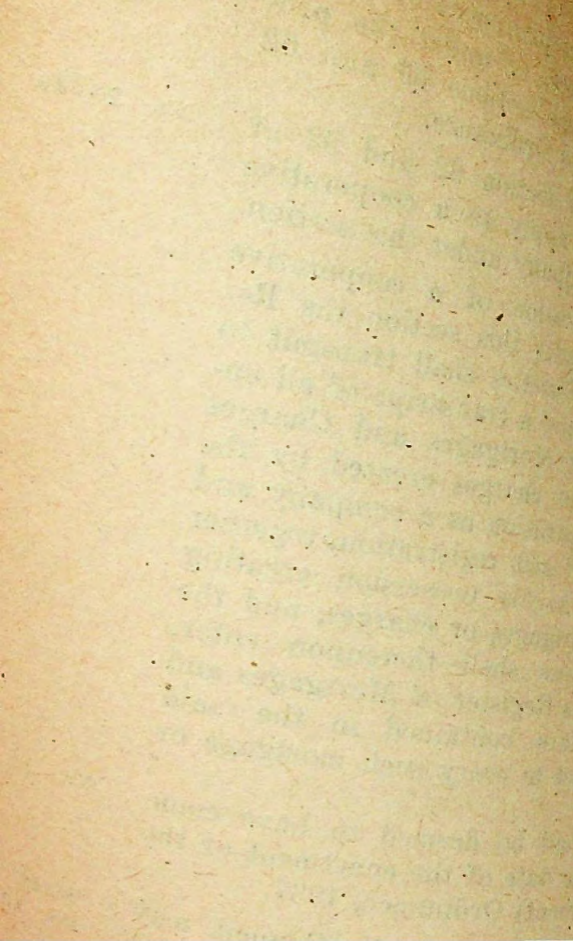
This subsection shall be deemed to have come into operation on the date of the enactment of the Companies (Amendment) Ordinance, 1937.

No. 12/37

257. The High Commissioner in Council may make rules prescribing the conditions under which the registrar of cooperative societies may grant his approval to a scheme submitted under the provisions of sub-section (2) of section 256 of this Ordinance.

Rules.

No. 12/37



Apdx. 19. Schdl. III. Table A, clause 81.

81. If at any meeting at which an election of directors ought to take place the places of the vacating directors are not filled up, the meeting shall stand adjourned till the same day in the next week at the same time and place, and if at the adjourned meeting the places of the vacating directors are again not filled up, the vacating directors or such of them as have not had their places filled up, shall be deemed to have been re-elected at the adjourned meeting.

No. 1/37
p. 29.



CONTEMPT OF COURT. CAP. 23

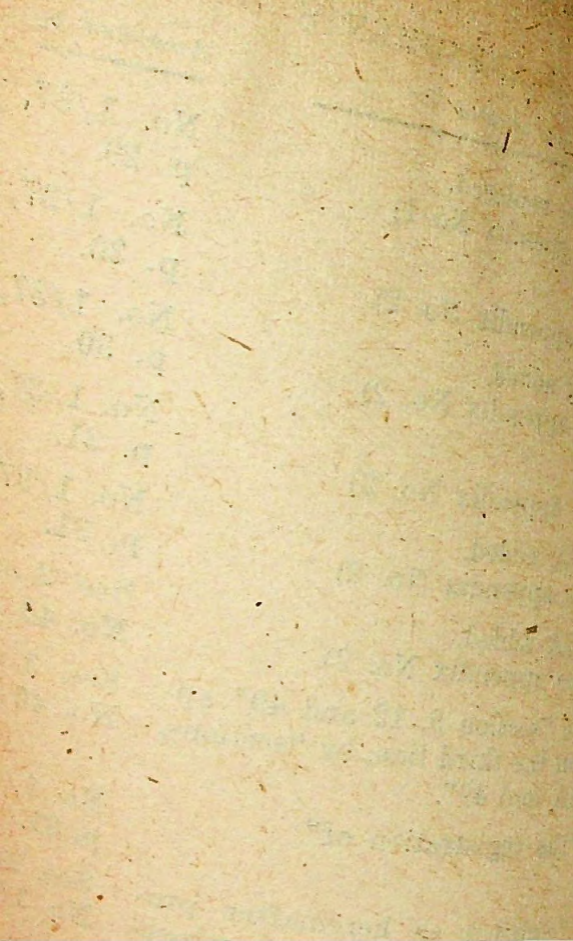
TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
10	Repealed.	No. 1/37,
	<i>Note</i> : See section 390 of Criminal Code Ordinance, 1936.	P. 29.



TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
26(1)(b)	Paragraph (b) replaced. (See appendix No 1)	No. 1/37, p. 29.
27	Replaced. (See appendix No. 2)	No. 1/37, p. 30.
27A	Section 27A added. (See appendix No. 2)	No. 1/37, p. 30.
28	Replaced. (See appendix No. 2)	No. 1/37, p. 31.
28A	Section 28A added. (See appendix No. 2)	No. 1/37, p. 31.
48A	Section 48A added. (See appendix No. 3)	Sec. 2 of No. 40/44.
51	Substitute "section 9, 12 and 49" appearing in the third line, by "sections, 9, 12, 48A and 49".	Sec. 3 of No. 40/44.
59(1)(a)	Delete "the registration of"	No. 1/37, p. 31.
60(1)	Insert "Subject as hereinafter provided" at the beginning of subsection (1).	Sec. 2(a) of No. 16/37.
60(3)	Subsection (3) added: (See appendix No. 4)	Sec. 2(b) of No. 16/37.



Apdx. I Sec. 26(1)(b).

No. 1/37
pp. 29-30.

(b) A registered society may when making a loan or when entering into an agreement to make a loan to a member or when a member is indebted to such a society require the member to create a charge in favour of the society in such form as may be prescribed on all crops or other agricultural produce, marine produce (including fish), felled timber, animals, fodder, agricultural, industrial or fishing implements, machinery, boats, tackle and nets, raw materials, stock-in-trade, and generally all produce of labour and things used in connection with production whether at the date when such charge is made the property comprised in the charge is or is not in existence or is or is not acquired by the person giving the charge.



Apdx. 2 Sec. 27.

27.—(1) A registered society may borrow money on the security of any charge which it holds under section 26(1) hereof if such charge is executed and registered in accordance with the provisions of this Ordinance, and may for this purpose assign any such charge.

(2) An assignment of a charge under this section shall be registered in accordance with the provisions of section 26(2) hereof and the provisions of Part V of the Companies Ordinance shall in addition apply thereto.

(3) An assignment of a charge under this section when registered as aforesaid shall operate as a first charge in favour of the assignee subject to the provisions of section 26(4) hereof.

27A. Any assignment of a charge held by a registered society under section 26(1) of this Ordinance registered with the district officer of the sub-district in which the property comprised in the charge is situated on or after the twenty seventh day of December, 1933, but before the twenty sixth day of February, 1935, shall be deemed to be valid and of full effect notwithstanding that such assignment was not registered with the registrar.

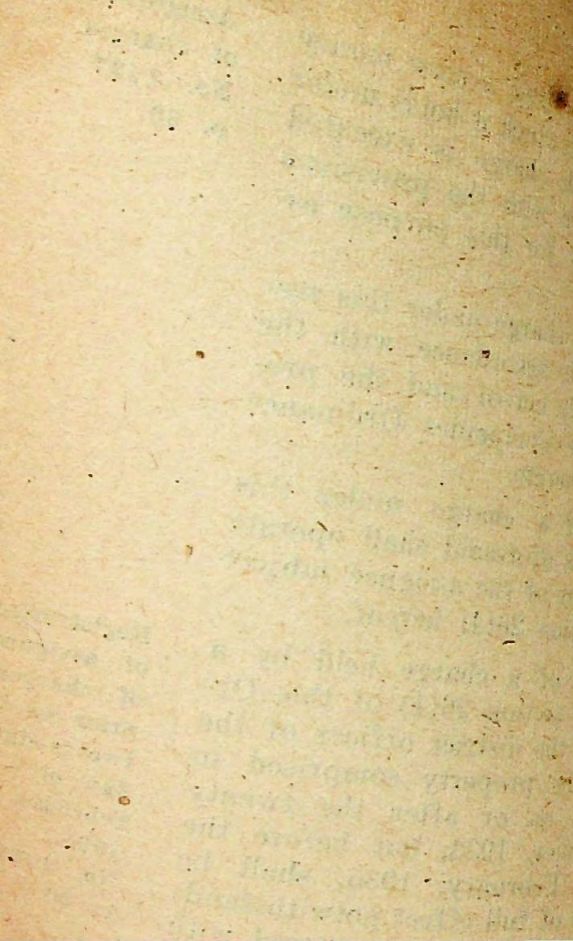
28.—(1) A registered society shall be entitled, subject to any limitations or restrictions contained in its rules, to pledge its movable property and to mortgage or charge all or any of its property, movable or immovable, in possession or in action, present or future, including its unpaid share capital if any, and good will by way of security for liabilities present, future or contingent by the issue of debentures whether single or in a series.

(2) The provisions of Part V of the Companies Ordinance shall apply to any pledge, mortgage or charge executed under this section.

Assignment
of charges.
No. 1/37
p. 30.

Registration
of assignments
of charges
prior to the
twenty-sixth
day of
February
1935.
No. 1/37
p. 30.

Charges
created by
societies
on their own
property.
No. 1/37
p. 31.



28A. Any debenture, mortgage, charge or pledge created or made by any registered society at any time before the twenty-sixth day of February, 1935, shall be deemed to have been lawfully created or made, if lawfully created or made and registered under Part V of the Companies Ordinance.

Apdx. 3 Sec. 48A.

48A. The Registrar may, at any time after he has made an order for winding up a society and before he has cancelled the registration of the society under section 50, on the application of any creditor or member, or of the liquidator, and on proof to his satisfaction that all proceedings in relation to the winding-up ought to be stayed, make an order staying the proceedings, either altogether, or for a limited time, on such terms and conditions as he thinks fit.

Apdx. 4 Sec. 60(3)

(3) The provisions of this section shall not apply to a society which is carrying on or desires to carry on insurance business of a non-profit making nature only, and solely for the purpose of the mutual insurance of its members or of any property or chattels of its members against death or accident and/or against damage or loss by or incidental to fire, death, disease or any other cause whatsoever.

Application
of Part V
of the
Companies
Ordinance
to certain
charges, etc.
No. 1/37

Power of
Registrar to
stay proceed-
ings in
relation to
winding-up.
No. 40/44.

No. 16/37.



CORONERS. CAP. 26

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Replaced (See appendix No. 1)	Sec. 2 of No. 49/46.
13A 13B	Sections 13A and 13B added : (See appendix No. 2)	Sec. 3 of No. 49/46.



Apdx. 1 Sec. 2

2. The High Commissioner may from time to time appoint one or more persons to be coroners for each district.

Appointment of coroners. Sec. 2 of No. 49/46.

Apdx. 2 Sec. 13A

13A.—(1) On application to the Supreme Court sitting as a High Court of Justice made by the Attorney-General or his representative or by any person having in the opinion of the Court a sufficient interest in the matter, the Court may —

Powers of Supreme Court sitting as a High Court. Sec. 3 of No. 49/46.

(a) where no inquest has been held touching a death and the Court is satisfied that an inquest ought to be held, order an inquest to be held accordingly;

(b) where an inquest has been held and the Court is satisfied that by reason of fraud, rejection of evidence, irregularity of proceedings, insufficiency of evidence, the discovery of new facts, or otherwise, it is necessary or desirable, in the interests of justice so to do, exercise all or any of the following powers as the Court may deem appropriate, that is to say —

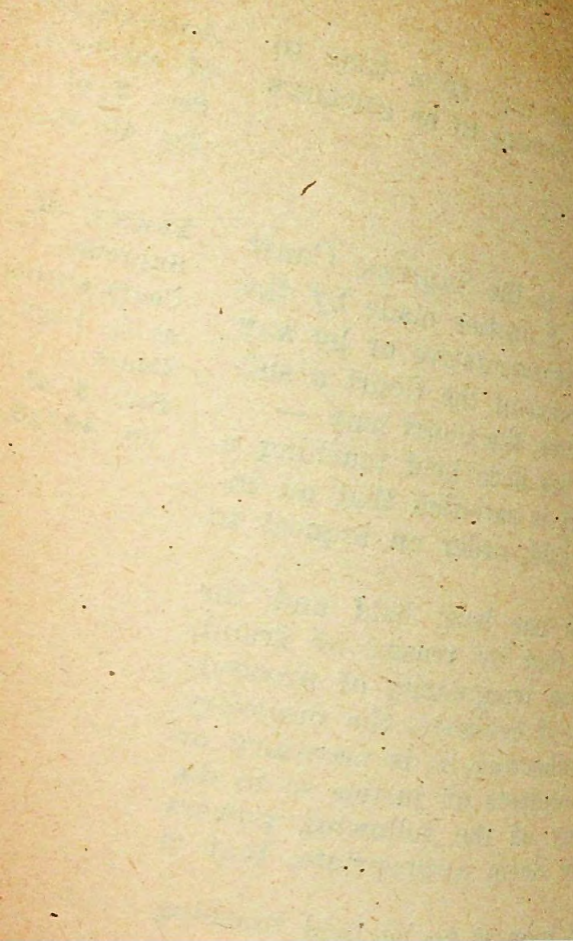
(i) order a fresh inquest to be held touching the death in question,

(ii) direct that all or any of the evidence given at the previous inquest shall be read at the fresh inquest and shall thereupon form part of the record of the fresh inquest: Provided that this provision shall be without prejudice to any power to recall at the fresh inquest any witness by whom evidence was given at the previous inquest;

(iii) quash the finding at the previous inquest.

(2) The Court order in an inquest or a fresh inquest to be held in accordance with subsection

(1) may direct that the inquest or fresh inquest shall be held by a coroner other than the coroner



CORNERS. CAP. 26

who refused or neglected to hold an inquest or who held the previous inquest, as the case may be.

(3) Subject to the preceding provisions of this section, the provisions of this Ordinance shall be applicable to fresh inquests ordered by virtue of this section as they are to other inquests.

13B . Where any facts relevant in an inquest touching the death of any person (hereinafter referred to as "the first inquest") are relevant also in any inquest or inquests touching any other death or deaths (such inquest or inquests being hereinafter referred to as "the subsequent inquest"), any evidence given to prove such facts at the first inquest may, with the permission of the coroner holding the subsequent inquest, be read at the subsequent inquest to prove such facts and shall thereupon form part of the subsequent inquest :

Provided that this provision shall be without prejudice to any power to recall at the subsequent inquest the witness or witnesses who gave the evidence.

Evidence
common to
two or
more
inquests.
No. 49/46.

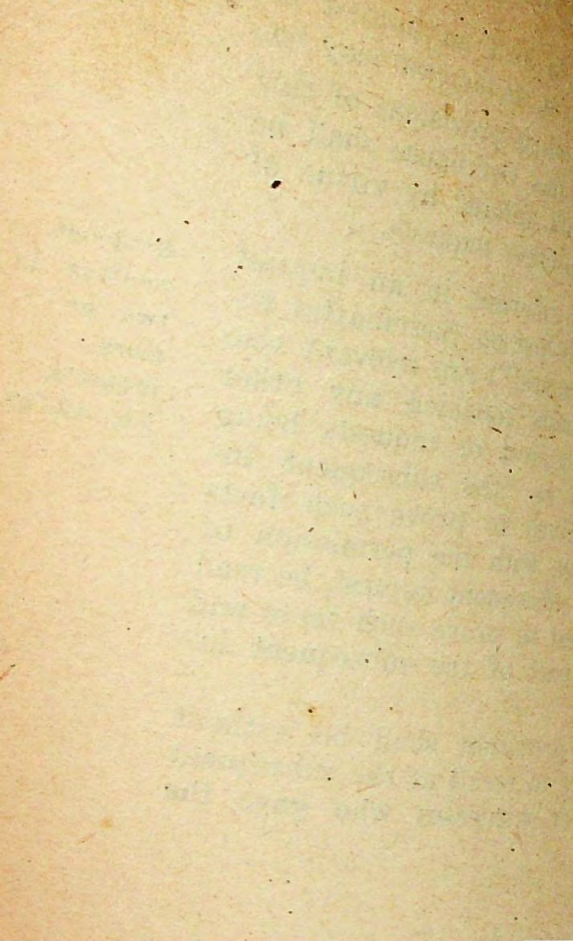


TABLE OF AMENDMENTS

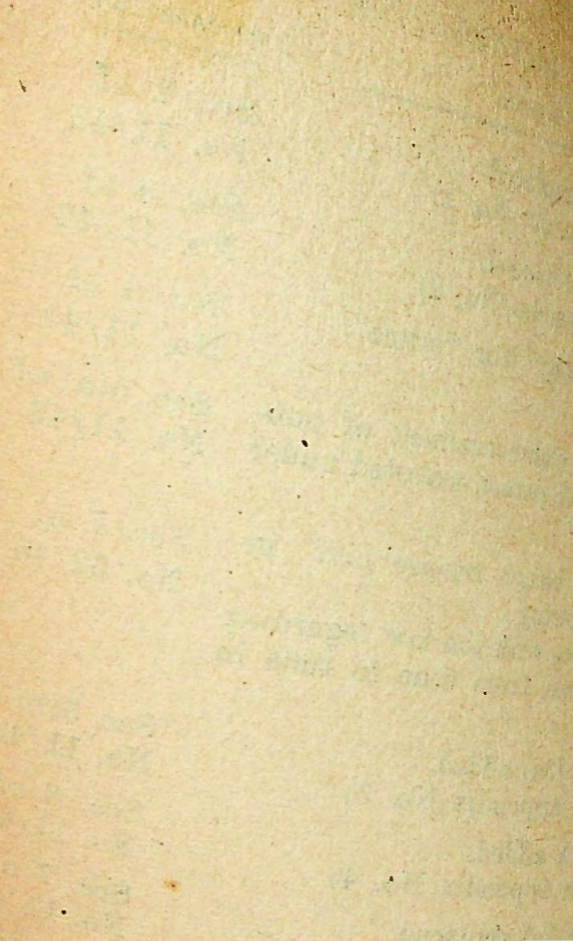
<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
15	Repealed. <i>Note:</i> See section 390 of Criminal Code Ordinance, 1936.	No. 1/37, p. 36.



CRIMINAL PROCEDURE
(ARREST AND SEARCHES) CAP. 33.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3(1)(b)	Paragraph (b) replaced. (See appendix No. 1)	Sec. 2 of No. 11/42
5(c)	Paragraph (c) replaced. (See appendix No. 2)	Sec. 3 of No. 11/42
9(2)(a)	Substitute "felony" for "crime".	Sec. 4 of No. 11/42
10(1)	Insert at the commencement of sub-section (1): "A person arrested under a warrant, or"	Sec. 5(a) of No. 11/42
10(3)	After "shall either release him" insert the following: "in accordance with the law regarding release on bail from time to time in force,".	Sec. 7 of No. 52/46.
10(3a)	Sub-section (3a) added. (See appendix No. 3)	Sec. 5(b) of No. 11/42.
10A	Section 10A added. (See appendix No. 4)	Sec. 6 of No. 11/42.
18(a)	Paragraph (a) replaced. (See appendix No. 5)	Sec. 7 of No. 11/42.
28(3)	Substitute "Ottoman Penal Code" by "Criminal Code Ordinance, 1936".	Sec. 8 of No. 11/42.



CRIMINAL PROCEDURE
(ARREST AND SEARCHES). CAP. 33.

Apdx. 1 Sec. 3(1)(b).

(b) whom he has reasonable ground for believing to have committed a felony, or

No. 11/42.

Apdx. 2 Sec. 5(c).

(c) any person committing in his presence any felony.

No. 11/42.

Apdx. 3 Sec. 10(3a).

(3a) Where any person has been detained under the provisions of subsection (3) hereof, any magistrate may from time to time authorise his detention for a further period not exceeding fifteen days :

No. 11/42.

Provided that no person shall be detained for a period exceeding thirty days unless application for his further detention is made with the authority and under the hand of the Attorney General.

Apdx. 4 Sec. 10A.

10A. No order for the detention of any person shall be made in the absence of such person unless the magistrate or officer making the order is satisfied by medical evidence that by reason of the illness of such person he cannot be brought before him.

Restrictions
on orders of
detention.
No. 11/42.

Apdx. 5 Sec. 18(a).

(a) if he has reason to believe that a felony is being committed, or has recently been committed, on the premises.

No. 11/42.

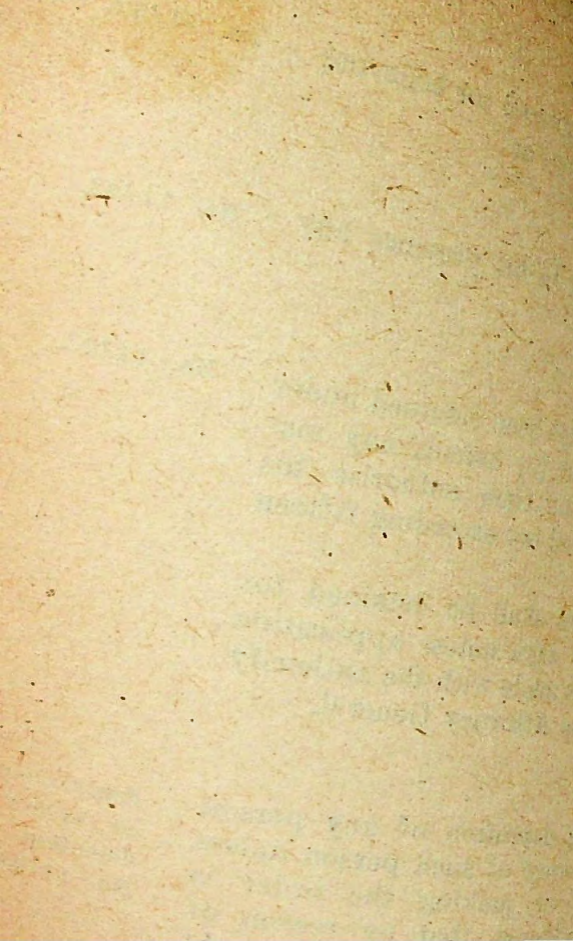


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Insert "Part I.-" before the heading appearing immediately above section 2.	No. 30/45, p. 154.
2	Replaced.	Sec. 2 of
3	(See appendix No. 1)	No. 32/44.
4		
5	Insert "Part II.-" before the heading appearing immediately above section 5.	No. 30/45, p. 154.
7	Insert "Part III.-" before the heading appearing immediately above section 7.	No. 30/45, p. 154.
8	Add the following heading and sections after section 7 :	No. 30/45, p. 154.
9		
10	(See appendix No. 2)	
11		



Apdx. 1 Sec. 2.

Preliminary Examination of Witnesses.

2.—(1) An officer of police of or above the rank of inspector, or any other officer or class of officers generally or specially authorised in writing by the Chief Secretary to the Government, to hold enquiries into the commission of offences, may examine orally any person supposed to be acquainted with the facts and circumstances of any offences in respect whereof such officer of police or other authorised officer as aforesaid is enquiring, and may reduce into writing any statement by a person so examined.

(2) The person so examined shall be bound to answer truly all questions put to him by such officer of police or other authorised officer as aforesaid at the examination, other than questions the answer to which would have a tendency to expose him to a criminal charge.

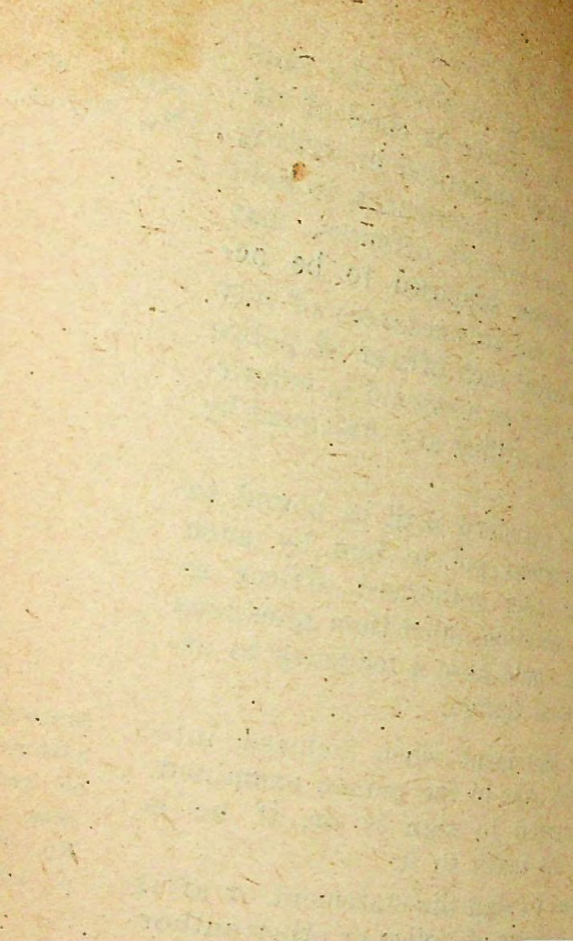
3.—(1) Any such statement when reduced into writing shall be read over to the person examined, who shall be requested to sign it or, if he is illiterate, to affix his mark to it.

(2) If he refuses to sign the statement or affix his mark to it, the officer of police or other authorised officer as aforesaid shall note in writing at the foot of the written statement that the person making the statement has refused to sign it or affix his mark to it and the reason, if ascertained, of the refusal.

(3) The written statement shall then be signed by the officer of police or other authorised officer as aforesaid, and, in any proceedings against the person making it for not truly answering any question put to him, the written statement shall be evidence of the statements made by him unless it is proved that he did not make the statements or any of them.

Examination
of witnesses
by police
officer, etc.
No. 32/44.

Statement of
witnesses to
be reduced
into writing.
No. 32/44
p. 103.

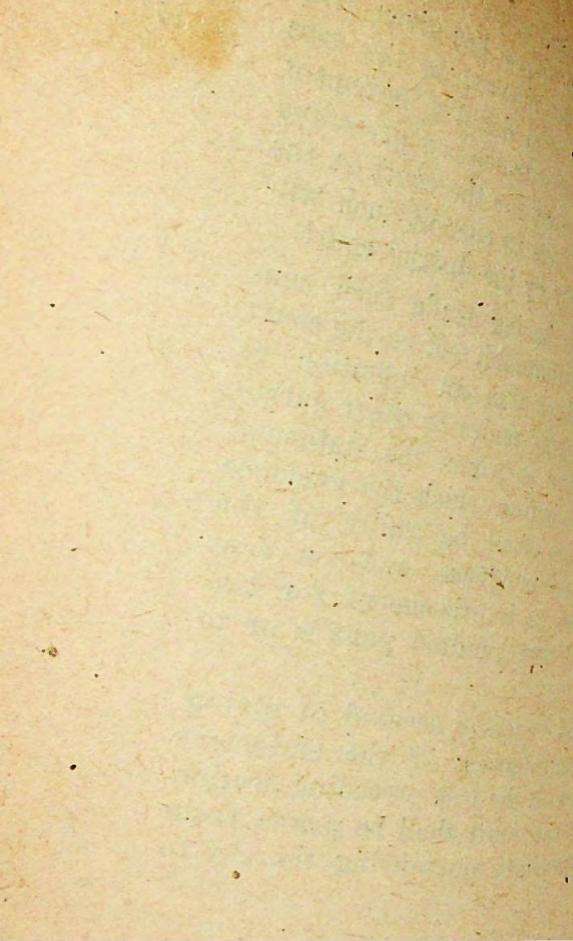


4—(1) If it shall appear during criminal proceedings before a court that a witness has given evidence on oath of some fact relevant to the case contradicting in some material detail a statement made by him in accordance with the last preceding section, it shall be competent for the court at the conclusion of the proceedings to commit such witness to be tried summarily by the district court.

(2) On proof of his having made such contradictory statements as aforesaid, and on the court being satisfied that there was an intention to deceive either the officer of police or other authorised officer as aforesaid to whom the statement was made or the court before which the evidence was given, such person shall be guilty of the offence, of giving false evidence, and, on conviction, shall be liable to imprisonment for two years or to a fine of five hundred pounds or to both such penalties.

(3) At the trial of a person accused of giving false evidence, the production of the statement taken in accordance with the last preceding section and of the record of the court shall be prima facie evidence of the statements purporting therein to have been made.

False
evidence.
No. 32/44
p. 103.



Apdx. 2 Sec. 8.

PART IV. — Examination and Identification of Documents suspected to be false Bank of England Notes.

8. In this Part —

“false Bank of England Note” means a document which is a counterfeit or forgery of a Bank of England Note in whole or in part.

Interpre-
tation.
No. 30/45.

9. If any superior police officer shall, for any reason, suspect that any document which is in the possession of a police officer at the commencement of the Defence Legislation (Incorporation in Certain Ordinances) Ordinance, 1945, or which thereafter comes into the possession of a police officer is or may be a false Bank of England Note he may retain such document for expert examination or may send such document for examination by such person and in such place (whether within or without Palestine) as he may deem appropriate.

Power of
superior
police officer
in relation
to certain
documents.
No. 30/45.

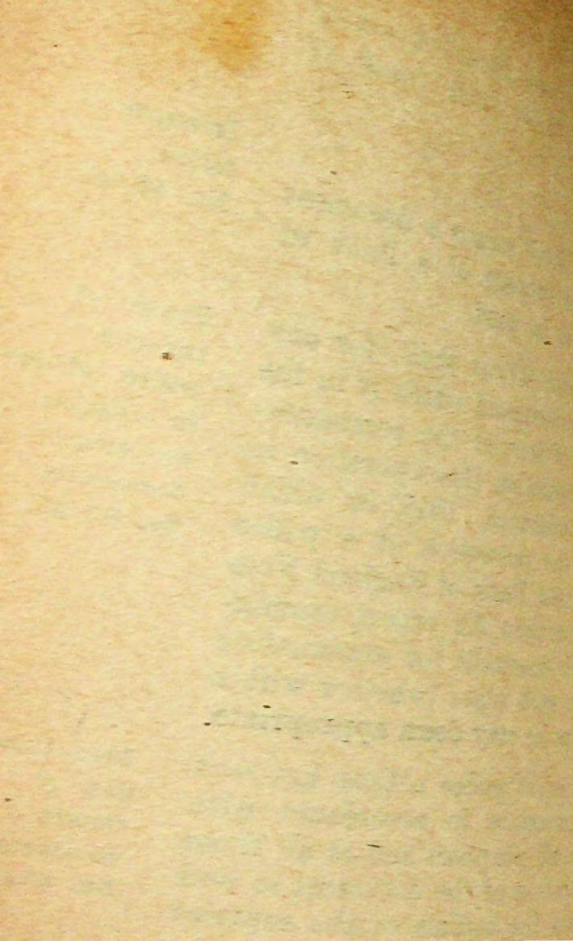
10.—(1) Where a superior police officer has sent a document for examination in accordance with section 9, it shall for all purposes and at all times be sufficient identification of the document so sent to prove that it bears the initials of the superior police officer, and the date thereof, placed on the document before it was so sent.

Identifica-
tion of
certain
documents.
No. 30/45.

(2) Nothing in subsection (1) shall be deemed to prevent any such document from being identified otherwise than in the manner provided for in that subsection.

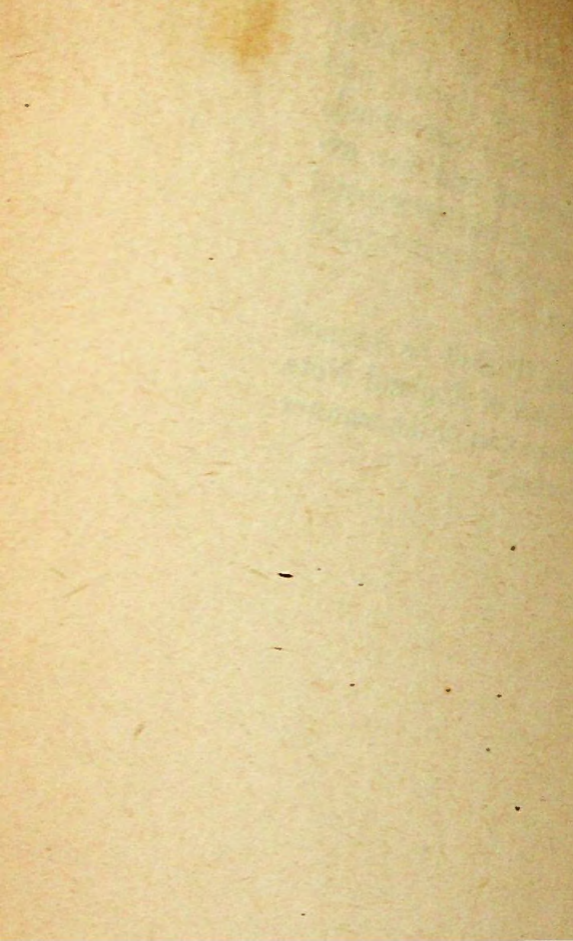
11.—(1) A certificate purporting to be given by or on behalf of the Bank of England that any document is a false Bank of England Note shall be conclusive evidence of that fact unless it is proved that the certificate was not given by or on behalf of the Bank of England; and for the purpose of identifying the false Bank of England

Certificate of
falsity.
No. 30/45.



Note to which the certificate purports to relate, it shall be sufficient for the certificate to quote the number (if any) of the false Bank of England Note and the initials and the date thereon and for it to be shown that the number corresponds with the number of the document sent for examination and that the initials and date correspond with the initials and date placed on the document by the superior police officer.

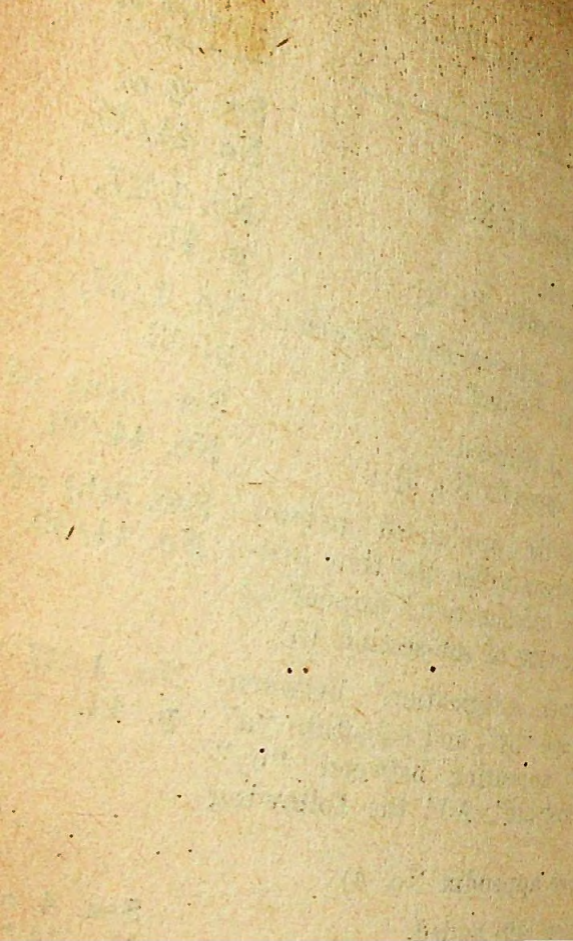
(2) Nothing in subsection (1) shall be deemed to prevent any such false Bank of England Note from being identified otherwise than in the manner provided for in that subsection.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

TABLE OF AMENDMENTS

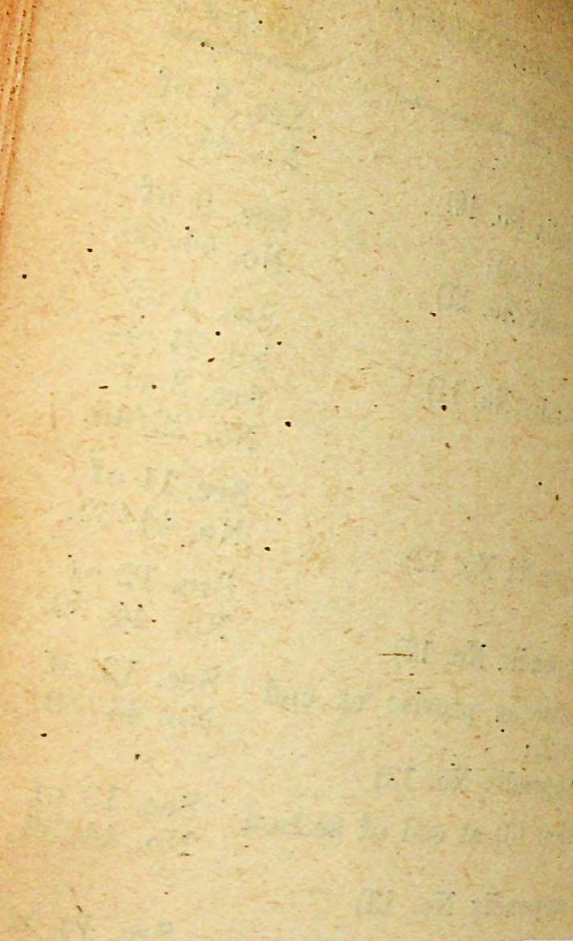
<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3	Replaced. (See appendix No. 1)	Sec. 2 of No. 44/39.
4(2) Proviso	Proviso replaced. (See appendix No. 2)	No. 1/37, p. 41.
5	Insert "upon information" between "triable" and "before".	No. 1/37, p. 42.
12(1)	Subsection (1) replaced. (See appendix No. 3)	Sec. 3(a) of No. 44/39.
12(3)	Delete "If the proclaimed person does not appear within the time spe- cified in the proclamation," appearing at the beginning of sub-section (3).	Sec. 3(b) of No. 44/39.
13	Insert "upon information" between "triable" and "by", and substitute "a" for "the" appearing between "by" and "magistrate". Add the following proviso : (See appendix No. 4)	No. 1/37 p. 42.
15(10)	Sub-section (10) added. (See appendix No. 5)	Sec. 4 of No. 44/39.
16	Replaced. (See appendix No. 6)	Sec. 2 of No. 3/44.
17(1)	Insert the following between "by the magistrate" and "and shall be read over" : (See appendix No. 7)	Sec. 6 of No. 44/39.
18	Replaced. (See appendix No. 8)	Sec. 2 of No. 22/45
20	Replaced. (See appendix No. 9)	No. 1/37 p. 42, No. 44/39



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
23	Replaced. (See appendix No. 10)	Sec. 8 of No. 44/39.
27(2)	Sub-section (2) replaced. (See appendix No. 11)	Sec. 9 of No. 44/39.
28	Replaced. (See appendix No. 11)	Sec. 3 of No. 31/44. Sec. 3 of No. 22/46.
30	Replaced. (See appendix No. 12)	Sec. 11 of No. 44/39.
31	Replaced. (See appendix No. 12)	Sec. 12 of No. 44/39.
34(2) Proviso	Insert the following proviso at end of sub-section(2) : (See appendix No. 13)	Sec. 13 of No. 44/39.
34(3)	Add sub-section (3) at end of section 34. (See appendix No. 13)	Sec. 13 of No. 44/39.
36	Insert "to the reasonable satisfaction of the court". between "on proof" and "that the witness cannot be pro- duced".	Sec. 14 of No. 44/39.
37(3)	Substitute the following for "section 39" : (See appendix No. 14)	No. 1/37 p. 43 Sec. 15 of No. 44/39.
38	Replaced. (See appendix No. 14)	Sec. 4 of No. 31/44.
42	Replaced. (See appendix No. 15)	Sec. 16 of No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
43	Substitute "nor shall he" for "nor shall be".	Sec. 17 of No. 44/39.
45	Delete "After the reply of the accused or his advocate", and substitute the following therefor: "After the reply, if any, of the Attorney General or his representative,".	Sec. 18 of No. 44/39.
46	Delete "acquitted on the ground of insanity or is".	Sec. 19 of No. 44/39.
47(4)	Delete "or penal servitude".	Sec. 20 of No. 44/39.
51	Insert "or acquittal" between "the conviction" and "of any person" and between "the conviction" and "is based", respectively.	Sec. 21 of No. 44/39.
52	Substitute "accessory after the fact" for "accomplice or accessory thereto"; Delete "if such offence" to "offence charged" inclusive and substitute the following therefor: (See appendix No. 16)	Sec. 22 of No. 44/39.
53	Repealed.	Sec. 23 of No. 44/39.
54	Replaced. (See appendix No. 17)	Sec. 24 of No. 44/39.
56(2)	Subsection (2) replaced. (See appendix No. 18)	Sec. 5 of No. 31/44.
57	Repealed.	No. 1/37,
58		p. 43
59	Replaced. (See appendix No. 19)	Sec. 6 of No. 31/44.

CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
62	Repealed.	Sec. 25 of No. 44/39.
63	Replaced. (See appendix No. 20)	Sec. 26 of No. 44/39.
- 64	Repealed.	Sec. 27 of No. 44/39.
67	Replaced. (See appendix No. 21)	Sec. 7 of No. 31/44.
69	Repealed.	Sec. 2 of No. 28/44.
70(1)	Delete from "if the court" to "being heard" inclusive.	Sec. 29 of No. 44/39.
71	Insert "(1)" after the figure "71", and add the following proviso thereto : (See appendix No. 22)	Sec. 30 of No. 44/39.
71(2)	Add sub-section (2) (App. 22).	
72(1) (c)	Substitute "if the appeal is by the accused, quash the conviction, and whether the appeal is by the accused or by the Attorney General" for "quash the conviction and"	Sec. 31(a) of No. 44/39.
72(2)	Delete "or penal servitude".	Sec. 31(b) of No. 44/39.
73	Replaced. (See appendix No. 23)	Sec. 32 of No. 44/39.
74A—C	Sections 74A, 74B, 74C added. (See appendix No. 24)	Sec. 33 of No. 44/39.
76	Section 76 added : (See appendix No. 25)	No. 1/37, p. 44.
Schedule	Schedule added : (See appendix No. 25)	No. 44/39, p. 127.



**CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.**

Apdx. 1 Sec. 3

3. The provisions hereinafter contained shall apply to the investigation and trial of the following offences (hereinafter referred to as "offences triable upon information") :-

- (a) felonies, within the meaning of the Criminal Code Ordinance, 1936; and
- (b) such misdemeanours, within the meaning of the Criminal Code Ordinance, 1936, as the Attorney-General may order, under section 8 of the Magistrates' Courts Jurisdiction Ordinance, 1939, to be tried in accordance with the provisions of this Ordinance; and
- (c) any misdemeanour joined in the same information with a charge of felony.

Scope of the provisions of the Ordinance. Sec. 2 of No. 44/39.

Apdx. 2 Sec. 4(2).

Provided that the Chief Justice may change the place of trial of any such case.

No. 1/37 p. 42.

Apdx. 3 Sec. 12

12.—(1) If the proclaimed person does not appear within the time and at the place specified in a proclamation issued under the last preceding section, the district court may, at any time after the expiry of the time so specified, order the attachment of any property, movable or immovable or both, belonging to the proclaimed person.

Attachment of property. Sec. 3(a) of No. 44/39.

Apdx. 4 Sec. 13.

Provided that the Attorney General may direct that any such enquiry shall be held by a British magistrate and when the Attorney General so directs such enquiry shall be so held.

No. 1/37 p. 42.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 5 Sec. 15(10).

(10) The room or building in which such magistrate shall take such evidence and statement as aforesaid shall not be deemed an open court for that purpose; and it shall be lawful for such magistrate, in his discretion, to order that no person shall have access to, or be or remain in, such room or building, without the consent or permission of such magistrate, if it appears to him that the ends of justice will be best answered by so doing.

Sec. 4 of
No. 44/39.



Apdx. 6 Sec. 16.

16.—(1) Every witness shall be examined on oath, except where the magistrate is satisfied that the taking of an oath is contrary to the religious belief of the witness or that he has no religious belief, in either of which cases he may be examined on his affirmation only :

Provided that where any child of tender years called as a witness does not in the opinion of the magistrate understand the nature of an oath, his evidence may be received although not given upon oath or affirmation if, in the opinion of the magistrate, such child is possessed of sufficient intelligence to justify the reception of the evidence and understands the duty of speaking the truth; and his evidence, although not given on oath or affirmation, shall, if otherwise taken and reduced into writing in accordance with the provisions of this Ordinance, be deemed to be a deposition within the meaning of this Ordinance.

(2) If any child of tender years whose evidence, although not given on oath or affirmation, is received in accordance with the proviso to subsection (1) wilfully gives false evidence in such circumstances that he would, if the evidence had been given on oath or affirmation, have been guilty of perjury, he shall be liable on conviction to be dealt with as if he had been convicted of an offence punishable in the case of an adult with imprisonment.

(3) An accused person or his advocate may cross-examine each witness (including the complainant if he is called as a witness) called in support of the charge and the prosecution may re-examine such witness on matters arising out of such cross-examination. Similarly the prosecution may cross-examine the witnesses called by the defence (including the accused if he is so called)

Taking of
evidence.
Sec. 2 of
No. 31/44.



and the defence may re-examine such witnesses on matters arising out of such cross-examination.

(4) The evidence of each witness shall be taken down in writing by the magistrate or by some other person in the presence of the magistrate as the Chief Justice may direct either generally or in any particular class of case, and shall afterwards be read to the witness and signed by him. If he is unable to sign his name, he shall affix his mark or thumbprint, which shall be witnessed by the magistrate or the clerk of the Court. If a witness refuses to sign or attach his mark or thumbprint, the magistrate shall make a note of such refusal on the deposition and shall sign the deposition.

Apdx. 7 Sec. 17(1).

“or by some other person in the presence of the magistrate as the Chief Justice may direct either generally or in any particular class of case”.

Sec. 6 of
No. 44/39.

Apdx. 8 Sec. 18

18. (1) A magistrate, after enquiry into the charge, shall, if he is of opinion that there is not sufficient credible evidence to justify putting the accused on his trial by the Court of Criminal Assize or the district court, dismiss the charge.

Discharge or
committal.

Sec. 2 of
No. 22/46.

(2) If he is of opinion that there is sufficient credible evidence to justify putting the accused on his trial, he shall commit the accused for trial for the offence or offences of the commission of which by the accused there appears to be sufficient credible evidence, notwithstanding that such offence or offences may differ from the offence or offences, as originally charged :

Provided that, before deciding to commit the accused for trial, the magistrate shall first call upon him to make a statement on his own behalf, if he so desires, and to call such witnesses as he may choose for the purpose of his defence.

Apdx. 9 Sec. 20.

20. If it shall appear to the magistrate holding a preliminary enquiry that the evidence is not sufficient to support a conviction for an offence *which is a felony within the meaning of the Criminal Code Ordinance, 1936, but that it discloses an offence which is a misdemeanour within the meaning of the said Ordinance then, unless the Attorney-General has directed a trial upon information under the provisions of the Magistrates' Courts Jurisdiction Ordinance, 1939, the magistrate shall make or cause to be made out a written statement of such fresh charge against the accused. The charge shall be read to the accused and the provisions of the Magistrates' Courts Jurisdiction Ordinance, 1939, shall thereupon apply to the trial of the accused :*

Provided that if the accused is tried by the magistrate who held the preliminary enquiry the evidence already given in the presence of the accused at such preliminary enquiry may be used without being re-heard, unless the prosecution or the accused shall desire to re-call a witness already examined for the purpose of putting any further question.

Apdx. 10 Sec. 23

23. The Chief Justice may make rules providing, in case an accused person has been committed for trial before a Court of Criminal Assize or a district court, for —

- (a) the forwarding of depositions, exhibits and such other documents as may be necessary, or copies of depositions, exhibits or documents, to the Attorney General or his representative for the purpose of drawing an information; and
- (b) the safe custody of documents and exhibits pending trial.

A summary trial to be held in certain cases.
No. 1/37
p. 42.

Sec. 7 of
No. 44/39.

No. 1/37
p. 42.

Sec. 7(b) of
No. 44/39.

No. 1/37
pp. 42-43.

Power of Chief Justice to make rules providing for the forwarding and safe custody of documents, etc., after committal.
Sec. 8 of
No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 11 Sec. 27(2).

(2) If the accused cross-examines the witness, the magistrate, or some other person in the presence of the magistrate as the Chief Justice may direct either generally or in any particular class of case, shall take down the evidence given in the cross-examination and the magistrate shall attach it to the deposition.

Sec. 9 of
No. 44/39.

TRIAL ON INFORMATION

28.—(1) No person shall be put upon his trial upon information before the Court of Criminal Assize or a District Court, notwithstanding that he may have been committed for trial by a magistrate, except upon an information filed by or on behalf of the Attorney General in the court in which he is to be tried.

Information
of Attorney
General,
committal by
Attorney-
General etc.
Sec. 3 of
No. 31/44.

(2) Every information shall be drawn up in accordance with the rules in the Schedule to this Ordinance :

Provided that the Chief Justice may, with the concurrence of the High Commissioner, add to, vary or revoke such rules.

(3) Every information shall contain, and shall be sufficient if it contains, a statement of the specific offence or offences with which the accused person is charged, together with such particulars as may be necessary for giving reasonable information as to the nature of the charge.

(4) Notwithstanding any rule of law or practice, an information shall, subject to the provisions of this Ordinance, not be open to objection in respect of its form or contents if it is framed in accordance with the rules under this Ordinance.

(5) Where a magistrate has refused to commit an accused for trial for the offence with which he has been charged or for any other offence, the Attorney General may, notwithstanding such refusal —



(a) make an order committing the accused person for trial upon information before the Court of Criminal Assize or the District Court, as the case may be, or directing that he be tried summarily before a District Court, on any charge or charges arising out of the evidence taken at the proceedings for committal;

(b) at any time within the period of prescription for the offence, make an order that further evidence shall be taken before the magistrate with a view to committal.

(6) Where a magistrate has committed an accused person for trial for the offence with which he has been charged or for any other offence —

(a) the Attorney General may, notwithstanding such committal, make an order directing that the accused person be tried summarily before a District Court on any charge or charges arising out of the evidence taken at the proceedings for committal; or

(b) if the accused person has been committed for trial before the Court of Criminal Assize, the Attorney General may, unless an information has already been filed in that Court, file an information against the accused person in the District Court and may include in the information any charge or charges arising out of the evidence taken at the proceedings for committal; or

(c) subject to the provisions of paragraph (a) and (b) above, the Attorney General or his representative may file an information against the accused person in the Court of Criminal Assize or the District Court, as the case may be, and may include in the information any charge or charges arising out of the evidence taken at the proceedings for committal.

(7) Where a magistrate has committed a person for trial and the Attorney General is of opinion



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

that further investigation is required before the trial, it shall be lawful for the Attorney General to direct that the original depositions be remitted to the magistrate who has committed the accused for trial, and the magistrate may thereupon reopen the case and deal with it in all respects as if such commitment had not been made.

(8) Where a magistrate has committed a person for trial and the Attorney General is of opinion that the case should be tried by the magistrate, the case may, if the Attorney General so directs, be tried and determined accordingly and thereupon the provisions of section 20 of this Ordinance shall apply as though the magistrate had himself elected to act under that section and to try the accused summarily on the charge or charges directed by the Attorney General.

(9) The Attorney General or his representative may, at any time before the *committal* of an accused person, amend or replace an information previously filed so long as any charge or charges included in the information arise out of the evidence taken at the proceedings for trial.

No. 22/46

(10) Any charge or charges preferred by information or directed to be made in accordance with the provisions of this section may include a charge or charges in substitution for, or in addition to, any charge or charges on which the accused person was committed or may exclude any such charge or charges; and any charge or charges may be so preferred or directed whether they involve, either separately or collectively, the same penalty as, or a more or less severe penalty than, any charge or charges on which the accused was committed.

(11) If an information filed otherwise than in accordance with the provisions of the foregoing sub-sections has been signed by the Attorney General or his representative, the information shall be liable to be quashed :



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Provided that —

- (a) if the information contains several charges, and the said provisions have been complied with as respects one or more of them, those charges only that were wrongly included shall be quashed under this subsection; and
- (b) where a person who has been committed for trial is convicted on any information or any charge in an information, that information or charge shall not be quashed under this subsection on appeal, unless application was made at the trial that it should be so quashed.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 12. Sec. 30.

30.—(1) Subject to the provisions of the rules in the schedule to this Ordinance, charges for more than one felony or for more than one misdemeanour and charges for felonies and misdemeanours may be joined in the same information and the court may either convict or acquit the accused generally upon the whole information or convict him upon one or some and acquit him upon other counts.

Joinder of counts.

Sec. 11 of No. 44/39.

(2) If the court convict the accused generally on the whole information, the legal effect of such conviction shall be to convict him on each of the offences charged against him and the court may thereupon pass upon him the same sentence as if he had been separately convicted of every such offence :

Provided that no more than one sentence shall, in any case, be passed upon any person upon the same facts.

31.—(1) Where, before trial, or at any stage of a trial, it appears to the court that the information is defective, the court shall make such order for the amendment of the information as the court thinks necessary to meet the circumstances of the case, unless, having regard to the merits of the case, the required amendments cannot be made without injustice.

Amendment of information.

Sec. 12 of No. 44/39.

(2) At any time during the proceedings before the judgment the court before which an information is tried may amend or cause to be amended the charge or charges contained in the information or may add thereto a new charge, notwithstanding that such new charge is one within the jurisdiction of some other court to try upon information, or one which could be tried summarily :

Provided that no charge may be added which is not supported by evidence taken before the magistrate or which renders the person charged liable



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

to a greater punishment than does any charge in the information as originally filed.

(3) Where an information is amended, a note of the order for amendment shall be endorsed on the information, and the information shall be treated for the purposes of the trial and for the purposes of all proceedings in connection therewith as having been originally presented in the amended form.

(4) Where, before trial, or at any stage of a trial, the court is of opinion that a person accused may be prejudiced or embarrassed in his defence by reason of being charged with more than one offence in the same information, or that for any other reason it is desirable to direct that the person should be tried separately for any one or more offences charged in an information, the court may order a separate trial of any count or counts of such information.

(5) Where, before trial, or at any stage of a trial, the court is of opinion that the postponement of the trial of a person accused is expedient as a consequence of the exercise of any power of the court under this Ordinance to amend an information or to order a separate trial of a count, the court shall make such order as to the postponement of the trial as appears necessary.

(6) Where an order of the court is made under this section for a separate trial or for the postponement of a trial —

(a) the procedure under separate trial of a count shall be the same in all respects as if the count had been a separate information and the procedure on the postponed trial shall be the same in all respects as if the trial had not commenced; and

(b) the court may make such order as to admitting the accused person to bail or as to



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

the enlargement of the recognizances and otherwise as the court thinks fit.

(7) Where an accused person has been committed for trial by the Court of Criminal Assize and such Court before trial, upon the application of the Attorney-General or his representative, is of opinion that the accused person should be tried for an offence triable upon information by a District Court, the Court of Criminal Assize may, notwithstanding such committal, direct that the accused person be tried by a District Court, and upon the filing of an information therein such person shall be so tried. Where such direction has been given, the Attorney-General shall enter a stay of proceedings in respect of the information, if any, filed in the Court of Criminal Assize.

(8) Any power of the court under this section shall be in addition to and not in derogation of any other power of the court for the same or similar purposes.

Apdx. 13 Sec. 34(2).

Provided that where the evidence of a child is given on behalf of the prosecution otherwise than upon oath the accused shall not be liable to be convicted of the offence unless that evidence is corroborated by some other material evidence in support thereof implicating him.

(3) If any child whose evidence is received as aforesaid wilfully gives false evidence in such circumstances that he would, if the evidence had been given on oath, have been guilty of perjury, he shall be liable on conviction to be dealt with as if he had been convicted of an offence punishable in the case of an adult with imprisonment.

No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 14 Sec. 37(3)

section 15 sub-section (5) or section 39 of this Ordinance :

Provided that no statement made by an accused person under the provisions of section 15, sub-section (5), shall be used at the trial as evidence against any other accused person unless the court is satisfied that such other accused person was present when such statement was made and had an opportunity of cross-examining the accused person making such statement.

38. A person who has not given evidence at the preliminary enquiry shall not be called by the prosecution to give evidence at the trial unless the accused person or his advocate has been previously served with a notice in writing containing the name of the witness intended to be called and a note of the substance of the evidence intended to be produced :

Provided, however, that when the witness intended to be called is —

- (a) a co-accused who has already been acquitted or convicted, or
- (b) a person called only to prove that a witness who has given evidence at the preliminary enquiry cannot be produced at the trial because of his death, infirmity or sickness or absence from Palestine, or
- (c) a witness whose evidence is of a formal nature

no such notice as aforesaid shall be required.

No. 1/37
p. 43
Sec. 15 of
No. 44/39.

Evidence of
witness not
called at
preliminary
enquiry.
No. 31/44.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 15 Sec. 42.

42. On the close of the case for the defence, where no witness other than the accused has been called for the defence and no document has been put in as evidence for the defence, the Attorney-General or his representative may address the court and the accused or his advocate shall have a right of reply; in any other case, the accused or his advocate may address the court and the Attorney-General or his representative shall have a right of reply.

Close of
defence.
Sec. 16 of
No. 44/39
p. 121.

Apdx. 16 Sec. 52.

notwithstanding that such offence is one within the jurisdiction of some other court to try upon information, or one which could be tried summarily :

Sec. 22 of
No. 44/39

Provided that such offence be covered by the evidence in the case and by findings of fact necessary to establish it and does not render the accused person liable to a greater punishment than does any charge in the information.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 17 Sec. 54.

54.—(1) Where upon the trial of any person it appears to the court that he was guilty of the offence with which he is charged but that at the time of the commission of such offence he was, by reason of any disease affecting his mind, incapable of understanding what he was doing or of knowing that he ought not to have done the act or made the omission constituting the offence, the court shall return a special verdict of "Guilty but insane" (or "Guilty but insane by reason of intoxication"), and shall direct that such person shall be detained during the pleasure of the High Commissioner.

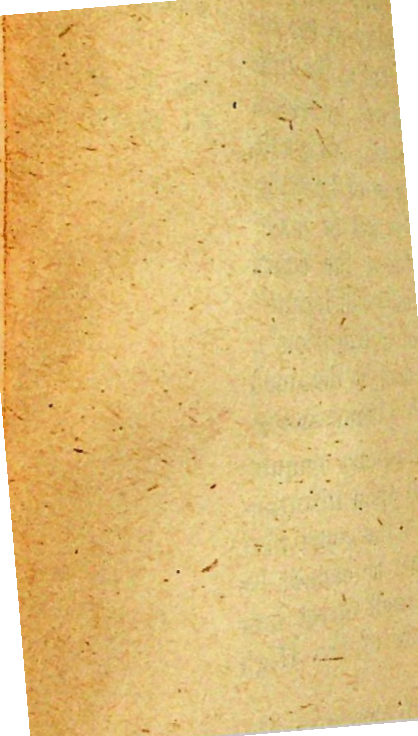
Insanity of
accused.

Sec. 24 of
No. 44/39.

(2) Where in the course of preliminary enquiries before a magistrate or of a trial upon information, it appears to the magistrate or the court that the person charged is insane so that he cannot be tried, the magistrate or the court shall direct him to be detained during the pleasure of the High Commissioner.

Where it is certified by two Government medical officers that a person detained under the provisions of this subsection is sane, and the High Commissioner is satisfied that it is proper to do so, he shall direct that such person shall be tried, according to law, for the offence with which he was charged.

(3) The High Commissioner may from time to time give directions as he thinks fit as to the custody of persons directed to be detained under the provisions of this section.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) CAP. 36

Apdx. 18 Sec. 56(2).

(2) On proof of his having made such contradictory statements as aforesaid, and on the court being satisfied that there was an intention to deceive either the court of inquiry or the court of trial, such person shall be guilty of the offence of giving false evidence and on conviction shall be liable to imprisonment for two years or to a fine of five hundred pounds or to both such penalties.

Sec. 5 of
No. 31/44.



CRIMINAL PROCEDURE

(TRIAL UPON INFORMATION)

CAP. 36

Apdx. 19 Sec. 59.

59.—(1) At any time during any criminal proceedings and before judgment, the Attorney General may stay such proceedings by order in writing filed in the court before which they are pending.

(2) At any time within the period of prescription for the offence, the Attorney General may, by order in writing filed in the court before which the proceedings were pending, revoke any order staying the proceedings made in accordance with subsection (1), and thereupon the proceedings shall be continued from the stage at which they were stayed: Provided that, in any case in which the order staying the proceedings was filed after the trial had commenced, the trial shall be recommenced de novo.

(3) When an order has been made by the Attorney General under subsection (2), a magistrate shall, on application in writing made by or on behalf of the Attorney General, issue in his discretion either a summons or a warrant compelling the attendance of the accused person before him and sections 6, 7, 8, 9, 10, 11 and 12 of this Ordinance shall apply as they do in the case of process issued under section 6 of this Ordinance. On the appearance of the accused person before the magistrate, the magistrate may remit the case to any court in which the proceedings were pending at the time that they were stayed and may remand the accused in custody or may admit him to bail according to law. Save as above provided, this Ordinance shall apply, *mutatis mutandis*, to any further proceedings held in pursuance of an order of the Attorney General made under subsection (2).

(4) When an accused person has been committed for trial the case shall be deemed to be pending in the court for trial before which he has been committed.

Stay of
proceedings.
Sec. 6 of
No. 31/44.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

Apdx. 20 Sec. 63.

63.—(1) A person convicted of a criminal offence by the Court of Criminal Assize or by a district court and sentenced to death or to a term of imprisonment exceeding one year or to pay a fine exceeding one hundred pounds may within ten days of such conviction appeal to the Court of Appeal, in the case of an appeal from a conviction by the Court of Criminal Assize by notice filed in the registry of the Supreme Court, and in the case of an appeal from a conviction by a district court by notice filed in the registry of such district court.

(2) The notice of appeal shall set forth the grounds of appeal or the grounds of appeal shall be stated in a document filed therewith or filed in the registry of the Supreme Court or the district court, as the case may be, within fifteen days of the date of conviction.

(3) Where notice of appeal has been filed in the registry of the district court, the district court shall forward to the Chief Registrar of the Supreme Court the notice of appeal and grounds of appeal, if any, together with the information, the record of the proceedings and the evidence taken in such district court and any document or other exhibit produced at the trial.

Notice of
Appeal.
Sec. 26 of
No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

Apdx. 21 Sec. 67

67.—(1) The Attorney General may appeal from a judgment on any of the following grounds —

- (a) that there was not evidence on which the court could lawfully find a fact or facts necessary to support the judgment, or
- (b) that evidence was wrongly admitted or excluded, or
- (c) that the law was wrongly applied to the facts, or
- (d) that there has been some irregularity of procedure, or
- (e) that the punishment was insufficient.

(2) Notice of appeal by the Attorney General shall, in the case of an appeal from a judgment of the Court of Criminal Assize, be filed in the registry of the Supreme Court and, in the case of an appeal from a judgment of a District Court, be filed in the registry of such District Court, within two months from the date of the judgment.

(3) Where notice of appeal has been filed in the registry of the District Court, the District Court shall forward to the Chief Registrar of the Supreme Court the notice of appeal together with the information, the record of proceedings and the evidence taken in such District Court and any document or other exhibit produced at the trial.

Appeal by
the Attorney
General.

Sec. 7 of
No. 31/44.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

Apdx. 22 Sec. 71.

Provided that if the appeal is by the Attorney General, the provisions of this subsection shall only apply to evidence which was tendered to the Court of Criminal Assize or the district court and which was, in the opinion of the Court of Appeal, wrongly rejected by such court.

(2) The Court of Appeal may require the Court of Criminal Assize or the district court to furnish fuller or additional findings of fact upon which the conviction or acquittal was based.

Sec. 30 of
No. 44/39.

Apdx. 23 Sec. 73

73.—(1) From any final judgment which has been given by a Court of Criminal Assize or a district court on the trial of a case, and which is not subject to appeal, the Court before which the case was tried may, at the termination of the hearing, give leave to appeal. If such leave is refused, or if application is not made therefor, application for leave to appeal may be made to the Court of Appeal within ten days from the conviction.

(2) When leave to appeal is granted under this section, the same provisions shall apply as in cases where no leave is required :

Provided that where leave to appeal is granted by the Court of Appeal notice of the grounds of appeal shall, in the case of an appeal from a conviction by a Court of Criminal Assize, be lodged in the registry of the Supreme Court, and in the case of an appeal from a conviction by a district court, be lodged in the registry of such district court, within fifteen days of the date of the granting of such leave.

Leave to
appeal in
special cases.
Sec. 32 of
No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

Apdx. 24 Sec. 74A.

74A. In any enquiry, trial or other proceeding to which this Ordinance applies, where the accused does not admit a previous conviction, such conviction may be proved, in addition to any other mode provided by any law for the time being in force —

Proof of
previous
conviction.
Sec. 33 of
No. 44/39.

(a) by an extract certified, under the hand of the officer having the custody of the records or register of the court in which such conviction was had, to be a copy of the sentence or order;
or

(b) by a certificate signed by the officer in charge of the prison in which the punishment or any part thereof was suffered, or by production of the warrant of commitment under which the punishment was suffered,
together with, in each of such cases, evidence as to the identity of the accused person with the person so convicted.

74B.—(1) It shall be lawful for any court to exclude the public where it is necessary so to do for the administration of justice.

Exclusion of
persons
from court.
No. 44/39.

(2) No child (other than an infant in arms) who is, or appears to be, under the age of fourteen years shall be permitted to be present in court during the trial of any other person charged with an offence, or during any proceedings preliminary thereto, except during such time as his presence is required as a witness or otherwise for the purposes of justice; and any such child present in court when under this section he is not to be permitted to be so shall be ordered to be removed.

(3) Where, in any proceedings in relation to an offence against, or any conduct contrary to, decency or morality, a person who, in the opinion of the court, is under the age of sixteen years is



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

called as a witness, the court may direct that all or any persons, not being members or officers of the court or parties to the case, their advocates, or persons otherwise directly concerned in the case, be excluded from the court during the taking of the evidence of that witness :

Provided that nothing in this sub-section shall authorise the exclusion of bona fide representatives of a newspaper or news agency.

The powers conferred on a court by this sub-section shall be in addition and without prejudice to any other powers of the court to hear proceedings in camera.

74C.—(1) In relation to any proceedings in any court which arise out of any offence against, or any conduct contrary to, decency or morality, where any person concerned in the proceedings (either as being the person against or in respect of whom the proceedings are taken, or as being a witness therein) is, or appears to the court to be, under the age of sixteen years, the court may direct that —

- (a) no newspaper report of the proceedings shall reveal the name, address or school, or include any particulars calculated to lead to the identification of such person;
 - (b) no picture shall be published in any newspaper as being or including a picture of such person, except in so far (if at all) as may be permitted by the direction of the court.
- (2) Any person who publishes any matter in contravention of any such direction shall be guilty of a misdemeanour, and on conviction, be liable in respect of each offence to a fine not exceeding fifty pounds.

Power to prohibit publication of certain matter in newspapers.
No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

Apdx. 25 Sec. 76.

76. Nothing in the amendments to this Ordinance effected by the Trial Upon Information (Amendment) Ordinance, 1935, shall be deemed to affect the jurisdiction of any court to try any civil action or criminal prosecution commenced before the sixteenth day of April, 1935, and such action or prosecution shall be tried as though the said amendments had not been effected.

Saving provisions in respect of actions, etc. commenced before the sixteenth day of April, 1935. No. 1/37 P. 44.

SCHEDULE
Rules

1.—(1) An information may be on parchment or paper, and may be either written or type-written or printed, or partly written and/or partly type-written and/or partly printed.

Material, etc. for information. No. 44/39.

(2) Figures and abbreviations may be used in an information for expressing anything which is commonly expressed thereby.

(3) The names of all witnesses who gave evidence at the preliminary enquiry shall be endorsed on the back of the information.

(4) An information shall not be open to objection by reason only of any failure to comply with this rule.

2.—(1) The commencement of the information shall be in the following form:—

Commencement of the information.

In the Court of Criminal Assize
or in the District Court of.....
(as the case may be).

The Attorney-General v. A.B.

A.B. is charged with the following offence (offences):—

3. Charges for any offences, whether felonies or misdemeanours, may be joined in the same information if those charges are founded on the same facts or form or are a part of a series of offences

Joining of charges in one information. No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

of the same or a similar character and notwithstanding that some of them are within the jurisdiction of some other court of inferior jurisdiction to try upon information or might be tried summarily.

4.—(1) A description of the offence charged in an information, or where more than one offence is charged in an information, of each offence so charged, shall be set out in the information in a separate paragraph called a count.

Mode in
which
offences are
to be
charged.

No. 44/39.

(2) A count of an information shall commence with a statement of the offence charged, called the statement of offence.

(3) The statement of offence shall describe the offence shortly in ordinary language, avoiding as far as possible the use of technical terms, and without necessarily stating all the essential elements of the offence, and if the offence charged is one created by any law or Ordinance, shall contain a reference to the section of the law or Ordinance creating the offence.

(4) After the statement of the offence, particulars of such offence shall be set out in ordinary language, in which the use of technical terms shall not be necessary:

Provided that where any rule of law or any law or Ordinance limits the particulars of an offence which are required to be given in an information, nothing in this rule shall require any more particulars to be given than those so required.

(5) The forms set out in the appendix to these rules, or forms conforming thereto as nearly as may be, shall be used in cases to which they are applicable, and in other cases forms to the like effect or conforming thereto as nearly as may be shall be used, the statement of offence and the particulars of offence being varied according to the circumstances in each case.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

(6) Where an information contains more than one count the counts shall be numbered consecutively.

5.—(1) Where an enactment constituting an offence states the offence to be the doing or the omission to do any one of any different acts in the alternative, or the doing or the omission to do any act in any one of any different capacities, or with any one of any different intentions, or states any part of the offence in the alternative, the acts, omissions, capacities, or intentions, or other matters stated in the alternative in the enactment, may be stated in the alternative in the count charging the offence.

(2) It shall not be necessary, in any count charging a statutory offence, to negative any exception or exemption from or qualification to the operation of any law or Ordinance creating the offence.

Provisions
to statutory
offences.
No. 44/39.

6.—(1) The description of property in a count in an information shall be in ordinary language and such as to indicate with reasonable clearness the property referred to, and if the property is so described it shall not be necessary (except when required for the purpose of describing an offence depending on any special ownership of property or special value of property) to name the person to whom the property belongs or the value of the property.

Description
of property.

No. 44/39.

(2) Where property is vested in more than one person, and the owners of the property are referred to in an information it shall be sufficient to describe the property as owned by one of those persons by name with others, and if the persons owning the property are a body of persons with a collective name, such as "Inhabitants", "Trustees", "Commissioners", or "Club" or other such name, it shall be sufficient to use the collective



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

name without naming any individual. Any property of His Majesty's Naval, Military or Air Forces may be described as "the property of His Majesty", and any property of the Government of Palestine may be described as "the property of the Government."

7. The description or designation in an information of the accused person, or of any other person to whom reference is made therein, shall be such as is reasonably sufficient to identify him, without necessarily stating his correct name, or his abode, style, degree, or occupation; and if, owing to the name of the person not being known, or for any other reason, it is impracticable to give such a description or designation such description or designation shall be given as is reasonably practicable in the circumstances, or such person may be described as "a person unknown".

Description
of persons.
No. 44/39.

8. Where it is necessary to refer to any document or instrument in an information, it shall be sufficient to describe it by any name or designation by which it is usually known, or by the purport thereof, without setting out any copy thereof.

Description
of document.
No. 44/39.

9. Subject to any other provisions of these rules, it shall be sufficient to describe any place, time, thing, matter, act, or omission whatsoever to which it is necessary to refer in any information, in ordinary language in such a manner as to indicate with reasonable clearness the place, time, thing, matter, act or omission referred to.

General
rules as to
description.
No 44/39.

10. It shall not be necessary in stating any intent to defraud, deceive or injure to state an intent to defraud, deceive or injure any particular person where the law or Ordinance creating the offence does not make an intent to defraud, deceive or injure a particular person an essential ingredient of the offence.

Statement
of intent.
No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

11. Any charge of a previous conviction of an offence shall be charged at the end of the information by means of a statement, that the person accused has been previously convicted of that offence at a certain time and place without stating the particulars of the offence.

Charge of previous convictions, etc.
No. 44/39.

12. A copy of the information shall be supplied to the accused person free of charge.

Duty to furnish copy of information.
No. 44/39.

APPENDIX.
Forms of Information.

STATEMENT OF OFFENCE.

Murder, contrary to section 214 of the Criminal Code Ordinance, 1936.

Murder.

PARTICULARS OF OFFENCE.

A.B., on the _____ day of _____ at _____ with premeditation caused the death of C.D. (or willfully caused the death of C.D. in preparing for or to facilitate the commission of an offence, to wit _____ ; or as the case may be).

STATEMENT OF OFFENCE.

Accessory after the fact to murder, contrary to section 26 of the Criminal Code Ordinance, 1936.

Accessory after the fact to murder.

PARTICULARS OF OFFENCE.

A.B., knowing that one C.D. did on the _____ day of _____ at _____ murder E.F. did, on the day of _____ at _____ and on other days thereafter receive or assist the said C.D. in order to enable him to escape punishment.

No. 44/39.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

STATEMENT OF OFFENCE.

Manslaughter, contrary to section 212 of the Criminal Code Ordinance, 1936.

Manslaughter.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at unlawfully killed C.D.

STATEMENT OF OFFENCE.

Rape, contrary to section 152 of the Criminal Code Ordinance, 1936.

Rape.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at had unlawful sexual intercourse with C.D. against her will.

STATEMENT OF OFFENCE.

Wounding with intent, contrary to section 235 of the Criminal Code Ordinance, 1936.

Wounding with intent.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at wounded C.D. with intent to disfigure or disable him or to do him grievous harm or to resist the lawful apprehension of him, the said A.B.

STATEMENT OF OFFENCE.

Stealing, contrary to section 275 of the Criminal Code Ordinance, 1936.

Stealing by clerk or servant.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at being a
clerk or servant of C.D. stole from the said C.D.
one motor car exceeding in value fifty pounds.

STATEMENT OF OFFENCE.

Robbery.

Robbery, contrary to section 287 of the Criminal
Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at stole
from C.D. a watch and at the time or immediately
before or immediately after such stealing did use
or threaten violence to the said C.D.

STATEMENT OF OFFENCE.

First Count.

Stealing
after
previous
conviction.

Stealing after previous conviction, contrary to
section 278 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at
stole a horse, the property of C.D.

A.B. has been previously convicted of stealing
under section 272 of the Criminal Code Ordinance,
1936, on the day of at the Court.

STATEMENT OF OFFENCE.

Second Count

Receiving
stolen
property.

Receiving stolen property, contrary to section 309
of the Criminal Code Ordinance, 1936.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the _____ day of _____ at _____ did receive a horse, the property of C.D., knowing the same to have been stolen.

STATEMENT OF OFFENCE.

Burglary.

First Count.

Burglary, contrary to section 295 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., in the night of the _____ day of _____ at _____ did break and enter the dwelling house of C.D. (or as the case may be) with the intent to steal therein.

STATEMENT OF OFFENCE.

Second Count

Stealing a testamentary instrument, contrary to section 271 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

A.B., in the night of the _____ day of _____ at _____ stole a testamentary instrument, the property of C.D.

STATEMENT OF OFFENCE.

Obtaining goods by false pretences, contrary to section 301 of the Criminal Code Ordinance, 1936.

Obtaining goods by false pretences.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the _____ day of _____ at _____ with intent to defraud obtained from C.D. five yards of cloth by falsely pretending that he, the said A.B., was the servant of E.F. and that he,



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION) . CAP. 36.

the said A.B., had been sent by the said E.F. to C.D. for the said cloth and that the said A.B. was then authorised by the said E.F. to receive the said cloth on behalf of the said E.F.

STATEMENT OF OFFENCE.

Conspiracy to commit a felony.

Conspiracy to commit a felony, contrary to section 34 to the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B. and C.D., on the _____ day of _____ and on divers days between that day and the day of _____ at _____ conspired together with intent to break and enter the dwelling house of E.F. with intent to steal therein.

STATEMENT OF OFFENCE.

Arson.

Arson, contrary to section 317 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the _____ day of _____ at _____ wilfully and unlawfully set fire to a dwelling house (or as the case may be).

STATEMENT OF OFFENCE.

Obstructing railway.

Offence under section 237 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the _____ day of _____ at _____ displaced a sleeper belonging to the Government of Palestine with intent to injure or endanger the safety of persons using the Palestine railway.

STATEMENT OF OFFENCE.

Forgery.

First Count.

Forgery, contrary to section 337 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

No. 44/36.

A.B., on the day of at
forged a will purporting to be the will of C.D.

STATEMENT OF OFFENCE.

Second Count

Uttering a forged document, contrary to section 340 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

A.B., on the day of at
uttered a certain forged will purporting to be the
will of C.D., knowing the same to be forged and
with intent to defraud.

STATEMENT OF OFFENCE.

Perjury, contrary to section 117 of the Criminal Code Ordinance, 1936.

Perjury.

PARTICULARS OF OFFENCE.

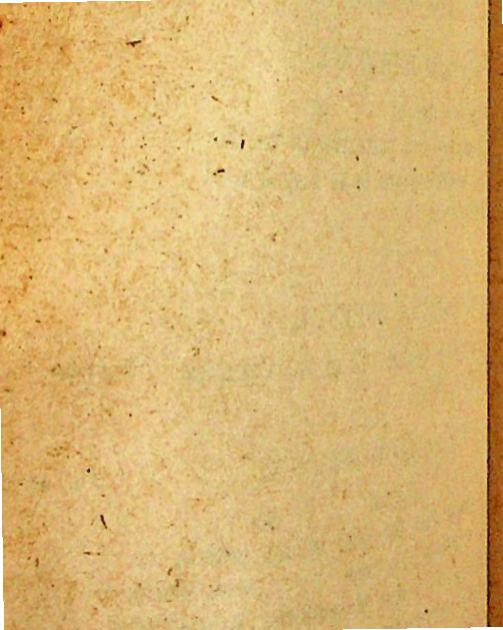
No. 44/36.

A.B., on the day of at
being a witness upon the trial of an action in
the Court in which one was plain-
tiff and one was defendant, knowingly
falsely swore that he saw one C.D. at on
the day of

STATEMENT OF OFFENCE.

A.B., a bankrupt, failing to deliver up property,
contrary to section 127(2) of the Bankruptcy Or-
dinance, 1936.

Bankrupt
failing to
deliver up
property.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at
being a bankrupt, did not deliver to C.D., the
Trustee, being part of his property which
he was required by law to deliver up.

STATEMENT OF OFFENCE.

First Count.

Fraudulent false accounting, contrary to section
315 of the Criminal Code Ordinance, 1936.

Fraudulent
false
accounting.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at
being a clerk or servant of C.D., with intent to
defraud, made or concurred in making, a false
entry in a cash book belonging to the said C.D.,
his employer, purporting to show that on the said
day one hundred pounds had been paid to E.F.

STATEMENT OF OFFENCE.

Second Count

Fraudulent false accounting, contrary to section
315 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

A.B., on the day of at
being a clerk or servant of C.D., with intent to
defraud, omitted or concurred in omitting from
or in a cash book belonging to the said C.D., his
employer, a material particular, that is to say,
the receipt on the said day of fifty pounds from
G.H.



CRIMINAL PROCEDURE
(TRIAL UPON INFORMATION). CAP. 36.

STATEMENT OF OFFENCE.

First Count.

Offence under section 276 of the Criminal Code Ordinance, 1936.

Stealing by agents, etc.

PARTICULARS OF OFFENCE.

No. 44/39.

A.B., on the day of at
stole the sum of one hundred pounds, the pro-
perty of C.D., which had been entrusted to the
said C.D. to pay to E.F.

STATEMENT OF OFFENCE.

Second Count.

Offence under section 276 of the Criminal Code Ordinance, 1936.

PARTICULARS OF OFFENCE.

A.B., on the day of at
stole the sum of one hundred pounds which had
been received by him for or on account of C.D.

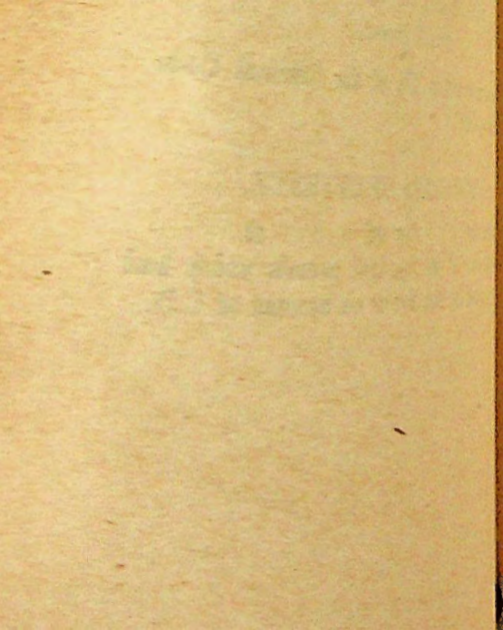


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
1A.	Section 1A as enacted by Sec. 20 of No. 22/41 replaced. (See appendix No. 1)	Sec. 2 of No. 16/45.
2	Replaced. (See appendix No. 1)	Sec. 3 of No. 16/45.
3(1)	Delete "or any Government department" and "or a government department" wherever they appear in subsection (1).	Sec. 4 of No. 16/45.
3(3)	Insert "or a Court of Admiralty if the claim is one which relates to a matter in which the Court of Admiralty has exclusive jurisdiction," after "the land court has exclusive jurisdiction,".	Sec. 4 of No. 16/45.
6	Delete "by or on behalf of the Attorney General" and substitute the following therefor: "by the Attorney General or his representative, or by any officer authorised by law to enter such notice of appeal".	Sec. 5 of No. 16/45.
7 proviso	Proviso deleted.	Sec. 26 of No. 31/40.
8	Delete "of Palestine" wherever appearing after the words "the Government" and delete the expression "or any department of the Government" appearing in the first proviso to that section.	Sec. 8 of No. 16/45.



Apdx. 1 Sec. 1A.

1A. In this Ordinance, unless the context otherwise requires —

“Court of Admiralty” means the Supreme Court of Palestine exercising Admiralty jurisdiction under the Palestine Admiralty Jurisdiction Order, 1937;

“Government” shall be deemed to include His Majesty’s Naval, Military or Air Forces in Palestine.

2. Any claim by the Government against a private person, and any appeal, application or other proceeding by the Government in connection with any such claim, or in connection with any claim by a private person against the Government shall be brought or made in the name of the Attorney General by the Attorney General or his representative, or by any officer authorised by law to bring or make such claim, appeal, application or other proceeding.

Interpretation.
No. 16/45

Claims by
Government
against
private persons
and other
proceedings to
which
Government
is a party.
No. 16/45.

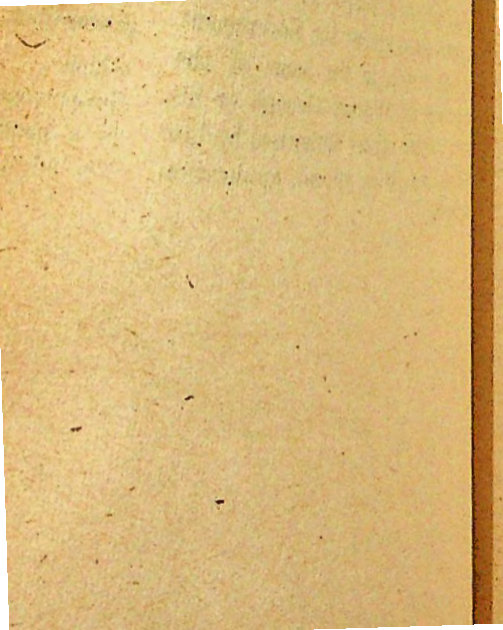


TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
9(1)	Insert "and shall be subject to the approval of the High Commissioner" after "Board".	No. 1/37, p. 44.
19(2)	Subsection (2) replaced. (See appendix No. 1)	No. 1/37, p. 44.
19(3)	Subsection (3) replaced. (See appendix No. 1)	No. 1/37, p. 44.
19(4)	Subsection (4) replaced. (See appendix No. 1)	No. 1/37, p. 45.



Apdx. 1 Sec. 19(2).

(2) The decision of such commission shall be by vote of the members thereof, and if there be an equality of votes the chairman shall have an additional or casting vote.

The decision of such commission shall be final and no appeal shall lie therefrom :

Provided that an appeal therefrom on a point of law shall lie to the land court by leave of that court by case stated .

The Chief Justice may with the concurrence of the High Commissioner make rules regulating the practice and procedure in appeals under this section.

(3) Where in any proceedings between any parties before any court it appears that any question material in such proceedings has been decided as between such parties or between parties through whom such parties respectively claim under the provisions of this section such question shall be deemed to be *res judicata*, and such court shall be bound by the decision given in accordance with the provisions of this section.

(4) For the purposes of this section the High Commissioner may appoint one or more Commissions consisting respectively of not less than two persons one of whom he shall appoint to be chairman of the commission.

No. 1/37
p. 44.



TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
5—9 inclusive	Repealed. <i>Note:</i> See section 390 of the Criminal Code Ordinance, 1936.	No. 1/37, p. 45.



TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Insert the following definitions after the definition of "port": (See appendix No. 1)	Sec. 2 of No. 60/39.
44(1)	Add the following words at end of sub-section (1): (See appendix No. 2)	Sec. 3(a) of No. 60/39.
44(3)	Subsection (3) added. (See appendix No. 3)	Sec. 3(b) of No. 60/39.
76	Replaced. (See appendix No. 4)	Sec. 2 of No. 35/37.
126	Replaced. (See appendix No. 5)	Sec 2 of No. 13/37.
131	Replaced. (See appendix No. 6)	Sec 2 of No. 4/40.
132	Replaced. (See appendix No. 6)	Sec. 3 of No. 4/40.
139	Replaced. (See appendix No. 7)	Sec 2 of No. 13/39. No. 18/46.
148(1)(g)	Paragraph (g) deleted.	Sec. 2(a) of No. 2/41.
148(2)	Insert "under this section" after "shall be made".	Sec. 2(b) of No. 2/41.
151—153 inclusive	Replaced. (See appendix No. 8)	Sec. 3 & 4 of No. 2/41.
154(3)	Subsection (3) replaced. (See appendix No. 9)	Sec. 5 of No. 2/41.
155	Marginal note replaced. (See appendix No. 10)	No. 1/37. p. 45.



CUSTOMS. CAP. 42.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
155 Proviso	Add the following proviso at end of section 155 : (See appendix No. 11)	No. 18/46, p. 126.
156	Substitute "twelve" for "six".	Sec. 3 of No. 13/37.
157	Insert "under section 155 and 156 of this Ordinance" after "For the purpose of claiming drawback".	No. 1/37, p. 45.
158(1)	Insert "under section 155 and 156 of this Ordinance" after "The person claiming drawback".	No. 1/37, p. 45.
158A	Section 158A added. (See appendix No. 12)	Sec. 2 of No. 23/47
160	Marginal note replaced. (See appendix No. 13)	No. 18/46, p. 126.
160(3)	Subsection (3) added. (See appendix No. 14)	No. 18/46, p. 126.
171(1)	Delete "hovering" in the 2nd line. Substitute "without requiring him so to do or if after so requiring him" for "if" in the 3rd line. Insert "search her or may" between "and" and "bring" in the 4th line.	No. 1/37, p. 48.
202(1)(c)	Substitute "being" for "hovering".	No. 1/37, p. 48.
205(1)	Substitute "section 203" for "section 202".	Sec. 4 of No. 13/37.
211	Renumbered as 211 (1).	No. 18/46, p. 126.
211(1)(g)	Paragraph (g) replaced. (See appendix No. 15)	Sec. 3 of No. 13/39.



CUSTOMS. CAP. 42.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected.</u>	<u>Amended by</u>
211(2)	Sub-section (2) added. (See appendix No. 16)	No. 18/46, p. 126.
214(1)(f)	Add "or" at end of paragraph (e), and insert paragraph (f). (See appendix No. 17)	Sec. 4 of No. 60/39
214A	Section 214A added. (See appendix No. 18)	Sec. 5 of No. 60/39
239	Repealed.	Sec. 3 of No. 16/40.



Apdx. 1 Sec. 2.

"Publication" includes all written or printed matter and everything, whether of a nature similar to written or printed matter or not, containing any visible representation, or by its form, shape, or in any manner capable of suggesting words or ideas, and every copy and reproduction of any publication.

No. 60/39.

"Periodical publication" includes every publication issued periodically or in parts or numbers at intervals whether regular or irregular;

Apdx. 2 Sec. 44(1)

other than publications the importation of which may be prohibited under sub-section (3) hereof.

Sec. 3(a) of
No. 60/39.

Apdx. 3 Sec. 44(3)

(3) If the High Commissioner in Council is of opinion that the importation of any publication would be contrary to the public interest he may by order prohibit the importation of such publication, and in the case of a periodical publication may, by the same or a subsequent order, prohibit the importation of any past or future issue thereof.

No. 60/39.

Apdx. 4 Sec. 76.

76. Any warehouse licensed at the commencement of this Ordinance and any warehouse established and licensed after the commencement of this Ordinance in pursuance of any subsisting agreement with the Government of Palestine, shall be deemed to be licensed under this Ordinance for the term of such licence and shall be subject to the payment of fees in accordance with the terms of such subsisting agreement as aforesaid.

Continuance
of existing
warehouse.
No. 35/37.

Apdx. 5 Sec. 126.

126. Save as provided in section 138 of this Ordinance, all import duties shall be paid in accordance with the tariff in force at the time such duties are paid to the proper officer :

Provided that in the case of all goods imported through the parcel post import duties shall be paid in accordance with the tariff in force at the time when assessment of such duties is made by the proper officer at the Post Office.

Time for
ascertaining
the rate of
import
duties.

No. 13/37.

Apdx. 6 Sec. 131.

131.—(1) For the purposes of any enactment for the time being in force whereunder a duty of customs is chargeable on goods by reference to their value, the value of any imported goods shall be taken to be the price which they would fetch on a sale in the open market at the time of importation, and duty shall be paid on that value as fixed by the Director.

(2) For the purpose of computing the price aforesaid it shall be assumed, —

- (a) that the goods to be valued are to be delivered to the buyer, at the port or place of importation, freight, insurance, commission and all other costs, charges and expenses incidental to the making of the contract of sale and that delivery of the goods at that port or place (except any duties of customs and buying commission not exceeding five per centum of the total value which is shown to the satisfaction of the Director to have been paid to an agent) having been paid by the seller; and
- (b) that any portion of any charge for primage which is refundable on the performance by the buyer of any specified conditions is not paid by the buyer, whether the buyer intends to fulfil such conditions or not; and
- (c) that the price is the sole consideration for the sale of the said goods; and
- (d) that neither the seller nor any person associated in business with him has any interest, direct or indirect, in the subsequent re-sale or disposal of the said goods; and
- (e) that there has not been and will not be any commercial relationship between the seller and buyer, whether created by contract or otherwise, other than that created by the sale of the said goods.

Valuation
of goods for
purpose of
ad-valorem
duties.

No. 4/40.

(3) Where the goods to be valued are manufactured in accordance with a patented invention or are goods to which a registered design has been applied, it shall also be assumed for the purpose of computing the price aforesaid that the buyer is not the patentee or the proprietor of the design and has not paid any sum or given any consideration by way of royalty or otherwise in respect of the patent or design and, on payment of the price, will be entitled to deal with the goods free from any restriction as regards the patent or design.

(4) Where a trade mark is used in Palestine in relation to goods of the class or description to which the goods to be valued belong, for the purpose of indicating that goods in relation to which it is used are goods of a foreign supplier of the goods to be valued or of a person to whom he has assigned the goodwill of the business in connection with which the trade mark is so used, it shall also be assumed for the purpose of computing the price aforesaid that the goods to be valued are sold under that trade mark, unless it is shown to the satisfaction of the Director that the goods to be valued have not at any time been, and security is given to the satisfaction of the Director that they will not be, so sold by or on behalf of the foreign supplier or any such person as aforesaid.

(5) For the purpose of this section -

(a) two persons shall be deemed to be associated in business with one another if, whether directly or indirectly, either of them has any interest in the business or property of the other or both have a common interest in any business or property or some third person has an interest in the business or property of both of them;

(b) the expression "foreign supplier" in relation to any goods to be valued, means any person by whom those goods have been grown, pro-

duced, manufactured, selected, dealt with or offered for sale outside Palestine, and includes any other person associated in business with such a person as aforesaid;

(c) the expression "trade mark" includes a trade name and a get-up.

132.—(1) The Director may make rules for the purpose of giving effect to the provisions of section 131 and in particular for requiring any person concerned with the importation of goods into Palestine to furnish to the Director, in such form as he may require, such information as is, in his opinion, necessary for a proper valuation of the goods, and to produce any books of account or other documents of whatever nature relating to the purchase, importation, or sale of the goods by that person.

(2) If any person contravenes or fails to comply with any rules made under this section, he shall in respect of each offence be liable to a fine of one hundred pounds.

Power of
Director to
make rules
for purpose
of determining
value.

No. 4/40.

Apdx. 7 Sec. 139.

139.—(1) All goods which have been imported free of duty as the property of His Majesty's Forces or of any consular officer, commercial agent, company, firm, or other institution or person privileged under any Ordinance relating to customs in force from time to time to import such goods free of duty, shall, in case of disposal thereof to any company, firm, or other institution or person not entitled to import such goods free of duty —

Disposal of goods imported duty free by His Majesty's Forces, etc. No. 13/39.

(a) where the import duty prescribed in the customs tariff at the time of disposal is an ad valorem duty, be liable to and be charged with the ad valorem duty on their disposal value;

(b) where the import duty prescribed in the customs tariff at the time of disposal is a specific rate of duty, —

(i) if such goods are shown to the satisfaction of the Director to have depreciated in condition since their importation, be liable to and be charged with an amount bearing to their disposal value the same proportion as the amount of duty leviable at such specific rate bears to their value at the time of importation;

(ii) if such goods are not shown to the satisfaction of the Director to have depreciated in condition since their importation, be liable to and be charged with the specific rate of duty prescribed in respect thereof.

(2) Any person who disposes of such goods as aforesaid shall, before the disposal thereof, furnish the Director with particulars and pay the duties which may be due thereon.

(3) The High Commissioner may, by order, direct that this section shall have effect as if in sub-section (1) after the words "His Majesty's Forces" there were inserted the words "or any Forces of any of His Majesty's Allies".

No. 18/46
p. 126.

Apdx. 8 Sec. 151.

151. Where any goods, whether made or produced in Palestine or not, being of a class or description liable to any import duty of customs, are re-imported into and entered for use within Palestine after exportation therefrom, and it is shown to the satisfaction of the Director that any duty of customs or excise chargeable in respect of the goods prior to their exportation was duly paid, either prior to exportation or at any subsequent time, and either that no drawback of any such duty was allowed on exportation, or that any drawback so allowed has been repaid to the Director, then —

Duty on
goods re-
imported.
Sec. 3 of
No. 2/41.

- (a) if it is further shown as aforesaid that the goods have not been subjected to any process abroad, the goods shall be exempt from any such duty when the same are entered for use within Palestine after re-importation, unless the rate of duty of excise or customs, as the case may be, chargeable on goods of the same class or description at the time when the same are entered for use within Palestine after re-importation shall exceed the rate paid on the said goods as a duty of excise or on first importation and entry, as the case may be, in which case such goods shall be chargeable with duty at a rate equal to the difference between the rate at which the duty previously paid was calculated and the rate in force at the date when such goods are entered for use within Palestine after re-importation;
- (b) if the goods at the time when the same are entered for use within Palestine after re-importation are of a class or description liable to an import duty ad valorem, and it is further shown as aforesaid that the goods have been subjected to a process of repair, renovation or improvement abroad, but that their form or character has not been changed, such goods

shall be chargeable with duty as if the amount of the increase in the value of the goods attributable to the process were the whole value thereof and, where any sum has been contracted to be paid for the execution of the process, the sum shall be prima facie evidence of that amount, but without prejudice to the powers of the Director under the customs laws as to the ascertainment of the value of the goods for the purpose of assessing duty thereon ad valorem :

Provided that if the rate of duty of excise or customs, as the case may be, chargeable on goods of the same class or description at the time when the same are entered for use within Palestine after re-importation shall exceed the rate paid on the said goods as a duty of excise or on first importation and entry, as the case may be, then in such case, in addition to the ad valorem import duty chargeable hereunder according to the amount of the increase in the value of the goods attributable to the process, such goods shall be chargeable with additional excise or customs duty calculated in the manner set out in paragraph (a) of this section, as if such goods had not been subjected to any process of repair, renovation or improvement abroad.

152. In any case to which the provisions of section 148 or section 154 do not apply, the Director shall return any money which shall have been overpaid as duties of customs, at any time within two years after such overpayment, on proof being produced to his satisfaction that such overpayment has been made.

Refund of overpaid duty where sections 148 and 154 not applicable.
No. 2/41.

Apdx. 9 Sec. 154(3).

(3) No action shall lie for the recovery of any sum paid under this section unless before payment is made the words "paid under protest" are written on the entry of the goods and signed by the owner of the goods or his agent.

No. 2/41.

Apdx. 10 Sec. 155. Marginal Note.

Drawback allowance on goods which have not undergone any process by which their identity has been lost.

Apdx. 11 Sec. 155

Provided further that in any special case or class of case the Director may, with the approval of the High Commissioner, authorise a drawback of the full amount of the duty paid on goods imported and exported as aforesaid.

No. 18/46

Apdx. 12 Sec. 158A.

158A.—(1) The High Commissioner may, by order, in the case of goods of any class or description manufactured in, and exported from, Palestine, allow a drawback as respects duties chargeable under the Customs Tariff and Exemption Ordinance, 1937, in respect of the whole or any part of any material used in the manufacture of such goods and may specify the conditions under which such drawback shall be allowed :

Provided that drawback shall only be allowed under this section in respect of that quantity of material on which it is shown to the satisfaction of the Director that duties chargeable under the Customs Tariff and Exemption Ordinance, 1937, have been paid.

(2) The Director may make such rules as he considers necessary for the operation of any allowance of drawback under this section and for security of the revenue, and, in particular, such rules may require any person who has been concerned at any stage with goods in the case of which drawback is claimed to furnish such information as may be necessary to enable the Director to determine whether duty has been paid on the material in respect of which the claim is made and to produce any books of account or other documents of whatever nature relating to that material.

(3) If any person contravenes or fails to comply with any such rules, he shall in respect of each offence be liable to a penalty of fifty pounds.

Apdx. 13 Sec. 160, Marginal note.

Admission
of goods
without
payment of
duty.

Provision for
drawback of
duties on
goods which
have
undergone a
process by
which their
identity has
been lost.
No. 1/37
p. 45

Apdx. 14 Sec. 160(3).

(3) The Director may, by order, authorise, on such conditions as he may deem fit, the temporary admission of specified goods without payment of duty when such goods are imported for the purpose of being processed, reconditioned or repaired in Palestine and exported after the completion of the processing, reconditioning or repair.

No. 18/46.

Apdx. 15 Sec. 211(g).

(g) disposes of any goods which have been exempted from duty on the ground that they are imported for His Majesty's Forces or for any institution or person who is entitled to import such goods free of duty, to any company, firm or person not entitled to import such goods free of duty, without prior notice of the particulars of disposal to the Director.

Sec. 3 of
No. 13/39.

Apdx. 16 Sec. 211(2).

(2) The High Commissioner may, by order, direct that paragraph (g) of sub-section (1) shall have effect as if after the words "His Majesty's Forces" there were inserted the words "or any Forces of any of His Majesty's Allies".

No. 18/46
p. 126.

Apdx. 17 Sec. 214(f).

(f) where such import is a publication the importation of which has been prohibited under section 44(3), publishes, sells, offers for sale, distributes or reproduces the same, or any extract therefrom,

No. 60/39.

Apdx. 18 Sec. 214A.

214A.—(1) Any person to whom any publication the importation of which has been prohibited under section 44(3), or any extract therefrom, is sent without his knowledge or privity or in response to a request made before the prohibition of the importation of such publication came into effect, or who has such a publication or extract therefrom in his possession at the time when the prohibition of its importation comes into effect, shall forthwith if or as soon as the nature of its contents have become known to him, or in the case of a publication or extract therefrom coming into the possession of such person before an order prohibiting its importation has been made forthwith upon the coming into effect of an order prohibiting the importation of such publication, deliver such publication or extract therefrom to the officer in charge of the nearest Police Station, and in default thereof shall be guilty of an offence against this ordinance.

(2) A person who complies with the provisions of subsection (1) hereof or is convicted of an offence under that subsection shall not be liable to be convicted for having imported or having in his possession the same publication or extract therefrom.

Delivery of prohibited publication to Police Station.
Sec. 3 of No. 60/39.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3(1)	Replaced. (See appendix No. 1)	Sec. 2 of No. 43/37.
3(3)	Sub-section (3) added. (See appendix No. 2)	No. 1/37, p. 73 .
5(2)	Subsection (2) replaced. (See appendix No. 3)	Sec. 3 of No. 43/37.
8(2)	Substitute "The provisions of the preceding subsection" for "This sec- tion".	No. 1/37, p. 73.
	Delete "nor to any clerk or servant employed by him exclusively".	Sec. 4 of No. 43/37.
8(3)	Sub-section (3) added. (See appendix No. 4)	No. 1/37, p. 73.
9	Section 9 added. (See appendix No. 4)	No. 1/37, p. 74.
Schedule.	Replaced. (See appendix No. 4)	Sec. 5 of No. 43/37.

Apdx. 1 Sec. 3.

3.—(1)(a) The Director may grant licences in Form I in the Schedule to this Ordinance to such persons as he thinks fit, to act as agents for transacting business with the customs authorities relating to the entry or clearance of any ship, or of any goods or baggage, in any of the places so appointed.

(b) The Director may likewise grant to any merchant, importer, exporter or consignee of any goods a licence in Form II in the Schedule to this Ordinance, authorising him to appoint, subject to the provisions of section 6, any of the clerks regularly and exclusively employed by him, for the purpose of transacting any such business as aforesaid on his behalf only, in any of the places so appointed.

Licensing of Agents.
Sec. 2 of No. 43/37.

Apdx. 2 Sec. 3(3).

(3) Every licence shall be displayed in a conspicuous position in the agent's office.

No. 1/37
p. 78.

Apdx. 3 Sec. 5(2).

(2) The High Commissioner may, by order, prescribe the annual fee payable —

(a) in respect of licences issued under section 3(1)(a) provided that the High Commissioner may prescribe different fees for such licences, according to the nature thereof, or

(b) by any merchant, importer, exporter or consignee of any goods to whom a licence has been issued under section 3(1)(b).

Sec. 3 of No. 43/37

Apdx. 4 Sec. 8(3).

(3) No person shall offer himself to act as, hold himself out to be, or advertise himself in any manner as a customs house agent for transacting business with the customs authorities, relating to the entry or clearance of any ship, or of any goods or baggage at any of the places appointed under section 2, unless he is in possession of a valid licence granted by the Director under this Ordinance in respect of such place. Any person contravening the provisions of this subsection shall be guilty of an offence, and shall, for each offence, be liable to a fine of fifty pounds.

9. Agents licensed under this Ordinance and their clerks appointed with the approval of the collector or officer in charge of Customs must be in possession of approved identity cards bearing their photographs, and such cards must be produced at the demand of any officer of Customs.

No. 1/37
p. 73.

Agent to be
in possession
of identity
card.
No. 1/37
p. 74.

THE SCHEDULE.

(Section 3(1))

FORM I.

LICENCE TO BE GRANTED BY DIRECTOR
TO CUSTOMS HOUSE AGENTS

Sec. 5 of
No. 43/37.

To
I,
Director of Customs, Excise and Trade of the
Government of Palestine, do, by virtue of the
authority vested in me by the Customs House
Agents Ordinance, hereby authorise.....
to act as a licensed agent for the transaction of
business with the customs authorities at.....
relating to *.....
.....
Fee paid Palestine Pounds
Date.....

Director of Customs.

This licence is valid till the.....19.....

The name of every clerk employed by the
licensed agent in transacting his business with
the customs authorities shall be endorsed on
the back of this licence and duly recorded at
the office of the Director of Customs.

The Director of Customs may, by an order,
cancel or revoke any licence granted to any
agent, on the grounds of fraud or misconduct.

Application for the renewal of this licence
shall be made to the Director of Customs
before its expiration.

* Insert the necessary particulars according to
the nature of the licence.

FORM II.

LICENCE TO BE GRANTED BY DIRECTOR
 TO MERCHANTS, IMPORTERS, EXPORTERS,
 OR CONSIGNEES OF GOODS FOR THE
 TRANSACTION BY THEIR CLERKS OF
 BUSINESS WITH THE CUSTOMS
 AUTHORITIES.

To

I,

Director of Customs, Excise and Trade of the
 Government of Palestine, do, by virtue of the
 authority vested in me by the Customs House
 Agents Ordinance, hereby authorise.....

.....
 to appoint, subject to the provisions of sections 6
 of the said Ordinance, the undermentioned clerk
 or clerks employed regularly and exclusively by
 him for the transaction, on his behalf only and
 relating to his goods only, of all business with the
 customs authorities relating to the entry of clear-
 ance of any ship or of any such goods at.....

Name of Clerk or Clerks

Fee in respect of each Clerk Palestine Pounds

Total fees paid Palestine Pounds

Date.....

Director of Customs.

This licence is valid till the.....19.....

The name of every clerk who is, subsequent to
 the issue of this licence, employed by the licensee

in transacting his business with the customs authorities shall be endorsed on the back of this licence and duly recorded at the office of the Director of Customs.

The Director of Customs may, by an order, cancel or revoke any licence granted to any licensee, on the grounds of fraud or misconduct.

Application for the renewal of this licence shall be made to the Director of Customs before its expiration.

EDUCATION CAP. 50.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
13	Replaced. (See appendix No. 1)	Sec. 2 of No. 3/38.
14(h)	Paragraph (h) added: (See appendix No. 2)	Sec. 2 of No. 2/42.

Apdx. 1 Sec. 13.

13. Any land or right to land which shall after the date of this Ordinance be acquired by a local education authority for the purposes of this Ordinance, shall be registered without payment of registration fees in the Land Registers in the name of the local education authority subject to a trust for the purpose of education.

Vesting of
Property in
local
education
authority.
Sec. 2 of
No. 3/38.

Apdx. 2 Sec. 14(h).

(h) the rights and duties of teachers and their employers in public and assisted schools and of the proprietors of such schools, and the exemption of any teachers and their employers from the provisions of any rules made under the powers conferred by this paragraph.

Sec. 2 of
No. 2/42.

EVIDENCE. CAP. 54.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
6	Temporarily suspended and substituted by the following section: (See appendix No. 1)	Sec. 3 of No. 68/36.
	<i>Note:</i> See notice in Suppl. 2/37, p. 917.	
PART I. A.	Part I.A. added after section 14: (See appendix No. 2)	Sec. 2 of No. 38/40.
18	Substitute — “or consular agent” wherever it appears, by “consular agent, acting consul-general, acting vice-consul, or acting consular agent,”	Sec. 2 of No. 40/46.
20	Repealed. <i>Note:</i> See section 4 of the Usurious Loans Ordinance, 1934.	No. 1/37, p. 74.
PART V. PART VI. 20—24	Add the following Part V. and Part VI. (See appendix No. 3)	Sec. 2 of No. 3/47.

Apdx. 1 Sec. 6

3. During the continuance in operation of this Ordinance section 5 of the principal Ordinance shall be suspended and the following section shall be substituted therefor :-

"5 . No judgment shall be given in any civil case on the evidence of a single witness unless such evidence is uncontradicted or is corroborated by some other material evidence which, in the opinion of the Court, is sufficient to establish its truth."

Sec 3 of
No. 68/36.

Corrobor-
ation in civil
cases.

Apdx. 2 Sec. 14A.

PART IA — PROVISIONS WITH REGARD TO BANKERS' BOOKS.

14A. In this Part, unless the context otherwise requires — "bank" shall have the meaning ascribed to it in the Banking Ordinance;

"bankers' books" include ledgers, day books, cash books, account books, and all other books used in the ordinary business of a bank;

"court" means a court, judge or magistrate;

"legal proceeding" means any civil or criminal proceeding in any court in which evidence is or may be given.

14B. Subject to the provisions of this Part, a copy of an entry in a banker's book shall in all legal proceedings be received as prima facie evidence of such entry, and of the matters, transactions, or accounts therein recorded.

14C. A copy of an entry in a banker's book shall not be received in evidence under this Part unless it be first proved that the book was at the time of the making of the entry one of the ordinary books of the bank, and that the entry was made in the usual and ordinary course of business, and that the book is in the custody or control of the bank.

Such proof may be given by an officer of the bank and may be given orally or by affidavit.

14D. A copy of an entry in a banker's book shall not be received in evidence under this Part unless it be further proved that the copy has been examined with the original entry and is correct.

Such proof shall be given by some person who has examined the copy with the original entry and may be given orally or by affidavit.

Interpre-
tation.
Cap. 8.
Sec. 2 of
No. 38/40.

Mode of
proof of
entries in
banker's
book.
No. 38/40.

Proof of
that book is
a banker's
book.
No. 38/40

verification
of copy.
No. 38/40

14E. A banker or officer of a bank shall not, in any legal proceeding to which the bank is not a party, be compellable to produce any banker's book the contents of which can be proved under this Part, or to appear as a witness to prove the matters, transactions, or accounts therein recorded, unless by order of a court made for special cause.

14F. On the application of any party to a legal proceeding a court may order that such party be at liberty to inspect and take copies of any entries in a banker's book for any of the purposes of such proceedings. An order under this section may be made either with or without summoning the bank or any other party, and shall be served on the bank three clear days before the same is to be obeyed, unless the court otherwise directs.

Case in
which banker
etc. not
compellable
to produce
book, etc.
No. 38/40.

Court may
order
inspection,
etc.
No. 38/40.

Apdx. 3 Sec. 20

Interpre-
tation.

Sec. 2 of
No. 3/47.

20. For the purposes of this Part —
(a) the following are public documents, that is to say, documents forming the acts or records of the acts (whether legislative, judicial or executive) or forming part of the official records (including all documents kept for record purposes, whether made officially or otherwise) of —

- (i) the Government, or the sovereign authority of any territory other than Palestine, or
- (ii) official bodies (including local authorities), courts, tribunals or Government departments of Palestine or of any territory other than Palestine, or
- (iii) officers of the Government, or of the sovereign authority of any territory other than Palestine, or of the official bodies, courts, tribunals or departments mentioned in sub-paragraph (ii);

(b) the expression "official printer" means —

- (i) in relation to Palestine, the Government Printer; and
- (ii) in relation to the United Kingdom, the King's Printer; and
- (iii) in relation to any territory (including Palestine and the United Kingdom) any printer proved to be the printer for the Government or sovereign authority of the territory or to be officially authorised to print the document in question or documents of the class in question.

21.—(1) A certificate by a British consular or diplomatic agent in any territory that a public document is printed by the official printer of the territory shall be sufficient evidence of that fact.

(2) A certificate by a British consular or diplomatic agent in any territory that any seal or signature of the officer whose official seal or signa-

Certificates
of British
consular or
diplomatic
agents.
No. 3/47.

ture it purports to be shall be sufficient evidence of that fact.

(3) A certificate by a British consular or diplomatic agent in any territory that any seal is the official seal of the official body (including a local authority), court, tribunal or department whose official seal it purports to be shall be sufficient evidence of that fact.

(4) A certificate by a British consular or diplomatic agent that to the best of his knowledge and belief a public document is in the official custody of a specified officer or of a specified official body (including a local authority), court, tribunal or department shall be sufficient evidence that the document is in such official custody.

22.—(1) It shall be presumed, unless the contrary is proved, that —

- (a) any public document purporting to be printed by the official printer was in fact so printed;
- (b) an officer who certifies under his official seal or signature to the effect that a public document is in his official custody does in fact have the official custody of the document;
- (c) an official body (including a local authority), court, tribunal or department under whose seal it is certified that a public document is in its official custody does in fact have the official custody of the document;
- (d) official seals and signatures on any public document or copies thereof and on any certificates for which provision is made in this Part are genuine and that any descriptions of offices held by officers on such documents and certificates are accurate;
- (e) public documents purporting to have been made officially were so made and by the officers or persons and in the circumstances in which they purport to have been so made.

Presump-
tions.

No. 3/47.

(2) Any publication proved or purporting to be the official Gazette or other equivalent publication of a territory (unless it is proved that it is not in fact such a publication) shall be presumed to be printed by the official printer of the territory.

23. Without prejudice to any other method of proof, a public document may be proved by production of —

- (a) the original; or
- (b) an examined copy thereof; or
- (c) a copy thereof printed by the official printer; or
- (d) a copy certified thereof as such under the official seal or signature of the officer who has the official custody thereof; or
- (e) a copy certified thereof under the official seal of the official body (including a local authority), court, tribunal or department which has the official custody thereof; or
- (f) a copy thereof certified as such under the official seal or signature of a Minister of State or other officer of equivalent rank or of an officer of such rank and holding such an office as to satisfy the court of the reliability of the certification; or
- (g) a copy thereof certified as such under the official seal of an official body (including a local authority), court, tribunal or department, if the court, having regard to the nature of the public document and the body, court, tribunal or department concerned is satisfied as to the reliability of the certification.

Proof of public documents.
No. 3/47.

PART VI. — MISCELLANEOUS.

24. Where any document purporting or proved to be not less than twenty years old is produced from any custody which the court in the particular case considers proper, the court may presume that the signature and every other part of such document which purports to be in the handwriting of any particular person is in that person's handwriting, and in the case of a document executed or attested, that it was duly executed or attested by the person by whom it purports to be executed or attested.

Presump-
tion as to
documents
twenty
years old.
No. 3/47.

EXTRADITION CAP. 56.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
23	Replaced. (See appendix No. 1)	Sec. 2 of No. 41/40.
Schedule I.	Add the following item to the list of crimes in paragraph I after the item "Bribery": (See appendix No. 2)	No. 1/37, p. 74.
	Paragraph II replaced: (See appendix No. 3)	No. 1/37, p. 74.
Schedule II.	See text of agreement published in Gazette of 27.2.36, Suppl. 2/36, pp. 94, 97.	

Apdx. 1 Sec. 23.

23. Notwithstanding anything in this Ordinance the High Commissioner may, either in accordance with any arrangement made with the Government of Trans-Jordan or in any particular case, authorise the arrest in Palestine of persons charged with or convicted, whether in absence or otherwise, of any offence committed in Trans-Jordan, and the delivery of such persons to the Government of Trans-Jordan. Such arrest and delivery may be made whether the crime in respect of which the surrender is sought was committed before or after the coming into operation of this section.

Power of High Commissioner to deliver offenders to Trans-Jordan Government. Sec. 2 of No. 41/40..

Apdx. 2 Schd. I.

Any crime or other offence which is punishable by imprisonment for a period of one year or by some severer penalty.

List of crimes. No. 1/37 p. 74.

Apdx. 3 Schd. I, Paragraph II.

II. Being accessory to or attempting to commit any offence mentioned in this schedule provided that such participation or attempt is punishable by imprisonment for a period of one year or by some severer penalty.

No. 1/37 p. 74.

NOTE:-

Second schedule; the texts of the provisional agreement dated July, 1921, and of the supplementary agreement dated January - February, 1924, for the extradition of fugitive offenders between Palestine and Syria, were republished in the Gazette dated 27th February, 1936.

No. 1/37 p. 74.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
8(4)	Add the following at end of sub-section (4): (See appendix No. 1)	No. 1/37, p. 74.
13A	Section 13A added. (See appendix No. 2)	No. 1/37, p. 75.
18	Delete "Any commissioned officer of police" appearing at the beginning of section 18 and substitute the following therefor: (See appendix No. 3)	Sec 2 of No. 23/38.
24A	Section 24A added. (See appendix No. 4)	No. 1/37, p. 76.
28	Substitute "Any police officer" for "Any commissioned officer of police, or any police constable specially authorised in writing by a district superintendent".	No. 1/37, p. 76.
31	Add at the end of section 31 "who may refuse to grant any such licences, permits or renewals without assigning any cause".	No. 1/37, p. 77.
36(1) Proviso	Substitute "seven" for "three".	No. 1/37, p. 77.
36(3)(d)	Paragraph (d) added. (See appendix No. 5)	No. 1/37, p. 77.
36(5)	Subsection (5) replaced. (See appendix No. 6)	No. 1/37, p. 77.
Schedule.	Item 2 replaced. (See appendix No. 7)	No. 1/37, p. 78. Sec. 2 of No. 19/41.

Apdx. I Sec. 8(4).

and if the licence be in respect of a pistol or revolver, the Inspector-General of Police and Prisons may direct that it shall have endorsed on it "not to be carried on the person."

No. 1/37
p. 74.

Apdx. 2 Sec. 13A.

13A.—(1) Where it shall appear that an unlawful assembly, riot or disturbance of the peace has taken place or may be reasonably apprehended or in case of emergency, the district commissioner may, at his discretion, direct the withdrawal of all or any licences in respect of firearms granted to persons within his District or within any specified area of his District either for a stated period or until some further direction by the district commissioner.

(2) Upon the making of any direction by the district commissioner under sub-section (1) hereof withdrawing all licences in respect of firearms granted to persons within his district or within any specified area of his district, every person to whom such direction applies shall within twenty four hours of the making of such direction deliver to the police officer in charge of a police station in the district or part of the district affected by such direction his licence in respect of a firearm, the firearm in respect of which it was granted and all ammunition in his possession and such police officer shall give to such person a receipt in writing in respect of such licence, firearm and ammunition if any.

(3) Upon the expiration of any period specified in any direction made by the district commissioner under sub-section (1) hereof, withdrawing all licences in respect of firearms granted to persons within his district, or within any specified area of his district, or if such direction was until some further direction by the district commissioner, then upon the making of such further direction, any person who had handed in any licence, firearm or ammunition, may, upon presentation of the receipt in writing given to him in accordance with the provisions of sub-section (2) hereof, claim such licence, firearm or ammunition from the police officer in charge of the police station at which he had given up such licence, firearm or ammunition.

Power of
district com-
missioner in
time of
emergency.
No. 1/37
p. 75

FIREARMS. CAP. 58.

Apdx. 3 Sec. 18.

18 Any superior police officer or inspector of police, or any police officer authorised in writing by a superior police officer or inspector of police

Sec. 2 of
No. 23/38.

Apdx. 4 Sec. 24A.

24A.—(1) Notwithstanding anything in this Ordinance contained, a smooth bore shot gun may be imported or exported through parcel post at the post offices of Haifa, Jaffa, Jerusalem and Tel-Aviv respectively, provided that the consignee or consignor produces to the officer in charge of the parcel post a valid licence in respect of such shot gun.

Importation
and exportation of
smooth bore
shot guns
by parcel
post.
No. 1/37
p. 76.

(2) Where a shot gun is exported under the provisions of sub-section (1) hereof, the licence issued in respect of such gun shall be retained by the officer in charge of the parcel post and forwarded by him to the officer issuing such licence for cancellation :

Provided that if a shot gun is exported for temporary purposes only the consignor shall so inform the officer in charge of the parcel post and the licence in respect thereof shall not be so cancelled. Should such shot gun be reimported during the validity of the licence the production of the latter to the officer in charge of the parcel post shall be sufficient to secure the delivery of the firearm.

Apdx. 5 Sec. 36(3)(d).

(d) being the holder of a licence granted in respect of a pistol or revolver upon which there is an endorsement "not to be carried on the person" carries such pistol or revolver upon his person.

No. 1/37
p. 77.

Apdx. 6 Sec. 36(5).

(5) Any person who being a holder of a licence under this Ordinance —

No. 1/37

J. 77.

(a) refuses or wilfully neglects to comply with the request under this Ordinance for the production of his licence or of ammunition in his possession, or conceals from the inspecting authority any such ammunition, or wilfully misleads such authority as to the amount thereof, or refuses to permit or obstructs any search or inspection authorised by this Ordinance, is guilty of an offence and is liable to a fine of fifty pounds;

(b) fails to comply with any direction made by the district commissioner under sub-section (1) of section 13A; withdrawing all licences to carry firearms granted to persons within his district or within any specified area within his district which applies to such holder, is guilty of an offence and liable to imprisonment for six months or a fine of one hundred pounds or both such penalties.

FIREARMS CAP. 58

Apdx. 7, Schedule, item No. 2.

2. Save where the contrary is expressly provided there shall be payable in respect of every licence for each firearm a fee of

Provided that the payment of such fee may be remitted :-

- (a) where the applicant is a government official and in the opinion of the licensing authority the arm is required by him as a protection while carrying out his official duties;
- (b) where the applicant is a shepherd, or cultivator, and the licensing authority is of opinion that the arm is of no military value and is required by the applicant solely for the protection of his flocks and herds or cultivated land;
- (c) where the applicant is a municipal or local council, in respect of any shot-gun used by such council solely in the exercise of any power or the carrying out of any duty specifically conferred or imposed upon it under any Ordinance or law.

Amount of
fee

Mils
500.

No. 1/37
p. 78

Sec. 2 of
No. 19/41.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
17(8)	Repealed. <i>Note:</i> See section 390 of Criminal Code Ordinance, 1936.	No. 1/37, p. 79.
27	Section 27 added. (See appendix No. 1)	Sec. 2 of No. 7/42.

Apdx. 1 Sec. 27.

27. Any proclamation proclaiming any land to be a forest reserve, made under section 3 whether before or after the date of the coming into force of this section, and any order declaring any forest reserve to be a closed forest area, made under section 13 whether before or after the said date, shall be deemed to have been and to be properly and validly made and all conditions precedent to such proclamation or order shall be deemed to have been complied with until the contrary is proved by any person alleging it.

Provision regarding validity of proclamations under section 3 and orders under section 13. Sec. 2 of No. 7/42.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Add the following at the end of the definition of "police officer": (See appendix No. 1)	Sec. 2 of No. 6/40.
10(5)	Sub-section (5) added. (See appendix No. 2)	Sec. 3 of No. 6/40.
12	Substitute "Conservator of Forests" for "Director of Agriculture".	Sec. 4 of No. 6/40.
13	Substitute "Conservator of Forests" for "Director of Agriculture".	Sec. 5 of No. 6/40.

Apdx. 1 Sec. 2.

and any person authorised by the High Commissioner to exercise the powers conferred on a police officer by this Ordinance.

Sec. 2 of
No. 6/40.

Apdx. 2 Sec. 10(5).

(5) Any police officer may confiscate any apparatus or decoy used for the snaring or capture of any bird or animal contrary to the provisions of this Ordinance and may release any bird or animal so snared or captured.

Sec. 3 of
No. 6/40.

GUIDES CAP. 66

TABLE OF AMENDMENTS

Section No.

How affected

Amended by

2

The definition of "proper authority" replaced.

(See appendix No. 1)

Sec. 2 of
No. 58/39.

Apdx. 1 Sec. 2.

"proper authority" means a District Commissioner, whether in respect of a licence for the whole of Palestine or in respect of a licence for his District.

Sec. 2 of
No. 58/39.

INTOXICATING LIQUORS
(MANUFACTURE AND SALE) CAP. 71.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "arak" replaced. (See appendix No. 1)	No. 1/37, p. 82.
	Definition of "beer" replaced. (See appendix No. 1)	Sec. 2 of No. 3/43.
	Insert the following after definition of "cider". (See appendix No. 2)	Sec. 2(a) of No. 14/37.
	Insert "citrus wine" after "perry" in definition of "intoxicating liquors".	Sec. 2(a) of No. 14/37.
	Insert "and citrus wine" after "wine" in the definition of "spirits".	Sec. 2(b) of No. 14/37.
	Insert the following definition after the definition of "still": (See appendix No. 3)	Sec. 2 of No. 3/41.
3 Proviso	Proviso added: (See appendix No. 4)	Sec. 2 of No. 18/37.
5(1)(b)	Insert "or citrus wine" after "wine"	No. 14/37, p. 181.
5(2)	Insert "or citrus wine" after "wine" occurring in lines 2 and 3 of sub- section (2).	No. 14/37, p. 181.
6(2)	Replaced. (See appendix No. 5)	Sec. 2 of No. 24/46.
11A B	Sections 11A & 11B added. (See appendix No. 6)	Sec. 3 of No. 3/41. Sec. 3 of No. 3/43.
16(2)	Subsection (2) replaced. (See appendix No. 7)	No. 1/37, p. 82.
16(3)	Substitute "five hundred metres" for "two kilometres".	No. 1/37, p. 82.

**INTOXICATING LIQUORS
(MANUFACTURE AND SALE) CAP. 71.**

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
16(4)	Substitute "section 19 of the Sale of Intoxicating Liquors Ordinance, 1935" for "section 11 of the Intoxicating Liquors and Public Entertainments Ordinance".	No. 1/37, p. 83.
16(6)	Sub-section (6) added. (See appendix No. 8)	No. 18/46, p. 127.
Schedule I. para. (a)	Substituted by the following : (See appendix No. 9)	No. 1/37. p. 83.
Schedule II.	See Suppl. 2/44, p. 275.	
	" " 2/45, p. 153.	
	" " 2/45, p. 297.	
	" " 2/46, p. 711.	

INTOXICATING LIQUORS
(MANUFACTURE AND SALE) CAP. 71.

Apdx. 1 Sec. 2.

"arak" means spirits made from fruit and the seed of the aniseed plant by distillation which when mixed with an equal volume of water produce a dense milky opalescence;

No. 1/37.
p. 82.

"beer" includes ale, porter, stout, black beer and any other description of beer, and any liquor which is made or sold as a description of beer, or as a substitute for beer, and which on analysis of a sample thereof at any time is found to contain more than two per cent. of alcohol;

Sec. 2 of
No. 3/43.

Apdx. 2 Sec. 2.

"citrus wine" means any fermented liquor made from the juice of fresh citrus fruit.

Sec. 2(c) of
No. 14/37.

Apdx. 3 Sec. 2.

"whisky" means a spirit obtained by distillation from a mash of cereal grains, saccharified by the diastase of malt;

Sec. 2 of
No. 3/41.

Apdx. 4 Sec. 3.

Provided that where any licensed manufacturing wholesale pharmaceutical chemist or druggist proves to the satisfaction of the Director that any alcohol upon which excise duty has been paid has been delivered to him and used by him solely in the manufacture or preparation of any article certified by the Director of Medical Services as being used for medical purposes, he shall, subject to his having complied with such rules as may be prescribed for the purpose under this Ordinance, be entitled to obtain repayment of such excise duty, less ten per centum.

Sec. 2 of
No. 18/37.

INTOXICATING LIQUORS
(MANUFACTURE AND SALE) CAP. 71.

Apdx. 5 Sec. 6(2).

(2) A manufacturer's licence shall not be issued unless the site of the manufacturer's premises has been approved by the Director and the premises have been constructed to the satisfaction of the Director. A manufacturer shall provide suitable office accomodation for an Officer or Officers and, if required by the Director, shall provide suitable living accommodation for such Officer or Officers. The Director may at any time, if the premises are found to be unsuitable, revoke his approval of any premises.

Sec. 2 of
No. 24/46.

INTOXICATING LIQUORS
(MANUFACTURE AND SALE) CAP. 71.

Apdx. 6 Sec. 11A.

11A.—(1) No whisky shall be delivered from the premises of a manufacturer for consumption in Palestine unless it has been matured in wood in the premises of a manufacturer for a period of at least three years, and no whisky shall be sold for consumption in Palestine unless it has been matured in wood as aforesaid.

Restriction
on sale and
delivery of
whisky.
Sec. 3 of
No. 3/41.

(2) Any person who acts in contravention of the provisions of this section is guilty of an offence and is liable to a fine of one hundred pounds.

11B.—(1) No person shall —

Penalty on
misdescrib-
ing substances
as beer.
Sec. 3 of
No. 3/43.

(a) for the purpose of selling any substance which contains two per cent. or less than two per cent. of alcohol, describe the substance (whether in any notice or advertisement, or on any label, or in any other manner whatsoever) by any name or words which is or are calculated to indicate that the substance is, or is a substitute for, or bears any resemblance to, ale, beer, porter, or stout, or any description of ale, beer, porter or stout; or

(b) sell, or offer or expose for sale, or permit to be sold, or have in his possession for the purpose of sale, any such substance so described:

Provided that the name "ginger beer" or "ginger ale" shall not in itself be taken to be calculated to give any such indication as aforesaid.

(2) Any person who acts in contravention of the provisions of this section shall be guilty of an offence and shall in respect of each offence, be liable to a fine of one hundred pounds, and, on the conviction of a person under this section, any articles by means of or in relation to which the offence has been committed shall be forfeited.

INTOXICATING LIQUORS
(MANUFACTURE AND SALE) CAP. 71.

Apdx. 7 Sec. 16(2).

(2) Such licence shall be annual and shall be additional to the licence prescribed under the Sale of Intoxicating Liquor Ordinance, 1935, and shall be granted only to a person who has already obtained a licence under that Ordinance :

Provided that a person licensed as a pharmacist in respect of premises at which no intoxicating liquor other than medicinal wines are sold shall not be required to obtain a licence under the said Ordinance of 1935, in respect of those premises.

No. 1/37
p. 82.

Apdx. 8 Sec. 16(6).

(6) The High Commissioner may, by order, direct that this section shall have effect as if in the proviso to sub-section (1) after the words "His Majesty's forces" there were inserted the words "or any forces of any of His Majesty's Allies".

No. 18/46
p. 127.

INTOXICATING LIQUORS
(MANUFACTURE AND SALE). CAP. 71.

Apdx. 9.

(a) intoxicating liquors other than spirits —

For the first 10,000 litres or part thereof
 manufactured during the previous year ..

For every subsequent 1000 litres or part
 thereof

provided that the maximum amount of licence
 fee payable shall not exceed LP. 100.

In the case of a person applying for a licence
 for the first time, or in respect of premises for
 which no licence has been issued during the preced-
 ing year, or for which a licence has been in force,
 but no intoxicating liquors other than spirits have
 been manufactured during the preceding year...

The preceding year shall be taken to be the year
 ending the 31st December.

When a licence has not been in force for a full
 year the quantity of intoxicating liquors manufac-
 tured during the preceding year shall, for the pur-
 pose of payment of licence duty in the following
 year, be deemed to be a quantity bearing the same
 proportion to the quantity actually produced as
 the whole year bears to the time for which the
 licence has been in force.

Annual
 Licence Duty

LP.

10

1

10

No. 1/37
 p. 83.

LAND COURTS. CAP. 75.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3(d)	Paragraph (d) replaced. (See appendix No. 1)	Sec. 2 of No. 46/39.
6(2)	Substitute "on the application of a party with notice to all other parties" for "within six months of its issue".	Sec. 3 of No. 46/39.
10	Delete "and District" from the heading appearing above section 10.	Sec. 4 of No. 46/39.
11	New heading and section added. (See appendix No. 2)	Sec. 5 of No. 46/39. Sec. 2 of No. 16/46.
12	New heading and section 12 added. (See appendix No. 2)	Sec. 2 of No. 39/44.

LAND COURTS. CAP. 75.

Apdx. 1 Sec. 3(d).

(d) where there is a dispute as to the ownership of the land, or any rights in or over the land, to hear the case and give a judgment :

Sec. 2 of
No. 46/39.

Provided that nothing in the Magistrates' Courts Jurisdiction Ordinance, 1939, shall be deemed to prevent a Land Court from making an order for the possession of any land in respect of the ownership of which it gives a judgment;

Apdx. 2 Sec. 11(1).

11.—(1) Land Court shall be constituted as follows :—

Constitution of Land Court. Sec. 2 of No. 16/46.

(a) where the value of the land or the subject matter of the dispute exceeds two hundred and fifty pounds, of a Court consisting of a president or a relieving president or one or more other judge or judges of a District Court :

Provided that any party to any action may, at any time before the date of he hearing thereof is fixed, apply in writing to the Registrar asking that such action shall be tried by a president or a relieving president, sitting alone, and thereupon such action shall be so tried ;

(b) where the value of the land or the subject matter of the dispute does not exceed two hundred and fifty pounds, of a magistrate's court.

(2) The registry of the court in which any proceedings under this Ordinance are brought under the provisions of this section shall be deemed to be the registry of a land court.

Sec. 5 of No. 46/39.

(3) The practice and procedure applicable to Magistrates' Courts shall apply to proceedings in Land Courts constituted of a Magistrate's Court :

Sec. 5 of No. 46/39.

Provided that the provisions of the Civil Procedure Rules, 1938, regulating appeals shall apply to appeals from Land Courts to the Supreme Court sitting as a Court of Appeal.

Vesting Orders

12. Where by any Ordinance there is conferred upon any court, other than a Land Court, jurisdiction to make a vesting order in respect of land, the Land Court shall not have jurisdiction to make such a vesting order.

Land Court may not make vesting orders in certain cases. Sec. 2 of No. 39/44.

TABLE OF AMENDMENTS

<u>Section. No.</u>	<u>How affected</u>	<u>Amended by</u>
2(6)	A second proviso added at end of (6). (See appendix No. 1)	No. 1/37, p. 84.
6	Replaced. (See appendix No. 2)	No. 1/37, p. 84.

Apdx. 1 Sec. 2(6).

Provided also that such withdrawal shall not be deemed to deprive of possession the party declared to be entitled to possession of the subject of the dispute.

No. 1/37
p. 84.

Apdx. 2 Sec. 6.

6. Nothing in this Ordinance shall enable a district commissioner to override or vary an order made by a competent court, a settlement officer in accordance with the provisions of the Land (Settlement of Title) Ordinance, or by a chief execution officer in virtue of which one of the parties appearing before the district commissioner in proceedings under this Ordinance shall be entitled to possession of the subject of dispute.

District
Commissioner not to
have jurisdiction if a
court, settlement officer
or chief execution
officer has
made an
order.
No. 1/37.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
6(2)	Insert "may require the plaintiff to pay into court security for costs and, upon such payment being made," between "the court" and "may order".	Sec. 2 of No. 39/41.
10	Section 10 added. (See appendix No. 1)	Sec. 2 of No. 34/37.

Apdx. 1 Sec. 10.

10. As from the commencement of the Land Law (Amendment) Ordinance, 1937, no registration shall be made or document of title issued in respect of :-

- (a) the ownership of trees, or
- (b) the ownership of buildings, or
- (c) any right to build, or to add to buildings already erected, upon land :

Provided that the provisions of this section shall not apply to any tree, building or right already registered in the Land Registry at the commencement of the Land Law (Amendment) Ordinance, 1937, or which forms the subject matter of a judgment of a competent court or a decision of a Land Settlement Officer given prior to that date.

No registration or document of title for building, trees, etc.

Sec. 2 of No. 34/37.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
6(1)	Addition of the following after "any such action may be withdrawn". (See appendix No. 1)	Sec. 2 of No. 48/39.
10(4)	Sub-section (4) added. (See appendix No. 2)	No. 1/37, p. 85.
13(1)	Delete "Director of Land Settlement" (amending former "Commissioner of Lands" — No. 12/40) and substitute "settlement officer" therefor.	Sec. 2 of No. 12/42.
19	Substitute "may" for "shall".	Sec. 3 of No. 48/39.
28	Replaced. (See appendix No. 3)	Sec. 4 of No. 48/39.
29	Replaced. (See appendix No. 3)	Sec. 5 of No. 48/39.
31	Replaced. (See appendix No. 4)	Sec. 6 of No. 48/39. Sec. 3 of No. 12/42.
33(2)	Substitute "thirty" for "fifteen".	Sec. 7(a) of No. 48/39.
33(4)	Sub-section (4) replaced. (See appendix No. 5)	Sec. 7(b) of No. 48/39.
53(a)(ii)	Para. (a) renumbered as para. (a)(i); Sub-paragraph (ii) added. (See appendix No. 6)	Sec. 8(a) of No. 48/39.
53(d)	Delete "the Director of Lands" and substitute the following therefor: (See appendix No. 7)	Sec. 8(b) of No. 48/39.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
56	Substitute "by the Supreme Court sitting as a Court of Civil Appeal" for "the land court" wheresoever appearing in Sec. 56.	Sec. 9 of No. 48/39.
63(1)	Substitute "the Chief Justice" for "the president of a land court" appearing in line 3. Substitute "thirty" for "fifteen" appearing in 10th and 14th lines. Substitute "the Chief Justice through the Chief Registrar" for "the president of the land court" appearing in lines 14 and 15.	Sec. 10(a-c) of No. 48/39.
63(2)	Sub-sections (2) and (3) replaced.	Sec. 10(d,e)
(3)	(See appendix No. 8)	of No. 48/39.
64	Marginal note replaced.	Sec. 11(a) of
Marginal note	(See appendix No. 9)	No. 48/39.
64(1)	Sub-section (1) replaced.	Sec. 11(b) of
	(See appendix No. 9)	No. 48/39.
64(2)	Repealed.	Sec. 11(c) of
		No. 48/39.
64(3)	Delete from "where" to "prescribed" inclusive, appearing in lines 1 and 2; Substitute "Supreme Court" for "land court" appearing in line 3.	Sec. 11(d-e) of No. 48/39.
65	Delete from "unless" to "is made" inclusive and substitute the following therefor: "unless the settlement officer or the Chief Justice, upon application being made to him, is of the opinion that —"	Sec. 4 of No. 12/42.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
69(1)	Add the following words at the end of sub-section (1): (See appendix No. 10)	Sec. 2 of No. 18/44.
69(2) (2A) (2B)	Sub-section (2) replaced. (See appendix No. 10)	Sec. 2 of No. 1/46.
70 Proviso	Delete "other than the fees due on survey and registration of the shares" and substitute the following proviso therefor: (See appendix No. 11)	Sec. 3 of No. 1/46.
71	Replaced. (See appendix No. 11)	Sec. 4 of No. 1/46.
Schedule.	See "The Schedule" — No. 1/46.	

LAND (SETTLEMENT OF TITLE). CAP. 80.

Apdx. 1 Sec. 6(1).

and, if such action cannot be decided before the settlement is begun, the court on its own motion may order it to be stayed and defer judgment therein until the publication of the schedule of rights under section 33, or may order that it shall be determined by the settlement officer.

Sec. 2 of
No. 48/39.

Apdx. 2 Sec. 10(4).

(4) At any time after the publication of the settlement notice, or at any stage in any proceedings before the settlement officer relating to the ownership of land in a settlement area, the settlement officer shall have power and shall be deemed always to have had power to make, vary or rescind an interim order for possession of any land affected by such notice or any land to which such proceedings relate, in favour of any person claiming or counterclaiming possession, and any such order as aforesaid may be made by the settlement officer of his own motion or on the application of any person claiming or counterclaiming possession.

No. 1/37
p. 85.

Apdx. 3 Sec. 28.

28. Notwithstanding anything contained in the preceding sections, the High Commissioner may, by notice, exclude any area from a settlement area, and thereafter the settlement officer shall not perform any act of settlement within the area so excluded, except such act as may be necessary for the purpose of demarcating the boundary between the settlement area and the area so excluded.

29. The rights of the Government in land shall be investigated and settled whether they are formally claimed or not. All rights to land which are not established by any claimant shall be registered in the name of the High Commissioner in trust for the Government of Palestine.

29A. Land which is proved to be of the metrukeh category and which has been used *ab antiquo* for public purposes, or land which has been legally assigned for public purposes, shall be registered in the name of the High Commissioner in trust for the Government of Palestine; provided that where the land is assigned for the uses of a town or village, and there has been constituted a legal body having power to hold and dispose of immovable property on behalf of that town or village, it shall be registered in the name of such legal body.

Exclusion of area from settlement area.

Sec. 4 of No. 48/39.

Rights of Government to land.

Sec. 5 of No. 48/39.

Registration of certain metrukeh and lands assigned for public purposes.

Sec. 5 of No. 48/39.

Apdx. 4 Sec. 31.

31.—(1) After the investigation of rights the settlement officer shall divide the block into parcels or units of registration so that each different category is shown in a separate parcel and he shall thereupon draw up a schedule of rights in such form and containing such details as may be prescribed. After dealing with such schedule as hereinafter provided he shall transmit a signed copy thereof to the registrar, together with a signed plan of the parcels comprised in the schedule.

(2) Upon the determination by the settlement officer of any right which was not settled before the transmission of the schedule to the registrar as aforesaid, the settlement officer shall inform the registrar of his decision in the matter, and the registrar shall thereupon enter particulars of such right in accordance with such decision in the appropriate page of the new register for which provision is made by section 36.

Schedule of rights.
Sec. 6 of No. 48/39.

Sec. 3 of No. 12/42.

Apdx. 5 Sec. 33(4).

(4) During the period of thirty days in which the schedule of rights is posted, any person claiming a right to land may apply to the settlement officer, and thereupon the settlement officer may revise his decision in the schedule of rights if due notice is given to any person affected by the application for revision.

Sec. 7 of No. 48/39

Apdx. 6 Sec. 53(α)(ii)

(ii) The chief clerk of the court before which any action under subparagraph (i) hereof has begun shall forthwith notify the Director of Land Registration accordingly.

Sec. 8(b) of No. 48/39.

LAND (SETTLEMENT OF TITLE). CAP. 80.

Apdx. 7 Sec. 53(d).

or if during such period the registered owner or his heirs shall signify in writing to the Director of Land Registration his or their consent to the registration of the person registered with the possessory title as the owner of the land, the Director of Land Registration,

Sec. 8(b) of
No. 48/39.

Apdx. 8 Sec. 63(2).

(2) Where leave to appeal is granted it shall be heard by the Supreme Court sitting as a Court of Civil Appeal and such appeal shall be entered within thirty days of the date of the order granting leave if made in the presence of the applicant, or within thirty days from the notification to him if made in his absence, and grounds of appeal shall be filed and fees paid and security furnished, in accordance with the Civil Procedure Rules, 1938 : Provided that an appellant may enter an appeal before the service upon him of such notification.

Sec. 10. of
No. 48/39.

The settlement officer shall forward to the Chief Registrar all the documents relating to the case.

Apdx. 9 Sec. 64(1).

64.—(1) The Civil Procedure Rules, 1938, shall apply to the hearing and determination of the appeal.

Procedure on
appeal.
No. 48/39.

LAND (SETTLEMENT OF TITLE). CAP. 80.

Apdx. 10 Sec. 69(1).

and also in regard to any other matter necessary to give effect to the provisions of this Ordinance.

(2) An order under sub-section (1) may provide that where any fee prescribed in any such order is not paid within such period as may be specified in the order there shall be added to such fee such sum, not exceeding twenty per centum of such fee, as may be prescribed in the order.

(2A) The provisions of sub-section (3) shall apply to any sum which, by virtue of any order under this section, is added to any fee payable under any such order as those provisions apply to the fee to which such sum is so added.

(2B) The Order contained in the Schedule shall be deemed to be an order made under this section and shall be in force until it is varied or revoked by any order made under this section.

Sec. 2 of
No. 18/44.

Sec. 2 of
No. 1/46.

Apdx. 11 Sec. 70.

Provided that nothing in this section shall be deemed to relieve any person of any liability to pay any fee in respect of the registration, in the new registers, of any right in land which is recorded in a schedule of partition.

71.—(1) Where any land is —

(a) registered in the existing registers in the name of the claimant, and

(b) identified by means of a plan produced by the claimant which is identical with the plan, certified by the Director of Surveys to be acceptable for registration purposes, which was produced for the purpose of the registration of such land in the existing registers,

and the claimant's right of ownership of such land is recorded without modification in the schedule of rights, no fee shall be charged for registration of such right in the new registers.

(2) Where any right in land (other than a right of ownership) which is registered in the existing registers in the name of the claimant is recorded without modification in the schedule of rights, no fee shall be charged for the registration of such right in the new registers.

Sec. 3 of
No. 1/46.

Fee where
right re-
corded in
existing
registers.
Sec. 4 of
No. 1/46.

LAND TRANSFER. CAP. 81.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
4(4)	Sub-section (4) replaced. (See appendix No. 1)	Sec. 2 of No. 13/43.
7	Add the following proviso: (See appendix No. 2)	Sec. 2 of No. 26/37.
9A	Section 9A added. (See appendix No. 3)	Sec. 2 of No. 1/39.
14	Replaced. (See appendix No. 4)	Sec. 2 of No. 16/38.
		Sec. 2 of No. 39/39.

Apdx. 3 Sec. 9A.

9A. The Director shall not give the consent required by section 4 to any disposition of immovable property which entails the division or parcellation thereof, unless he has satisfied himself that such division or parcellation —

- (a) conforms with the provisions prescribing minimum areas of parcels in respect of such immovable property, contained in any approved outline, detailed or parcellation town planning scheme, copies of which have been deposited at the office of the local town planning commission in accordance with the provisions of the Town Planning Ordinance, 1936; and
- (b) conforms with all other provisions of any such town planning scheme as aforesaid affecting such immovable property: provided that where in the opinion of the Director the urgency of any particular case necessitates that the requirements of this paragraph should be dispensed with, he may dispense with the same accordingly; and
- (c) in the case of immovable property which is or has been the subject of land settlement operations, also conforms with the conditions as to minimum area and shape of parcels prescribed in respect thereof under section 34 of the Land (Settlement of Title) Ordinance:

Provided that nothing in this section shall be deemed to prohibit the Director from giving his consent to the disposition, in favour of an owner of adjoining immovable property, of any immovable property the area or shape of which does not conform with such of the provisions or conditions referred to in paragraphs (a) and (c) hereof as may be applicable thereto, if the combined area and shape of the property so disposed of and such adjoining property conforms with the said provisions or conditions.

Dispositions entailing subdivision to conform to prescribed town planning and land settlement minima. Sec. 2 of No. 1/39.

Cap. 80.

Apdx. 4 Sec. 14.

14.—(1) Application for the sale of immovable property in execution of a judgment or in satisfaction of a mortgage shall be made to the President of the District Court who, upon such application, —

- (a) shall have power, and shall be deemed always to have had power, to order the sale of such immovable property;
- (b) shall have power to order postponement of the sale if he is satisfied that the debtor has reasonable prospects of payment if given time, or that, having regard to all the circumstances of the case, including the needs of the creditor, it would involve undue hardship to sell the property of the debtor.

(2) Where any sale is ordered under this section in satisfaction of a mortgage, it shall be conducted in the Execution Office of the District Court as if the sale were a sale in execution of a judgment.

(3) Where, prior to the commencement of the Land Transfer (Amendment) Ordinance, 1938, any sale in satisfaction of a mortgage has been carried out in the Execution Office of any Court, such sale shall not be deemed to be invalid by reason only that it has not been carried out in the Tapou registry office.

(4) Where an application for the sale of immovable property is made under this section the President of the District Court shall have power at any time, whether before or after the making of an order for the sale of such immovable property, to appoint a Receiver of such property wherever it appears to him just and convenient so to do.

(5) The President of the District Court shall have all such powers incidental to the making of such appointment as are for the time being vested in, or exercisable by, a District Court with respect

Sale of land
in satisfaction
of judgment
debts and
mortgages.
Sec. 2 of
No. 16/38.

Sec 2 of
No. 39/39.

LAND TRANSFER. CAP. 81.

to the appointment of a Receiver in connection with any action brought therein, and the provisions of any rules of court in force from time to time governing or prescribing the manner of appointment by a District Court of Receivers, their duties, liabilities and remuneration shall apply *mutatis mutandis* to any case where a Receiver is appointed by the President of a District Court as aforesaid.

(6) Where, prior to the commencement of the Land Transfer (Amendment) Ordinance, 1939, the President of a District Court has appointed a Receiver of any immovable property in connection with an application under this section for the sale of such property, and at the commencement of that Ordinance such receivership was still subsisting, the appointment of such Receiver shall be deemed to have been validly made as though it had been made after the commencement of the said Ordinance.

(7) In any application under this section the President of the District Court shall have all the powers of a District Court with regard to the awarding of costs.

MATCHES EXCISE. CAP. 89.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
10(2)	Section 10 renumbered as section 10(1); Sub-section (2) added. (See appendix No. 1)	Sec. 2 of No. 55/39.
The Schedule.	Replaced. See Suppl. 2/44, p. 279, as amended by Suppl. 2/45, p. 154.	

Apdx. I Sec. 10(2).

(2) Any machinery, apparatus, appliance or materials by means of which or in respect of which the offence or act so compounded has been committed may be confiscated by the Director or such authorised officer.

Sec. 2 of
No. 55/39.

TABLE OF AMENDMENTS

<i>Section No.</i>	<i>How affected</i>	<i>Amended by</i>
2	Definition of "Director" replaced. (See appendix No. 1)	Sec. 2 of No. 19/37.
4	Replaced. (See appendix No. 2)	No. 1/37, p. 88. Sec. 2(a-b) No. 6/39. Sec. 3 of No. 19/37. Sec. 2(c-d) of No. 6/39.
4A 4B	Sections 4A & 4B added. (See appendix No. 2)	No. 1/37, p. 89. Sec 3 & 4 of No. 6/39.
5	Insert "of the Director" after "any refusal of failure".	No. 1/37, p. 91.
6(1) 1st proviso	Insert "under this section" after "cancellation or suspension" appear- ing in the first proviso.	No. 1/37, p. 91.
6(3)	Insert "under this section" after "cancellation or suspension".	No. 1/37, p. 91.
8	Replaced. (See appendix No. 3)	No. 1/37, p. 91.

Apdx. 1 Sec. 2.

"Director" means the Director of Medical Services and includes the Deputy Director or any officer of the Department of Health appointed by the Director to perform any duties under this Ordinance.

Sec. 2 of
No. 19/37.

Apdx. 2 Sec. 4.

4—(1) Licences to practise medicine will only be granted to persons who are Palestinian citizens, or who have received permission to remain permanently in Palestine.

Procedure for obtaining licences.
No. 1/37
p. 88.

(2) Application for a licence to practise medicine by any person who is a Palestinian citizen or who has received permission to remain permanently in Palestine, shall be made to the Director who, subject to the provisions of section 4A of this Ordinance, shall grant such licence on being satisfied that the applicant :

Sec. 2(a) of
No. 6/39.

No. 1/37
p. 88.

- (i) is of good character;
- (ii) has studied medicine for a period of at least five years in a university or medical school recognised by the Director and has obtained a diploma recognised by the Director;
- (iii) has not lost his Palestinian citizenship or permission to remain permanently in Palestine.

(3) The High Commissioner may cancel the licence to practise medicine granted to any person under sub-section (2) hereof if he is satisfied that such person is no longer entitled to remain permanently in Palestine :

Sec. 3 of
No. 19/37.
Sec. 2(b-d) of
No. 6/39.

Provided that no order for cancellation shall be made unless the person concerned has had an opportunity of submitting to the High Commissioner a written statement of his case : and

Provided that nothing in this sub-section contained shall be deemed to restrict the right of the Director or any person aggrieved to complain to the High Commissioner under section 6 of this Ordinance or of the High Commissioner to cancel or suspend any licence to practise medicine in accordance with the provisions of that section.

(4) A fee of two pounds shall be charged on the grant by the Director of a licence to practise medicine.

No. 1/37
Sec. 2(d) of
No. 6/39.

4A. The High Commissioner may on or before the thirty first day of December in each year, by notice in the Gazette, prescribe the maximum number of licences to practise medicine which may be granted by the Director during the year commencing on the first day of January next following the date of such notice to persons who apply therefor under sub-section (2) of section 4 of this Ordinance, and the Director shall not, in the course of any year, grant to such persons a greater number of licences to practise medicine than the maximum prescribed by the High Commissioner hereunder in respect of such year :

Provided that if, at any time, the number of applicants under sub-section (2) of section 4 of this Ordinance exceeds the number of licences to practise medicine available, it shall be within the unfettered discretion of the Director to decide in what manner such licences shall be distributed.

4B.—(1) Where the maximum number of licences to practise medicine which may be granted by the Director in any year to persons who apply therefor under sub-section (2) of section 4 of this Ordinance has been granted, any medical or scientific institution in Palestine recognised by the Director may apply to the High Commissioner for a licence to practise medicine solely in or on behalf of such institution to be granted to any person *who is a Palestinian citizen or who has received permission to remain permanently in Palestine*, and the High Commissioner on being satisfied that the person named in such application :—

- (i) is of good character;
 - (ii) has studied medicine for at least five years in a university or medical school recognised by the Director and has obtained a diploma recognised by the Director; and
 - (iii) will be employed solely in the practice of medicine in or on behalf of such institution,
- shall grant such licence to such person.

Power of High Commissioner to restrict number of licences which may be granted to applicants under section 4(3).
No. 1/37
p. 89.
Sec. 3 of No. 6/39.

High Commissioner may grant licences in certain cases.
No. 1/37.
Sec. 4(a) of No. 6/39.

Sec. 4(b) of No. 6/39.
No. 1/37.

(2) The High Commissioner may cancel the licence to practise medicine granted to any person under sub-section (1) hereof if he is satisfied that such person has ceased to fulfil the provisions of paragraph (iii) thereof :

Provided that no order for cancellation shall be made unless the person concerned has had an opportunity of submitting to the High Commissioner a written statement of his case; and

Provided that nothing in this sub-section contained shall be deemed to restrict the right of the Director or any person aggrieved to complain to the High Commissioner under section 6 of this Ordinance or of the High Commissioner to cancel or suspend any licence to practise medicine in accordance with the provisions of that section.

(3) A fee of two pounds shall be charged on the grant by the High Commissioner of a licence to practise medicine.

Apdx. 3 Sec. 8.

8.—(1) A medical practitioner shall not carry on any trade or engage in any mercantile or commercial business.

(2) A medical practitioner shall not advertise himself as practising the profession of medicine either in the press or by any other means :

Provided that : —

(a) he shall be entitled to put outside his consulting rooms a notice to be prescribed by rule, stating his name and profession and medical qualifications; and

(b) if he changes his address he may put outside his former consulting rooms a notice to be prescribed by rule, indicating the address of his new consulting rooms, and may notify in writing persons who have consulted him professionally of his new address.

(3) Save as provided in sub-section (2) hereof, a medical practitioner shall not advertise his practice, whether directly or indirectly, for the purpose of obtaining patients or promoting his own professional advantage, or procure or sanction or acquiesce in the publication of notices commending or directing attention to his professional skill, knowledge, services or qualifications or depreciating those of others; or be associated with or employed by those who procure such advertising or publication; nor shall he canvass or employ any agent or canvasser for the purpose of obtaining patients; or be associated with or employed by those who procure such employment.

Trading and
advertise-
ment for-
bidden.

No. 1/37
p. 91.

MERCHANDISE MARKS. CAP. 91.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2(2)	Substitute "marks, get-up or manner of packing or wrapping" for "or marks".	Sec. 2 of No. 28/39.
6(2A)	Sub-section (2A) added. (See appendix No. 1)	Sec. 2 of No. 38/41.

Apdx. 1 Sec. 6(2A).

(2A) Goods delivered in pursuance of a request made by reference to a trade mark or trade description appearing in any sign, advertisement, invoice, wine list, business letter, business paper or other commercial communication, shall, for the purposes of paragraph (d) of subsection (1) of this section be deemed to be goods in connection with which the trade mark or trade description is used.

Sec. 2 of
No. 38/41.

METHYLATED SPIRITS. CAP. 92.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
15(1)	Section 15 renumbered as section 15(1);	No. 18/46, p. 127.
	Insert "and sold" between "manufactured" and "in Palestine";	Sec. 2 of No. 11/37.
	Proviso replaced. (See appendix No. 1)	Sec. 2 of No. 16/39. Sec. 2 of No. 29/40.
15(2)	Sub-section (2) added. (See appendix No. 1)	No. 18/46, p. 127.
The Schedule.	Insert "and sold" between "manufactured" and "in Palestine".	Sec. 3 of No. 11/37.

Apdx. 1 Sec. 15(1).

Provided that the High Commissioner in Council may by order —

- (a) vary the excise duties; and
- (b) grant a rebate, in whole or in part, of the excise duty paid on methylated spirits exported in original condition or contained in goods manufactured in and exported from Palestine, such grant to be made in accordance with such rules and upon such conditions as the High Commissioner in Council may prescribe, or

- (c) grant a rebate, in whole or in part, of the excise duty paid or payable on methylated spirits delivered to His Majesty's Forces or delivered for consumption by His Majesty's Forces to the Navy, Army and Air Force Institutes or such other institutes or institutions, connected with His Majesty's Forces, as may be approved by the High Commissioner in Council.

(2) The High Commissioner in Council may, by order, direct that paragraph (c) of the proviso to sub-section (1) shall have effect as if after the words "His Majesty's Forces" wherever they occur there were inserted the words "or any Forces of any of His Majesty's Allies."

Sec. 2 of
No. 16/39.

Sec. 2 of
No. 29/40.

No. 18/46
p. 127.

MINING. CAP. 94.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
Schedule I.	(a) Rule 23(2) revoked. (b) Form IV revoked. (c) Form IX revoked.	Sec. 39(2) of No. 25/38.
Schedule II.	Part III revoked.	Sec. 39(3) of No. 25/38.
Schedule III.	Revocation of : (a) items 6, 7, and 11 of Part I. (b) item 3 of Part II. (c) heading and sub-heading preceding para. 1, and paras. 1 to 8 inclusive, of Part III. Substitute "Royalties on Minerals other than Oil" for the heading preceding paragraph 9 of Part III.	Sec. 39(4) of No. 25/38.
30	Repealed.	Sec. 39 of No. 25/38.
31		
32		
51	Repealed.	Sec. 39 of No. 25/38.
52		
85	Delete "in the same manner as other interests in land."	Sec. 2(1) of No. 8/40.
86(4)	Sub-section (4) replaced. (See appendix No. 1)	Sec. 3 of No. 8/40.
109A	Section 109A added. (See appendix No. 2)	Sec. 4 of No. 8/40.

MINING. CAP. 94.

Apdx. 1 Sec. 86(4).

(4) A copy of every instrument required to be registered in the Mines branch as aforesaid, together with a copy of any map or plan necessary for the identification of the land referred to in the instrument, shall be filed in the appropriate Land Registry.

Sec. 3 of
No. 8/40.

Apdx. 2 Sec. 109A.

109A.—(1) Notwithstanding anything in any law or Ordinance contained, no person shall remove, or excavate with a view to removing, sand or gravel from any foreshore situated within the area of any municipal corporation or local council, save under a licence issued by the District Commissioner. The District Commissioner may in his unfettered discretion grant or refuse such licence, or at any time revoke any licence so granted, and may attach any conditions to the grant thereof.

Licences to
remove sand,
etc., from
foreshore.

Sec. 4 of
No. 8/40.

(2) For the purposes of this section "foreshore" means the bed and shore of the sea and of every channel, creek, bay or estuary, and of every river so far up that river as the tide flows, and any cliff, bank, barrier, dune, beach, flat or other land adjacent to the shore.

(3) Nothing in this section, or in any licence granted thereunder, shall affect the right of any person to prohibit, restrict or impose conditions as to the excavation, removal or other disturbance of any materials if he might have exercised that right apart from this section:

Provided that in the exercise of any such right no person may permit the doing of any act or thing which would be unlawful under this section.

(4) For the purpose of section 111 of this Ordinance a person doing any of the acts prohibited under sub-section (1) shall be deemed to be working a quarry, and a licence under that sub-section shall be deemed to be a licence to quarry.

MUNICIPAL COURTS. CAP.97.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
4	Delete "in Article 254 to 265 inclusive of the Ottoman Penal Code, or".	Sec. 2 of No. 9/39.
4(1)	Substitute "twenty pounds" for "five pounds".	Sec. 2 of No. 40/45.
The Schedule.	Replaced. (See appendix No. 1)	Suppl. 2/42 p. 326 .

Apdx. 1

THE SCHEDULE.

The Advertisements Ordinance.

Cap. 1,

The Criminal Code Ordinance, — sections 101(1), (3) and (4) and sections 103, 196, 197, 380, 381, 383, 384 and 385.

No. 74 of 1936.

The Public Entertainments Ordinance, 1935 .

No. 5 of 1935.

The Public Health Ordinance, 1940 .

No. 40 of 1940.

The Public Health (Rules as to Food) Ordinance, 1935.

No. 6 of 1935.

The Road Transport Ordinance.

Cap. 128.

The Sale of Intoxicating Liquor Ordinance, 1935.

No. 4 of 1935.

The Town Planning Ordinance, 1936.

No. 28 of 1936.

The Trades and Industries (Regulation) Ordinance.

Cap. 143.

TABLE OF AMENDMENTS

How affected

Amended by

Section No.

Schedule
II
Item 10.

Item 10 replaced.
(See appendix No. 1)

Sec. 2 of
No. 5/37.

Apdx. I Schd. II, Item 10.

10. For certifying to a copy of any document or part of a document

If exceeding 100 words, for every additional 100 words or fraction thereof

Mils

250

100

Sec. 2 of

No. 5/37.

TABLE OF AMENDMENTS

<i>Section No.</i>	<i>How affected</i>	<i>Amended by</i>
2(d)	Substitute "on behalf of His Majesty" for "on behalf of the Government". Substitute "obstruction" for "construction".	Sec. 2 of No. 35/45.
3(1) (2)	Delete "within the meaning of this Ordinance" appearing in sub-sections (1) and (2).	Sec. 3 of No. 35/45.
4(a)	Insert "it" immediately after "his duty to communicate".	Sec. 4 of No. 35/45.
7	Replaced. (See appendix No. 1)	Sec. 5 of No. 35/45.
8(b)	Substitute "police officer" for "police constable".	Sec. 6 of No. 35/45.
9	Insert "safety or interests of the" immediately before "State".	Sec. 7 of No. 35/45.
10(2) (c)	Delete "such" appearing before "a foreign agent resides".	Sec. 8 of No. 35/45.
12	Replaced. (See appendix No. 2)	Sec. 9 of No. 35/45.
13	Insert "other than an offence against section 16" after "this Ordinance".	Sec. 10 of No. 35/45.
14(1)	Substitute "police officer" for "constable" appearing in sub-sections (1) and (2).	Sec. 11 of No. 35/45.
16(1)	Substitute "Inspector General of Police" for "Inspector General of Police and Prisons".	Sec. 12(a) of No. 35/45.
16(4)	Substitute "three months or a fine of fifty pounds" for "one month or a fine of ten pounds".	Sec. 12(b) of No. 35/45.
17	Replaced. (See appendix No. 3)	Sec. 13 of No. 35/45.

Apdx. 1 Sec. 7.

7.—(1) Any person who for the purpose of gaining admission or of assisting any other person to gain admission to a prohibited place or for any other purpose prejudicial to the safety or interests of the State —

(a) uses or wears, without lawful authority, any naval, military, air force, police or other official uniform, or any uniform so nearly resembling the same as to be calculated to deceive, or falsely represents himself to be a person who is or has been entitled to use or wear any such uniform, or

(b) orally, or in writing in any declaration or application or in any document signed by him or on his behalf, knowingly makes, or connives at the making of, any false statement or any omission, or

(c) forges, alters, or tampers with, or destroys, any passport or any naval, military, air force, police or official pass, permit, certificate, licence or other document of a similar character (in this section referred to as "an official document"), or uses or has in his possession any such forged, altered or irregular official document, or

(d) personates, or falsely represents himself to be, a person holding, or in the employment of a person holding, office under His Majesty, or to be or not to be a person to whom an official document or secret official code word or pass word has been duly issued or communicated, or, with intent to obtain an official document, secret official code word or pass word, whether for himself or any other person knowingly makes any false statement, or

(e) has in his possession or under his control any official die, seal or stamp, any impres-

Unauthorised use of uniforms, falsification of reports, forgery, personation and false documents.
Sec. 5 of No. 35/45.

sion of such a die, seal or stamp, or any official paper, or

(f) counterfeits any official die, seal or stamp, or has in his possession or under his control any counterfeited official die, seal or stamp, or anything so closely resembling an official die, seal or stamp as to be calculated to deceive, or any paper so closely resembling official paper as to be calculated to deceive, is guilty of a misdemeanour.

(2) For the purposes of this section, any die, seal, stamp or paper shall be taken to be an official die, seal or stamp, or official paper, as the case may be, if, but only if, it is specially designed for use in His Majesty's service, in the service of a foreign government or for the purposes of a police force.

Apdx. 2 Sec. 12.

12. If any person knowingly harbours any person whom he knows, or has reasonable grounds for supposing, to be a person who is about to commit or has committed an offence under this Ordinance, or knowingly permits to meet or assemble in any premises in his occupation or under his control any such persons, or if any person, having harboured any such person or permitted to meet or assemble in any premises in his occupation or under his control any such persons, wilfully omits or refuses to disclose to the superior police officer in charge of a District any information which it is in his power to give in relation to any such person, he is guilty of a misdemeanour.

Penalty for
harbouring
spies.
Sec. 9 of
No. 35/45.

Apdx. 3 Sec. 17.

17.—(1) Where the superior police officer in charge of a District is satisfied that there is reasonable ground for suspecting that an offence against section 3 has been committed and for believing that any person is able to furnish information as to the offence or suspected offence, he may apply to the Inspector-General of Police for permission to exercise the powers conferred by this subsection and, if, such permission is granted, he may authorise any police officer not below the rank of inspector to require the person believed to be able to furnish information to give any information in his power relating to the offence or suspected offence, and, if so required and on tender of his reasonable expenses, to attend at such reasonable time and place as may be specified by the police officer authorised as aforesaid; and if a person required in pursuance of such an authorisation to give information, or to attend as aforesaid, fails to comply with any such requirement or knowingly gives false information, he is guilty of a misdemeanour.

(2) Where the superior police officer in charge of a District has reasonable grounds to believe that the case is one of great emergency and that, in the interest of the State, immediate action is necessary, he may exercise the powers conferred by subsection (1) without applying for or being granted the permission of the Inspector-General of Police, but if he does so shall forthwith report the circumstances to the Inspector-General of Police.

(3) References in this section to a superior police officer in charge of a District shall be construed as including references to any other superior police officer expressly authorised by a superior police officer in charge of a District to act on his behalf for the purposes of this section when by reason of illness, absence, or other cause, he is unable to do so.

Duty of giving information as to commission of offence.
Sec. 13 of No. 35/45.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "district court" replaced. (See appendix No. 1)	No. 1/37 p. 92.
	Definition of "His Majesty's dominions" inserted after the definition of "district court": (See appendix No. 1)	No. 1/37 p. 92.
8	Replaced. (See appendix No. 2)	No. 1/37 p. 93.
20A	Section 20A added. (See appendix No. 3)	No. 1/37 p. 93.
38(2)	Delete "certified".	No. 1/37 p. 95
51(2) (d)	Paragraph (d) replaced. (See appendix No. 4)	Sec. 2 of No. 19/38.
52 52A 52B	Section 52 replaced. (See appendix No. 5)	No. 1/37 p. 95.
55(6)	Substitute "obtaining relief by way of injunction and/or damages" for "the recovery of damages".	Sec. 3 of No. 19/38.
56(1) (f)	Paragraph (f) replaced. (See appendix No. 6)	Sec. 4 of No. 19/38.

Apdx. 1 Sec. 2.

"district court" means the district court or district courts appointed by Order of the High Commissioner to exercise jurisdiction under this Ordinance;

No. 1/37.

"His Majesty's dominions" includes the British Protectorates and Protected States and any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty;

No. 1/37.

Apdx. 2 Sec. 8.

8.—(1) The registrar may at any time before acceptance of the specification require the applicant to make such amendments in the application or specification as may be requisite to secure compliance with the provisions of sections 5 and 6 hereof.

(2) If it appears to the registrar that the invention claimed by the applicant has been claimed or described:—

(a) in any specification previously lodged, or patent previously registered, or

(b) in any specification or patent for the protection or registration of which application has been made entitling any other person to a patent or to registration in priority to the applicant by virtue of the provisions of section 25 or section 52 of this Ordinance (whether or not the specification of the applicant has been already accepted or a patent granted to him in respect of his invention), he shall notify the applicant accordingly and may require any such amendment as may be requisite, provided that it shall in no case be the duty of the registrar to make any investigation for the purpose of ascertaining whether the invention claimed has been so claimed, described or registered.

(3) Where an application or specification has been amended, the application shall, if the registrar so directs, bear date as from the date of the amendment.

(4) If the registrar is satisfied that the invention claimed by the applicant has been already claimed or described —

(a) in any specification previously lodged or patent previously registered, or

(b) in any specification or patent for the protection or registration of which application

Examination
and amend-
ment of spe-
cification.

No. 1/37.

p. 93.

has been made entitling any other person to a patent or to registration in priority to the applicant by virtue of the provisions of section 25 or section 52 of this Ordinance (whether or not the specification of the applicant has been already accepted or a patent granted to him in respect of his invention), he shall, unless the objection is removed by amending the specification to his satisfaction, determine whether a reference to any and if so to what, other specification ought to be made in the specification of the applicant by way of notice to the public: Provided that the registrar, if satisfied that the invention claimed has been wholly and specifically claimed in any specification previously lodged, shall refuse to accept the specification for such invention.

(5) The registrar shall refuse to accept any application and specification for an invention the use of which would be, in his opinion, contrary to law or to morality or to public policy.

Apdx. 3 Sec. 20 A.

20 A. The exhibition of an invention at an industrial or international exhibition, or the publication of any description of the invention during the period of the holding of the exhibition, or the use of the invention for the purpose of the exhibition in the place where the exhibition is held, or the use of the invention during the period of the holding of the exhibition by any person elsewhere, without the privity or consent of the inventor, or the reading of a paper by an inventor before a learned society or the publication of the paper in the society's transactions, shall not prejudice the right of the inventor to apply for and obtain a patent in respect of the invention or the validity of any patent granted on the application, provided that —

- (a) the exhibitor, before exhibiting the invention, or the person reading such paper or permitting such publication, gives the registrar the prescribed notice of his intention to do so; and
- (b) the application for a patent is made before or within six months from the date of the opening of the exhibition, or the reading or publication of such paper.

Apdx. 4 Sec. 51(2)(d).

- (d) decision with respect to an opposition to the grant of a patent;

Exhibition
of invention
not to pre-
judice right
to a patent.
No. 1/37.

Sec. 2 of
No. 19/38.

Apdx. 5 Sec. 52.

52.—(1) If His Majesty on behalf of the Administration of Palestine is pleased to make any arrangement with the Government of any foreign state for the mutual protection of inventions or designs, then any person who has applied for protection for any invention or design in that state, or his legal representative or assignee, shall be entitled to a patent for his invention or to registration of his design under this Ordinance in priority to other applicants, and the patent or registration shall have the same date as the date of the application in the foreign state :

Provided that —

- (a) the application is dated in the case of a patent within twelve months, and in the case of a design within six months, from the application for protection in the foreign state, and
- (b) nothing in this section shall entitle the patentee or proprietor of the design to recover damages for infringements happening prior to the actual date on which his specification is accepted, or his design is registered in Palestine.

(2) The patent granted for the invention or the registration of a design shall not be invalidated :-

- (a) in the case of a patent, by reason only of the publication of a description of, or use of, the invention; or
- (b) in the case of a design, by reason only of the exhibition or use of, or the publication or a description or representation of, the design,

in Palestine during the period specified in this section as that within which the application may be made.

(3) The application for the grant of a patent or the registration of a design, under this section,

Grant of patents or registration of designs in pursuance of International Convention.
No. 1/37.

must be made in the same manner as an ordinary application under this Ordinance.

(4) the provisions of sub-sections (1), (2) and (3) of this section shall apply only in the case of those foreign states with respect to which the High Commissioner by Order in Council declares them to be applicable, and so long only in the case of each state as the Order continues in force with respect to that state.

(5) Where it is made to appear to the High Commissioner that the legislature of any part of His Majesty's dominions has made satisfactory provision for the protection of inventions and designs patented or registered in Palestine it shall be lawful for the High Commissioner by Order in Council to apply the provisions of sub-sections (1), (2) and (3) of this section to that part of His Majesty's dominions with such variations and additions, if any, as may be stated in the Order.

52A.—(1) Subject to the provisions of this section the rights of a patentee shall not be deemed to be infringed —

- (a) by the use on board a foreign vessel of the patented invention in the body of the vessel or in the machinery, tackle, apparatus or other accessories thereof, if the vessel comes into the territorial jurisdiction waters of Palestine temporarily or accidentally only, and the invention is used exclusively for the actual needs of the vessel;
- (b) by the use of the patented invention in the construction or working of a foreign aircraft or land vehicle or of the accessories thereof if the aircraft or vehicle comes into Palestine temporarily or accidentally only.

(2) This section shall apply only to vessels, aircraft and land vehicles of a foreign state with respect to which the High Commissioner by Order in Council declares that the laws thereof confer

Application of sub-sections (1), (2) and (3) to His Majesty's dominions.

Special provisions as to vessels, aircraft and land vehicles.
No. 1/37.
p. 97.

corresponding rights with respect to the use of inventions in vessels, aircraft and land vehicles of Palestine when coming into the foreign state or the territorial waters thereof.

(3) For the purposes of this section, vessels and aircraft shall be deemed to be vessels, and aircraft of the country in which they are registered, and land vehicles shall be deemed to be vehicles of the country within which the owners are ordinarily resident.

(4) The High Commissioner may by Order in Council apply this section to vessels, aircraft and land vehicles of a part of His Majesty's dominions in like manner as to vessels, aircraft and land vehicles of a foreign state.

52 B. All orders of the High Commissioner in Council prior to the twenty-sixth day of February, 1935, shall have effect as if made under section 52 or 52 A of this Ordinance; and reference in any such order to section 51 of the Patents and Designs Ordinance, 1924, shall be deemed to refer to section 52 or 52 A of this Ordinance.

Apdx. 6 Sec. 56(1)(f).

(f) for regulating the keeping of the register of patent agents under this Ordinance;

Saving provisions in respect of orders made prior to the twenty-sixth day of February, 1935.
No. 1/37.
Sec. 4 of No. 19/38

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3(1)	Substitute "High Commissioner" for "High Commissioner in Council".	Sec. 2 of No. 24/40.
5	Replaced. (See appendix No. 1)	No. 1/37 p. 103.

PENSIONS (NURSING SISTERS). CAP. 108.

Apdx. 1 Sec. 5.

5.—(1) No nursing sister shall have an absolute right to compensation for past services or to any retiring allowance.

(2) Where it is established to the satisfaction of the High Commissioner that a nursing sister has been guilty of negligence, irregularity, or misconduct, the retiring allowance may be reduced or altogether withheld.

Retiring
allowances
not of right.
No. 1/37
p. 103.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2(2)	Sub-section (2) replaced. (See appendix No. 1)	Sec. 2 of No. 20/39.

PETITION WRITERS (LICENSING). CAP. 109.

Apdx. 1 Sec. 2(2).

(2) A fee of two hundred and fifty mils shall be charged for the issue of a licence under this section, which shall include the cost of registration.

(3) A licence under this section shall expire upon the 31st day of March next after the issue thereof, but shall be renewable annually upon the payment of a fee of two hundred and fifty mils for each renewal.

Sec. 2 of
No. 20/39.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How amended</u>	<u>Amended by</u>
7	Replaced.	No. 1/37
8	(See appendix No. 1)	p. 103.
10	Replaced.	No. 1/37
	(See appendix No. 2)	p. 104.
13(d)	Paragraph (d) re-lettered as para-	No. 1/37
(e)	graph (f). Paragraphs (d) & (e) added.	p. 105.
(f)	(See appendix No. 3)	

Apdx. 1 Sec. 7.

7. For the purposes of sections 8 and 10 of this Ordinance —

"owner" includes any person who is entitled to a share of the rents or profits of the land whether or not he is in possession or is the registered owner of any share in such land.

8.—(1) Any plant inspector may by order in writing addressed —

- (a) to the owner of any land or plantation, or
- (b) to any one or more of the owners where the land is held in joint ownership,

direct any such owner to take within a definite time to be specified therein all such measures as may be necessary for the control of any disease or pest including in such measures the total destruction, if necessary, of any plants whether infected with any disease or infested with any pest or not.

(2) Service of any order made under this Ordinance may be made —

- (a) by sending the same by registered post to the owner, or
- (b) if the owner or his whereabouts is not known, by affixing the same in some conspicuous part of the land,

and such service shall be deemed to effect with notice of the order all the owners.

(3) If any owner shall fail to comply with the directions contained in any order served in accordance with this Ordinance, the Director of Agriculture or any officer authorised by him in writing for that purpose may with or without assistants enter upon the land and take such steps as may be necessary for properly and effectively carrying such order into execution.

Interpretation.
No. 1/37.

Power of plant inspector to order measures to be taken to control disease or pest.
No. 1/37.

Apdx. 2 Sec. 10.

10.—(1) The expenses incurred in carrying into effect any order made under this Ordinance shall be paid by the party in default, provided that it shall be lawful for the High Commissioner to dispense with the payment of such expenses or any part thereof.

Expenses.
No. 1/37.

(2) The owners of the land concerned shall be jointly and severally liable to the Government for the said expenses and such expenses may be recovered as a debt from any one or more of such owners. Nothing in this section shall be deemed to prejudice or affect —

- (a) the right of recourse of any owner against a co-owner in respect of such expenses, or
- (b) the liability of any owner to the penalty prescribed by section 12 for any offence under paragraph (b) of that section.

Apdx. 3 Sec. 13(d).

- (d) for the licensing, inspection and control of nurseries or other places in which plants are reared for purposes of sale or other method of disposal;
- (e) for the charging of fees in respect of any licences issued or inspections or treatment carried out by or under rules under this Ordinance;

No. 1/37.

POLICE. CAP. 112.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "District Commissioner" deleted. Delete "and includes the prison service" in the definition of "Force". Delete "of police and jails" in the definition of "inspector". Delete "and Prisons" in definition of "Inspector General".	Sec. 2 of No. 4/46.
6 Proviso	Proviso added at end of sec. 6. (See appendix No. 1)	Sec. 2 of No. 22/39.
8	Replaced. (See appendix No. 2)	Sec. 3 of No. 4/46.
9A	Section 9A added. (See appendix No. 3)	Sec. 2 of No. 38/38. Sec. 2(1) of No. 39/40.
14A.	Section 14A added. (See appendix No. 4)	Sec. 4 of No. 4/46.
18	Replaced. (See appendix No. 5)	Sec. 5 of No. 4/46.
25 Proviso	Add the following at the end of the proviso. (See appendix No. 6)	Sec. 2 of No. 42/39. Sec. 6 of No. 4/46.
28	Replaced. (See appendix No. 7)	Sec. 3 of No. 39/40. Sec. 7 of No. 4/46. No. 1/37, p. 105.

POLICE. CAP. 112.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
29(5)	Substitute "Subject to the provisions of this Ordinance, no" for "No" appearing at the beginning of paragraph (5) and add the following at the end thereof. (See appendix No. 8)	Sec. 8 of No. 4/46. Sec. 4 of No. 39/40.
32	Replaced. (See appendix No. 9)	No. 1/37, p. 105.
33(b)	Paragraph (b) replaced. (See appendix No. 10)	No. 1/37, p. 106.
34 35	Replaced. (See appendix No. 11)	No. 1/37, p. 106.
Part IX.	Part IX replaced. (See appendix No. 12)	Sec. 2 of No. 5/45. Sec. 9 of No. 4/46.
51 52	Sections 51 & 52 (as enacted by the Police (Amendment) Ordinance, 1940) replaced. (See appendix No. 13)	Sec.15 of No. 4/46.

POLICE. CAP. 112.

Apdx. 1 Sec 6.

And provided also that nothing in this Ordinance contained shall be deemed to affect the power of the Crown to remove any police officer at pleasure.

Sec. 2 of
No. 22/39.

Apdx. 2 Sec. 8.

8. Every police officer shall be responsible for all public moneys entrusted to his care or that shall come into his possession and shall be charged with the arms, ammunition, accoutrement, clothing and public stores issued for the use of the Force under his command or for his own use and shall account for them to the Inspector General in the case of their being lost, damaged or destroyed unless it can be shown to the satisfaction of the Inspector General that such loss, damage or destruction was caused by unavoidable accident, by theft not attributable to any negligence on his part, or by actual service.

Financial
responsibility
of police
officers.
Sec. 3 of
No. 4/46.

POLICE. CAP. 112.

Apdx. 3 Sec 9A.

9A.—(1) Notwithstanding anything contained in this Ordinance or in any rules made thereunder any person applying to enter the Force may be enlisted for a term of six months. Persons so enlisted shall be known as temporary additional police officers and, save as hereinafter provided, shall be subject to the provisions of this Ordinance and to all rules prescribed thereunder.

(2) The Inspector-General may at any time discharge any temporary additional police officer from the Force upon giving him one month's notice in writing.

(3) A temporary additional police officer may give notice to the Inspector-General, in writing not later than one month before the expiration of such term of six months, of his intention not to renew such term. In the absence of any such notice such officer shall be deemed to have been enlisted under sub-section (1) for a further term of six months, unless he has been discharged under sub-section (2) or is enlisted for further service in the Force under section 9 of this Ordinance or under special contract.

(4) The provisions of sub-sections (2) and (3) as to the giving of notice shall apply to any such further term of six months as though it were an original term of six months under sub-section (1).

(5) The Police Good Conduct Pay Rules, the Police (Language Allowance) Rules and the Police Proficiency Pay Rules shall not apply to temporary additional police officers.

(6) The provisions of Part IX of this Ordinance shall not apply to temporary additional police officers, save that pensions and gratuities may be awarded to them under section 45, or to their dependants under section 46:

Provided that, where a temporary additional police officer is subsequently enlisted in the re-

Temporary additional police.

Sec. 2 of No. 38/38.

Sec. 2 of No. 39/40. No. 4/46.

gular police under section 9 of this Ordinance or under special contract, any previous unbroken service as a temporary additional police officer shall be taken into account as service qualifying for pension, gratuity or other allowance under Part IX of this Ordinance.

Apdx. 4 Sec. 14A.

14A. Notwithstanding the expiration of the period of service of any police officer, the High Commissioner may from time to time, by order, provide for the retention in the Force and prolongation of the service of any police officer, or of any class or other description of police officers, for the duration of any period which in the opinion of the High Commissioner is a period of emergency, and the service of any police officer by virtue of any such order shall be deemed to be part of the term of his engagement and the provisions thereof (other than those determining the period of the engagement) and the provisions of this Ordinance shall apply accordingly.

Prolongation of engagement in view of emergency. Sec. 5 of No. 4/46.

Apdx. 5 Sec. 18.

(1) It shall be lawful for the Inspector-General, as occasion arises, to constitute Courts of Discipline for the trial of police officers who have committed one or more of the following offences and any such police officer may be arrested and detained in the manner provided in section 17(1) :-

- (a) begins, raises, abets, countenances, incites or encourages any mutiny;
- (b) causes or joins in any sedition or disturbance whatsoever;
- (c) being at any assembly tending to riot, does not use his utmost endeavour to suppress such assembly;
- (d) having knowledge of any mutiny, riot, sedition or civil commotion or intended mutiny, riot, sedition or civil commotion, does not, without delay, give information thereof to his superior officer;
- (e) strikes, or offers violence to, his superior officer, such officer being in the execution of his duty;
- (f) deserts, or aids or abets the desertion of any police officer, from the Force;
- (g) displays cowardice in the execution of his duty;
- (h) is repeatedly guilty of serious offences to the prejudice of good order and discipline;
- (i) any offence contrary to the good order and discipline of the Force which the Inspector-General considers should be tried by a Court of Discipline.

(2) Such Courts of Discipline shall be constituted as follows :-

- (a) President — a Deputy Inspector-General or a District Superintendent, to be nominated by the Inspector-General;
- (b) Members — two Superior Police Officers, to be nominated by the Inspector-General.

Courts of Discipline for trial of certain offences.

Sec. 2 of No. 42/39.

Sec. 6 of No. 4/46.

No. 42/39.

POLICE. CAP. 112.

(3) An accused person about to be tried by a Court of Discipline may object for any reasonable cause to any member of such Court, including the President.

(4) Before a Court of Discipline tries an accused person the names of the members appointed to form the Court must be read out in his hearing and he must be asked whether he objects to any of them. If he raises an objection and the objection is allowed by the other members of the Court, then the person objected to shall retire and the vacancy shall be filled by another person.

(5) In the trial of such offences as aforesaid the procedure of Courts of Discipline shall be, as nearly as may be, in accordance with the Rules of Procedure made under the Army Act. In this subsection "Army Act" means the Imperial Statute 44 and 45 Vict. Cap. 58, as amended from time to time, or any Imperial enactment substituted therefor.

Sec. 6 of
No. 4/46.

(6) If the accused is found guilty of the charge made against him, such Court of Discipline may impose any one or more of the following punishments:-

Sec. 2 of
No. 42/39.

(a) imprisonment for a term not exceeding two years;

(b) a fine not exceeding three months' pay.

(7) Any sentence passed by a Court of Discipline shall be subject to confirmation by the Inspector-General, who shall have power to confirm, reduce or quash the same. If the Inspector-General confirms such sentence the accused shall be punished accordingly and shall, subject to the provisions of sub-section (8) hereof, be dismissed from the Force: in the case of a British police officer, an order for his deportation may be made by the High Commissioner.

(8) Any sentence passed by a Court of Discipline exceeding three months' imprisonment shall

be subject to confirmation by the High Commissioner who shall have power to confirm, reduce or quash the same.

(9) Every sentence passed by a Court of Discipline shall remain in abeyance until confirmed by the Inspector-General or the High Commissioner, as the case may be, and until such confirmation or otherwise the accused shall in all respects be treated as if he were a prisoner awaiting trial and, where the sentence is varied or confirmed, the punishment, in so far as it relates to imprisonment, shall date from the passing of the sentence of the same by the Court of Discipline.

Apdx. 6 Sec. 25.

but in the event of his permanent injury or death in the circumstances set out in section 45 or 46; he or his dependants may be awarded a gratuity and/or pension in accordance with the provisions of those sections.

Sec. 3 of
No. 39/40.
Sec. 7 of
No. 4/46.

Apdx. 7 Sec. 28.

28.—(1) This Part may be applied by an order of the District Commissioner —

- (a) to any tribal area in his district;
- (b) to any other area in his district not being a village area or area of a group of villages.

(2) In the application of this part to a tribal area or to any other area not being a village area or area of a group of villages the remuneration of the ghaffirs appointed shall be fixed and apportioned in a manner approved by the District Commissioner.

Application
of Part IV
to tribal and
other areas.
No. 1/37.
p. 105.

Apdx. 8 Sec. 29(5).

but in the event of his permanent injury or death in the circumstances set out in section 45 or 46; he or his dependants may be awarded a gratuity and/or pension in accordance with the provisions of those sections: Provided that any gratuity and/or pension so awarded to a supernumerary constable or to his dependants shall not be payable, under subsection (3) of this section, by the person who required his services.

Sec. 4 of
No. 39/40.
Sec. 8 of
No. 4/46.

Apdx. 9 Sec. 32.

32.—(1) When it shall appear that an unlawful assembly, riot or disturbance of the peace has taken place or may be reasonably apprehended, it shall be lawful for the District Commissioner or a Magistrate or a superior police officer to direct any person owning, or holding a licence to open or carry on, any café or other place of public resort (other than premises licensed for the sale of intoxicating liquor), or any club premises, to close such premises during any period which the officer making the order may consider proper.

(2) Any person who keeps open any premises after having been ordered to close them in accordance with this section is guilty of an offence and is liable to imprisonment for six months or a fine of fifty pounds or both such penalties, and it shall be lawful for any police officer, after such order has been given, to use such force as may be necessary for the purpose of closing the premises.

Closing of
cafes and
places of
public
resort.
No. 1/37
p. 105.

Apdx. 10 Sec. 33(b).

(b) where any person is found in any public place in possession of any knife, stick, bludgeon, iron bar, stone or weapon of any sort or description which in the opinion of a police officer he is carrying for the purpose of assisting in a disturbance or he is likely to use in case of a disturbance, such knife, stick, bludgeon, iron bar, stone or weapon may be confiscated or detained forthwith. Any such person, and any person inciting others to assemble either by word or writing, or by any other means, and any person singing a song or making use of words or gestures which in the opinion of a police officer are likely to lead to a breach of peace, may be arrested without warrant, and on conviction before a magistrate shall be liable to the same penalties as those provided under paragraph (a) of this section.

No. 1/37
p. 106.

Apdx. 11 Sec. 34.

34. For the purposes of sections 35 and 35 A. of this Ordinance —

“meeting” means fifty or more persons assembled for the purpose of hearing any speech or address upon any topic of political interest, or for the purpose of any discussion upon any such topic;

“procession” means fifty or more persons proceeding together or assembling with the object of proceeding together from one place to another whether actually moving or not, and whether such persons are or are not organised in any formation.

35.—(1) The district superintendent may if in his opinion it is necessary so to do for the maintenance of public security or public order require by general or special public notice that any person desiring to convene, organise or hold within his district any meeting or procession shall apply in writing not less than five days or such other period as may be specified in such notice before the day of the proposed meeting or procession to the district commissioner for a licence to hold such a meeting or procession.

Any such general notice may apply to the whole or any part of such superintendent’s district as may be stated therein and any such general or special notice shall remain in force until varied or revoked by a subsequent notice published by such superintendent.

For the purposes of this sub-section —

“district” means police district;

“police district” means the district or sub-districts, the police situated in which are under the command of the superior police officer issuing the notice.

(2) The district commissioner upon the application of any person for a licence made in con-

Meeting and procession defined.

No. 1/37
p. 106.

Regulation and licensing of meetings and processions.

No. 1/37.

POLICE. CAP. 112.

sequence of any notice published under the provisions of sub-section (1) hereof may —

- (a) grant such licence, or
 - (b) grant such licence subject to such terms or conditions or the giving of bonds or otherwise as he may think fit to impose, or
 - (c) refuse to grant such licence without assigning any reason therefor.
- (3) No fees shall be charged in respect of any licence granted by any district commissioner under the provisions of this section.

(4) Where any licence is issued by a district commissioner under the provisions of this section subject to any terms or conditions such terms or conditions shall be endorsed thereon. A copy of any such licence together with any terms and conditions endorsed thereon shall be published by the district commissioner.

(5) The district commissioner may at any time and without assigning any reason cancel any licence issued by him under the provisions of this section. Notification of any such cancellation shall be published by the district commissioner.

(6) The provisions of the Ottoman Law of 20th Jamada el Awal, 1327 A.H. regulating the holding of public meetings shall not apply to any meeting the holding of which is subject to the terms of any notice issued by a district superintendent under section 35(1) of this Ordinance.

35 A. Where any notice has been published by the district superintendent under the provisions of section 35(1) of this Ordinance, and

- (a) any meeting or procession to which such notice applies which has not been licensed under the provision of section 35(2) of this Ordinance is held, or
- (b) any meeting or procession to which such notice applies fails to comply with any terms or conditions of any licence issued under the provisions of section 35(2) of this Ordinance,

No. 1/37.

POLICE. CAP. 112.

such meeting or procession shall be deemed to be an unlawful assembly, and any person taking part therein shall be guilty of an offence and shall be liable to the penalties imposed by any Ordinance for the time being in force upon any person taking part in an unlawful assembly.

35 B.—(1) The district superintendent may as occasion requires —

(a) subject to the terms and conditions of any licence issued under the provisions of section 35 of this Ordinance, direct the conduct of all gatherings and processions on the public roads or in the public streets or thoroughfares and prescribe the routes by which such processions may pass, and

(b) regulate the extent to which music may be used in the street and on the occasion of festivities and ceremonials.

(2) Any gathering or procession which neglects or refuses to obey any direction or order given under subsection (1) hereof shall be deemed to be an unlawful assembly, and any person taking part therein after the giving of such direction or order shall be guilty of an offence and shall be liable to the penalties imposed by any Ordinance for the time being in force upon any person taking part in an unlawful assembly.

(3) Any person who fails to comply with any order or direction issued by the district superintendent as to the extent to which music may be used under sub-section (1) hereof shall be guilty of an offence and shall be liable to a fine not exceeding twenty pounds.

Certain
powers of
district super-
intendent.
No. 1/37.

Apdx. 12 Sec. 39.

Part IX — PENSIONS AND GRATUITIES

39. In this part, unless the context otherwise requires

“annual pay” means the rate of annual pay, including good conduct and proficiency pay, payable to a member of the Force at the date of his ceasing to be a member of the Force, if he has held his office, or an office with the same annual pay, for a period of three years immediately preceding such date; otherwise one-third of the aggregate pay of the offices held by him during the three years immediately preceding such date, for the periods for which he held those offices:

Provided that, in the case of a member of the Force retired on grounds of ill health, the annual pay shall mean the rate of annual pay, including good conduct and proficiency pay, payable to the officer at the date of such retirement;

“member of the Force” includes any police officer other than a superior police officer or a British inspector of police.

40.—(1) There shall be charged on, and paid out of, the revenues of Palestine all such sums of money as may from time to time be granted by the High Commissioner by way of pension, gratuity or other allowance in accordance with this Ordinance.

(2) Notwithstanding anything contained in this Ordinance or in any other Ordinance or law, there shall be charged on, and paid out of, the revenues of Palestine all such sums of money as may be granted by the High Commissioner —

(a) to any person in respect of any incapacity or injury suffered or sustained by him and attributable to, or arising out of, the discharge of his duty as a special police officer appointed under section 31, or

Interpre-
tation.
Sec. 2 of
No. 5/45.

Pensions etc.
to be charged
on revenues
of Palestine.
No. 5/45.

(b) to any person who was wholly or mainly dependent on any person appointed as a special police officer under section 31, in respect of the death of such latter person attributable to, or arising out of, the discharge by such person of his duty as such special police officer :

Provided that, in the granting of any such sum of money to any person under the provisions of this sub-section, regard shall be had to any pension, gratuity or other allowance paid or payable to such person under any other provisions of this Ordinance or under any provision of any other Ordinance or law :

Provided further that a sum of money granted under this subsection to a special police officer or to his dependants shall not exceed in amount such sum as could be granted under this Ordinance in similar circumstances to a regular member of the Force or to his dependants.

41.—(1) No member of the Force shall have an absolute right to compensation for past service or to a pension, gratuity or other allowance; nor shall anything in this Ordinance contained limit the right of the Crown to dismiss any member of the force without compensation.

(2) Where, in accordance with the provisions of this Ordinance, a pension, gratuity or other allowance may be granted to two or more persons, the manner of distribution thereof among the said persons shall, unless otherwise expressly provided in this Ordinance, be determined by the High Commissioner, whose decision shall be final and shall not be the subject of proceedings in any Court.

(3) Where it is established to the satisfaction of the High Commissioner that a member of the Force has been guilty of negligence, irregularity

Pensions etc.
not of right.
No. 5/45.

POLICE. CAP. 112.

or misconduct, the pension, gratuity or other allowance may be reduced or altogether withheld.

42. No pension, gratuity or other allowance shall be granted to any member of the Force in respect of any service —

- (a) while on probation, unless, without break of service, he is confirmed in his appointment; or
- (b) other than service in the Force, while under the age of twenty years; or
- (c) in Palestine prior to the first day of July, 1920; or
- (d) forming part of any uncompleted term of service:

Provided that —

(i) any term of service which, before its completion, is terminated by the Government of Palestine shall be deemed to be a completed term of service for the purposes of this section; and

(ii) if, having regard to all the circumstances of the case, the High Commissioner thinks it proper so to do, he may direct that the service of any member of the Force forming part of any uncompleted term of service shall be deemed to be service qualifying for pension, gratuity or other allowance; and

(iii) any service in the Force while he is on probation, and any service other than service in the Force while he is under the age of twenty years, may be taken into account for the purposes of pension awardable under section 45.

43.—(1) Subject to the provisions of this Ordinance, the High Commissioner may grant gratuities as follows:—

- (a) to any member of the Force who has completed five years' service in the Force but is not eligible either for a gratuity under para-

Service not qualifying for pension, etc.

No. 5/45.

Sec. 9 of

No. 4/46.

Gratuities on termination of service or death.

No. 5/45.

graph (b) of this subsection or for a pension under this Ordinance, a gratuity at the rate of one twenty-fourth part of his annual pay for each of the first five years of his service and a gratuity at the rate of one twelfth part of his annual pay for each additional year of service after the first five years;

(b) to any member of the Force who has completed less than fifteen years' service and is retired on medical evidence to the satisfaction of the High Commissioner or the Secretary of State that, by reason of some infirmity of mind or body incurred without his own default he is incapable of discharging the duties of his office and that such infirmity is likely to be permanent, a gratuity of one twelfth part of his annual pay for each year of service;

(c) to any member of the Force who, having previously served in the Palestine Gendarmerie, received no gratuity in respect of that service and was appointed to the Force either without break of service or after a break not exceeding three months, a gratuity in respect of his service with the Palestine Gendarmerie calculated in accordance with the conditions of his service in that Force, in addition to any gratuity which may be awarded to him under any other provision of this section;

(d) to such person or persons not being a person or persons to whom a pension is granted under Section 46, as the High Commissioner may determine, where a member of the Force dies while in the service, a gratuity not exceeding one twelfth part of the annual pay of such member of the Force for each year of his service, or not exceeding one year's annual pay of such member of the Force, whichever is the smaller;

POLICE. CAP. 112.

Sec. 10 of
No. 4/46.

Provided that a gratuity under this paragraph may be granted irrespective of the period of service of the deceased member of the Force in any case which in the opinion of the High Commissioner is a case of proved destitution or hardship, and a gratuity granted in such circumstances shall not be less than half of the annual pay of such member of the Force.

(2) No gratuity granted under the provisions of paragraph (a) or (b) of sub-section (1) shall become payable to any member of the Force until he retires or is discharged from the Force.

44. Subject to the provisions of this Ordinance, the High Commissioner may grant to any member of the Force who —

Grant of
pension.
No. 5/45.

(a) has completed fifteen years' service and, though willing to re-enlist, is not re-engaged; or

(b) having been re-engaged after completing fifteen years' service, is retired on medical evidence to the satisfaction of the High Commissioner that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office, and that such infirmity is likely to be permanent; or

(c) has completed twenty-five years' service and has retired from the Force, a pension in like manner as if he had held a pensionable office and were eligible for a pension under the Pension Ordinance, 1944.

No. 1 of 1944.

44A.—(1) The High Commissioner may, if, having regard to all the circumstances of the case, he thinks proper so to do, direct that the service of any member of the Force under the Government of Palestine (otherwise than in the Palestine Gendarmerie or before the first day of July, 1932, in a municipal police force) prior to his becoming a member of the Force shall be taken into account to such extent as the High Commissioner may

Service
prior to
service in
the Force.
No. 5/45.
No. 4/46.

POLICE. CAP. 112.

think appropriate for the purposes of pension or gratuity as though such service had been service in the Force and, if the High Commissioner so directs, such service shall be so taken into account.

(2) Service in the Palestine Gendarmerie shall be taken into account for the purposes of pension or gratuity as though it had been service in the Force in any of the following cases, that is to say —

- (a) if the member of the Force was transferred without break of service from the Palestine Gendarmerie to the Force, and if he did not receive a gratuity in respect of service in the Palestine Gendarmerie; or
- (b) if the member of the Force was transferred without break of service from the Palestine Gendarmerie to the Force, and having received a gratuity in respect of service in the Palestine Gendarmerie he refunds such gratuity by such instalments and within such period as the High Commissioner may decide; or
- (c) if the member of the Force, after having served in the Palestine Gendarmerie, was appointed to the Force after a break of service not exceeding three months (which break shall be regarded as leave without pay) and he refunds in the manner prescribed in paragraph (b) of this sub-section the gratuity (if any) received in respect of service in the Palestine Gendarmerie.

(3) The provisions of sub-section (2) shall apply with regard to service in a municipal police force before the first day of July, 1932, as they apply with regard to service in the Palestine Gendarmerie.

Sec. 11 of
No. 4/46.

45.—(1) Where a member of the Force is permanently injured —

- (a) (i) in the actual discharge of his duty, and
- (ii) without his own default; and

Pensions in
respect of
permanent
injury.
No. 5/45

POLICE. CAP. 112.

(iii) on account of circumstances specifically attributable to the nature of his duty; or
(b) in consequence of any act committed in Palestine which, in the opinion of the High Commissioner, was —

- (i) an act of terrorism; or
- (ii) an act attributable to serious and wide-spread disturbance in Palestine,

it shall be lawful for the High Commissioner to grant to him —

(i) if his retirement is thereby necessitated or materially accelerated and if he is not eligible for a pension under the provisions of section 44, a pension in like manner as if he had held a pensionable office and were eligible for a pension under paragraph (i) of Rule 11(1) of the Rules set out in the First Schedule to the Pensions Ordinance, 1944; and

No. 1 of 1944.

(ii) on retirement, in addition to any pension for which he may be eligible under the provisions of the preceding paragraph or of section 44, an additional pension based upon his actual annual pay at the date of his injury, appropriate to his case as shown in the following table —

When his capacity to contribute to his own support is —

slightly impaired	five sixtieths;
impaired	ten sixtieths;
materially impaired	fifteen sixtieths;
totally destroyed	twenty sixtieths;

Provided that —

(A) no member of the Force to whom a pension is awarded under the provisions of this subsection shall be granted a gratuity under the provisions of paragraph (a) or (b) of subsection (1) of section 43; and

(B) the amount of the additional pension may be reduced to such an extent as the High Com-

Sec 12 of
No. 4/46.

POLICE. CAP. 112.

missioner shall think reasonable where the injury is not the cause or the sole cause of retirement.

(2) Where a member of the Force proceeding by a route approved by the High Commissioner to or from Palestine at the commencement or termination of his service therein, or of a period of leave therefrom, is permanently injured as a result of damage to the aircraft, vessel or vehicle in which he is travelling, or of any act of violence directed against such aircraft, vessel or vehicle, and the High Commissioner is satisfied that such damage or act is attributable to circumstances arising out of war in which His Majesty may be engaged, such member of the Force shall be deemed, for the purposes of this section, to have been injured in the circumstances described in sub-section (1).

46.—(1) Where a member of the Force dies while serving in the Force as a result of injuries received —

Pensions in respect of death.
No. 5/45.

- (a) (i) in the actual discharge of his duty, and
(ii) without his own default; and
(iii) on account of circumstances specifically attributable to the nature of his duty; or
(b) in consequence of any act committed in Palestine which, in the opinion of the High Commissioner, was —
(i) an act of terrorism; or
(ii) an act attributable to serious and widespread disturbance in Palestine,

it shall be lawful for the High Commissioner to grant —

- (i) if the deceased leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding one fourth of his annual pay at the date of the injury, or of the maximum appropriate salary scale for a constable for the time being in force, whichever is the greater;

POLICE. CAP. 112.

(ii) if the deceased leaves a widow to whom a pension is granted under the preceding paragraph, and a child or children, a pension in respect of each child, until such child attains the age of eighteen years, of an amount not exceeding one fourth of the pension prescribed under the preceding paragraph;

(iii) if the deceased leaves a child or children, but does not leave a widow, or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen years, of double the amount prescribed by the preceding paragraph;

(iv) if the deceased leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this sub-section, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen years of double the amount prescribed in paragraph (ii) of this sub-section;

(v) if the deceased leaves a mother who was wholly or mainly dependent upon him for her support at the time of his death, a pension to the mother at a rate not exceeding one fourth of his annual pay :

Provided that —

(a) if the deceased leaves a widow to whom a pension is granted, the pension to the mother shall not exceed one-twelfth of his annual pay;

(b) if the deceased does not leave a widow, but leaves a child or children to whom a pension is granted, the pension to the mother shall not exceed one-twelfth of his annual pay :

Provided that —

(A) pension shall not be payable under this sub-

POLICE. CAP. 112.

section at any time in respect of more than five children; and

- (B) in the case of a pension granted under paragraph (v) of this sub-section, if the mother is a widow at the time of the grant of the pension and subsequently remarries, such pension shall cease as from the date of marriage; and if it appears to the High Commissioner at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the High Commissioner may determine;
- (C) a pension granted to a female child under this section shall cease upon the marriage of such child under the age of eighteen years.

(2) Where a member of the Force proceeding by a route approved by the High Commissioner to or from Palestine at the commencement or termination of his service therein, or of a period of leave therefrom, dies as a result of damage to the aircraft, vessel or vehicle in which he is travelling, or of any act of violence directed against such aircraft, vessel or vehicle, and the High Commissioner is satisfied that such damage or act is attributable to circumstances arising out of war in which His Majesty may be engaged, such member of the Force shall be deemed, for the purposes of this section, to have died in the circumstances described in sub-section (1) of this section.

(3) for the purposes of this section the word "child" shall include —

- (a) a posthumous child;
- (b) a step-child or illegitimate child born before the date of the injury, damage or act, as the case may be, and wholly or mainly dependent upon the deceased member of the Force for support, and
- (c) an adopted child, adopted in manner recognised by law, before the date of the injury,

POLICE. CAP. 112.

damage or act, as the case may be, and dependent as aforesaid.

47. For the purpose of calculating the amount of any pension granted under the provisions of section 44, 45 or 46, pensionable emoluments in the case of any member of the Force shall be deemed to be his annual pay and annual pay, in the case of a member of the Force who is a non-commissioned officer or constable of the British section of the Force, shall be deemed to be twice his actual annual pay.

Calculation
of pensions.
No. 5/45

48. If any member of the Force to whom a gratuity without pension has been granted under this Ordinance is reappointed to the Force after a break of service not exceeding three months, his previous service may be taken into account for the purpose of pension or gratuity if he refunds the first mentioned gratuity on such re-appointment.

Gratuity
affected by
reappoint-
ment.
Sec. 13 of
No. 4/46.

48A. A pension, gratuity or other allowance granted under this Ordinance shall not be assignable or transferable except for the purpose of satisfying —

Pensions etc.
not to be
assignable
etc.
No. 4/46.

- (a) a debt due to the Government; or
- (b) an order of any Court for the payment of periodical sums of money towards the maintenance of any wife, or former wife, or minor child, of the police officer to whom the pension, gratuity or other allowance has been granted, and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever, except a debt due to the Government.

48 B. If any member of the Force to whom a pension or other allowance has been granted under this Ordinance is adjudicated bankrupt or is declared insolvent by judgment of the Court, then such pension or allowance shall forthwith cease: Provided always that, in any case where a pen-

Pensions, etc.
to cease on
bankruptcy.
No. 5/45.

POLICE. CAP. 112.

sion or allowance ceases by reason of the bankruptcy or insolvency of the pensioner, it shall be lawful for the High Commissioner if the pensioner was adjudged bankrupt or declared insolvent in Palestine, or if elsewhere for the Secretary of State from time to time during the remainder of such pensioner's life, or during such shorter period or periods, either continuous or discontinuous, as he shall think fit, to cause all, or any part of, the moneys to which such pensioner would have been entitled by way of pension or allowance, had he not become bankrupt or insolvent, to be paid to or applied for the maintenance and personal support or benefit of all or any, to the exclusion of the other or others, of the following persons, namely such pensioner and any wife, child or children of his, in such proportions and manner as the High Commissioner or the Secretary of State, as the case may be, thinks proper, and such moneys shall be paid or applied accordingly.

48C. If any member of the Force to whom a pension or other allowance has been granted under this Ordinance is sentenced to a term of imprisonment by any competent court, whether within or without Palestine, for any crime or offence then, in every such case, it shall be lawful for the High Commissioner if the pensioner is imprisoned in Palestine, or if elsewhere for the Secretary of State, to direct that such pension or allowance shall forthwith cease:

Provided always that the pension or allowance shall be restored with retrospective effect in the case of a person who, after conviction, at any time receives a full pardon; and

Provided further that, where a pension or allowance ceases for the reason aforesaid, it shall be lawful for the High Commissioner or the Secretary of State, as the case may be, to cause all, or any part of, the moneys to which the pensioner

Pensions, etc.
to cease on
conviction.
No. 5/45.

POLICE. CAP. 112.

would have been entitled by way of pension or allowance to be paid to, or applied for the benefit of, any wife, child or children of the pensioner, or, after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of bankruptcy hereinbefore provided.

POLICE. CAP. 112.

Apdx. 13 Sec. 51.

51.—(1) In time of war or in other time of emergency the High Commissioner, with the consent of the Mandatory, may by Proclamation declare that the Force, or any part thereof, shall be a military force liable to be employed on military duties in the defence of Palestine, and such Proclamation shall state the limits within and the period for which the Force or any part thereof shall be so employed. Members of the Force to whom such Proclamation applied shall hold, in addition to their police ranks under this Ordinance, such military ranks as may be determined by order of the High Commissioner.

(2) The High Commissioner may make rules for the administration and discipline of the Force or part thereof serving as a military force, and generally for giving effect to the provisions of this section, and for those purposes may by such rules modify or amend the provisions of this Ordinance (other than this section). Subject to the provision of such rules, members of the Force to whom the Proclamation applies shall continue to be subject to the provisions of this Ordinance except so far as those provisions conflict, or are inconsistent, with any provisions of the Army Act for the time being applicable by virtue of the next following subsection.

(3) The provisions of the Army Act, 1881, of the United Kingdom (44 and 45 Vict. c. 58) and all Acts amending that Act (hereinafter together referred to as "the Act") with respect to discipline shall apply to a military force constituted under this section, but subject to the following provisions of this sub-section and to the exceptions, adaptations and modifications following, that is to say:—

(a) the provisions of sections 42, 43, 136 to 140 and 145 of the Act shall be excepted;

(b) the Inspector General shall be deemed to be

Employment
of the Force
as a military
force.

Sec. 15 of
No. 4/46.

POLICE. CAP. 112.

one of the authorities specified in subsection (1) of section 47 of the Act as having power to deal summarily with a charge specified in that sub-section;

(c) in section 48(3) of the Act, reference to officers who have held a commission during not less than three whole years shall be construed as including a reference to officers who have held the rank of assistant superintendent of police, or above, in the Palestine Police Force during not less than three whole years.

(d) For the purpose of the application of the said provisions of the Act as aforesaid, the following provisions shall have effect:-

(i) Reference in the Act to "His Majesty" or "Secretary of State" shall be construed as references to the High Commissioner;

(ii) The High Commissioner shall be a superior military authority within the meaning of the Act;

(iii) The Inspector General shall be a competent military authority within the meaning of the Act;

(iv) The members of the military force constituted under this section shall be deemed to be on active service within the meaning of the Act;

(v) No sentence of a court martial upon the trial of a member of the military force constituted under this section shall be carried into execution unless confirmed in manner prescribed by rules made by the High Commissioner under sub-section (2) of this section.

(4)(a) During such time as the Force or any part thereof shall, by virtue of any Proclamation under sub-section (1), be a military force liable to be employed on military duties, the Inspector General shall cause a certificate, in the following form, to be inserted upon or attached to the cer-

POLICE. CAP. 112.

ificate of appointment issued to every member of the Force to whom such Proclamation applies :-

.....is serving as a.....
.....(rank) in the Military Force constituted under section 51 of the Police Ordinance.

(b) Whenever any person who, at any time during his service in the Force, was a member of the military force constituted under this section, ceases to be a police officer, the Inspector General shall cause to be inserted upon the certificate of discharge issued to such person upon his discharge from the Force, a record in the following form :-

..... served from.....
..... 19..., to 194..., as a member of the Military Force constituted under section 51 on the Police Ordinance and held the rank of

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3	Delete "by a Court of Criminal As- size" appearing in the 2nd line.	Sec. 2 of No. 39/37.

PORTS. CAP. 114.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "Director" replaced. (See appendix No. 1)	No. 30/45. p. 154.
	Substitute "Port Manager" for "Port Officer" in definition of "officer in charge of the port".	Sec. 2 of No. 9/37.
	Insert the following definitions at the end of section 2. (See appendix No. 2)	No. 30/45. p. 154. Sec. 2 of No. 44/46.
3A-3E	Sections 3A, 3B, 3C, 3D, 3E added. (See appendix No. 3)	No. 30/45. p. 154. Sec. 3 of No. 44/46.
4(a)(vii)	Sub-paragraph (vii) added. (See appendix No. 4)	Sec. 3(a) of No. 9/37.
4(a)(viii)	Sub-paragraph (viii) added. (See appendix No. 4)	No. 30/45. p. 154.
4(b)	Paragraph (b) replaced. (See appendix No. 4)	Sec. 2 of No. 3/39.
4(ee)	Paragraph (ee) added. (See appendix No. 5)	No. 30/45, p. 154.
6	Replaced. (See appendix No. 6)	No. 30/45, p. 154.
7	Insert "or rivers" after "or seas" appearing in 3rd and 9th line.	Sec. 3 of No. 3/39.
8	Replaced. (See appendix No. 7)	No. 1/37, p. 110. No. 44/46.
9 Proviso	Add "to frequent the port for purposes connected with fishing only" at end of proviso.	Sec. 4 of No. 3/39.

PORTS. CAP. 114.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
10(2)	Insert "any officer or of" before "an officer".	No. 30/45, p. 154.
11	Substitute "the Ports Authority" for	No. 30/45,
13A	"the Director" wherever it appears in	p. 154.
15(4)	those sections.	
16		
16A		
17		
13	Replaced. (See appendix No. 8)	No. 1/37, p. 111.
13A	Section 13A added. (See appendix No. 8)	No. 51/46.
14(2)	Insert "any officer or by" after "re- moved by".	No. 30/45, p. 154.
14A—D	Sections 14A, 14B, 14C & 14D added. (See appendix No. 9)	No. 1/37, p. 111 No. 30/45, p. 154.
15(1)(ff)	Paragraph (ff) added. (See appendix No. 10)	No. 30/45, p. 154.
15(2)	Substitute "from the officer in charge of the port written permission to do so" for "a clearance certificate".	No. 30/45. p. 154.
15(2a)	Sub-section (2a) added. (See appendix No. 11)	No. 30/45. p. 154.
15A—B	Sections 15A & 15B added. (See appendix No. 12)	Sec. 5 of No. 3/39. No. 30/45, p. 154.
16A	Section 16A added. (See appendix No. 13)	No. 1/37, p. 112. No. 30/45,

PORTS. CAP. 114.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
17	Renumbered as section 17(1).	No. 30/45, p. 154.
17(1) (c)	Paragraph (c) replaced. (See appendix No. 14)	Sec. 4 of No. 9/37.
17(1) (j)	Substitute "of persons" for "or persons".	No. 30/45, p. 154.
17(1) (n) (o) (p) (pp) (q)	New paragraphs, sub-section (2), and section 18, 19, 20 and 21 inserted immediately after paragraph (m). (See appendix No. 15)	No. 30/45, p. 154. Sec. 3 of No. 51/46.
17(2)		
18—21		

PORTS CAP. 114.

Apdx. 1 Sec. 2.

"Ports Authority" means the General Manager of Railways;

No. 30/45.
p. 154.

Apdx. 2 Sec. 2.

"means of conveyance" means any vessel, carriage, vehicle, animal or aircraft used for the purpose of transporting goods;

No. 30/45.
p. 154.

"officer" includes —

- (a) all persons serving under the Ports Authority other than labourers, and
- (b) all persons (other than labourers) serving under any person who is for the time being authorised, by a delegation under subsection (1) of section 3B or by an authority under subsection (1) of section 3C, to exercise any power, or perform any duty, of the Ports Authority or the officer in charge of the port, as the case may be;

Sec. 2 of
No. 44/46.

"owner", when used in relation to goods, includes any person other than an officer or an officer of Customs, acting in his official capacity, who is, or holds himself out to be, the owner, importer, exporter, consignee, agent or person in possession of, or beneficially interested in, or having control of, or power of disposition over, the goods;

No. 30/45

"proper officer of the port" means any officer whose right or duty it may be to exact the performance of, or to perform the act referred to, and includes the officer in charge of the port;

"transit shed or stacking area" means any place provided by or under the control of the Ports Authority for the storage or depositing of goods in a port area, until such goods are cleared or otherwise disposed of according to law.

No. 44/46.

PORTS CAP. 114.

Apdx. 3 Sec. 3A.

3A. The Ports Authority shall, subject to the orders and directions of the High Commissioner, have the control and management of all ports.

3B.—(1)(a) The Ports Authority may, either generally or in relation to any particular matter or class of matters, by writing under his hand, delegate to any person any of the powers of the Ports Authority under this Ordinance or any rule or order made thereunder.

(b) Any delegation under this subsection may be made with retroactive effect.

(2) A delegation under subsection (1) shall be revocable at any time by the Ports Authority by writing under his hand, and nothing contained in any such delegation shall prevent the exercise by the Ports Authority of any power which is conferred upon him by this Ordinance or any rule or order made thereunder.

3C.—(1)(a) The Ports Authority may, either generally or in relation to any particular matter or class of matters, by an authority in writing under his hand, provide for the exercise or performance, by any person specified in such authority, of any power or duty which is by this Ordinance or any rule or order made thereunder conferred or imposed upon the officer in charge of the port.

(b) Any authority under this subsection may be given with retroactive effect.

(2) An authority under subsection (1) shall be revocable at any time by the Ports Authority by writing under his hand, and nothing contained in any such authority shall prevent the exercise by the officer in charge of the port of any power which is conferred upon him by this Ordinance or any rule or order made thereunder.

Functions of
Ports
Authority.

No. 30/45.

p. 154.

Power of
Ports

Authority to
delegate his
powers.

Sec. 3 of

No. 44/46.

Powers of
Ports
Authority to
provide for
discharge of
functions of
officer in
charge of the
port .

Sec. 3 of

No. 44/46.

PORTS . CAP. 114.

3D.—(1) Notwithstanding anything contained in the Interpretation Ordinance, 1945, or in this or any other Ordinance, the Ports Authority may, with the approval of the High Commissioner, in any delegation under subsection (1) of section 3B, or in any authority under subsection (1) of section 3C, whereby any person is authorised by the Ports Authority to collect any dues, charge, or fee, prescribed by any rule or order made under this Ordinance, provide that any dues, charge, or fee, collected by virtue of such delegation or authority may be retained, in whole or in part, by the person authorised as aforesaid to collect such dues, charge or fee, or may be disposed of, in whole or in part, in such other manner as may be specified in such delegation or authority.

(2) Any approval under this section may be given with retroactive effect.

3E. As soon as practicable after the enactment of the Ports (Amendment) Ordinance, 1946, any person who is for the time being authorised, by a delegation under subsection (1) of section 3B or by an authority under subsection (1) of section 3C, to exercise any power or perform any duty of the Ports Authority or the officer in charge of the port, as the case may be, shall at all times exhibit, and keep exhibited, a copy of such delegation or authority in such characters, at such place, and in such position, as may be specified from time to time by the officer in charge of the port.

Provision regarding disposal of certain dues, charges and fees.
No. 9 of 1945.
Sec 3 of
No. 44/46.

Exhibition of copy of delegation or authority issued by Ports Authority.
Sec. 3 of
No. 44/46.

Apdx. 4 Sec. 4(α)

(vii) slipway dues;

No. 9/37

(viii) dues in respect of storage or depositing of goods in a transit shed or stacking area;

No. 30/45

p. 154.

(b) imposing in relation to any wharf in any port, or to any place appointed as a place of entry under section 8 of the Customs Ordinance, —

Sec. 2 of

No. 3/39.

Cap. 42.

(i) berthage dues;

(ii) wharfage dues on goods or any class of goods passing over such wharf or entering through such place of entry;

(iii) passenger dues;

Apdx. 5 Sec. 4(ee)

(ee) with regard to the payment and collection of the dues leviable under this section, and for the purpose of facilitating the collection of such dues;

No. 30/45.

Apdx. 6 Sec. 6.

6. The officer in charge of a port shall not grant permission for any vessel to leave the port unless he is satisfied that any port, quarantine or customs dues or duties or other charges which are payable in respect of such vessel, or in respect of any goods on board such vessel, have been paid or that there is security for their payment, and may refuse to allow delivery from the port area of any goods in respect of which any port or customs dues or duties or other charges are payable unless he is satisfied that those dues, duties or charges have been paid or that there is security for their payment.

Payment of dues and charges before departure of vessel or removal of goods from port area.
No. 30/45.

6.A. If the proper officer of the port gives to the officer of Customs whose duty it is to grant the port clearance of any vessel a notice stating that an amount therein specified is due in respect of port dues or other charges payable in respect of such vessel or in respect of any goods on board such vessel, such officer shall not grant such port clearance unless he is satisfied that the amount so payable has been paid or that there is security for its payment.

Refusal of port clearance where port dues or charges not paid.
No. 30/45.

Apdx. 7 Sec. 8.

8.—(1) No vessel shall be employed within the limits of any port in Palestine, or ply between any ports in Palestine, or on any inland lakes or seas or rivers in Palestine, in the conveyance for hire of person or goods to or from a vessel or in any other service, unless the vessel is licensed by the officer in charge of the port to which the vessel belongs or, in the case of a vessel plying on any inland lakes or seas or rivers, by the officer in charge of the port at which the vessel is registered.

(2) The High Commissioner in Council may make rules :-

- (a) regulating, prohibiting or restricting the issue by the officer in charge of the port of any licence under sub-section (1) hereof and the transfer or renewal of any such licence and the conditions subject to which any such licence may be issued, transferred or renewed, and
- (b) providing for the marking of any vessel licensed under sub-section (1) hereof with the number of passengers and weight and quantity of goods which such vessel is licensed to carry.

Licensing of vessels.
Sec. 4 of No. 44/46.

No. 1/37
p. 110.

Apdx. 8 Sec. 13

13. Every person in charge of or manning a vessel shall at all times obey the instruction of the officer in charge of the port or any other proper officer of the port in all matters relating to the manner in and the time at which he shall proceed with his vessel to or approach, lie alongside, or depart from any vessel, pier, quay, jetty or other place within the limits of the port: as to which vessel, pier, quay, jetty or other place within the limits of the port he shall proceed with his vessel for the purpose of embarking or disembarking passengers or loading or unloading goods, as to the nature of goods that he shall load or unload at or alongside the vessel, quay, jetty or other place within the limits of the port, or as to the mode of embarkation upon or disembarkation from any vessel of passengers or goods.

13A.—(1) Where any vessel is sunk, stranded or abandoned, in any port in Palestine in such manner as in the opinion of the Ports Authority to be, or be likely to become, an obstruction or danger to navigation or an obstruction in the use of the port, the Ports Authority may —

- (a) give notice to the owner of such vessel, in the form and manner prescribed, to raise, remove or destroy such vessel within such time and in such manner as may be specified in such notice, and upon the giving of such notice the owner shall, at his own expense, comply with the requirements thereof; and
- (b) (i) where the owner of such vessel fails to comply with any of the requirements of a notice given under paragraph (a) of this sub-section; or
- (ii) where, in the opinion of the Ports Authority, it is necessary or expedient to raise, remove or destroy, such vessel be-

Obedience to instructions of port officer.
No. 1/37.
p. 111.

Powers of Ports Authority in relation to certain vessels.
Sec. 2 of No. 51/46.

fore the expiry of the time specified in such notice,
take possession of and raise, remove or destroy such vessel; and

(c) light or buoy such vessel until the raising, removal or destruction thereof.

(2) Where the Ports Authority has exercised all or any of the powers conferred upon him by sub-section (1) he may —

(a) recover from the owner of the vessel therein mentioned all the expenses incurred by him in the exercise of such powers; or

(b) sell, in such manner as he thinks fit, the said vessel and —

(i) where the proceeds of such sale exceed the expenses incurred by him in the exercise of such powers, he shall retain out of such proceeds the amount of such expenses and hold the surplus in trust for the person entitled thereto; or

(ii) where the proceeds of such sale do not exceed the expenses incurred by him in the exercise of such powers, he shall retain such proceeds and recover from the owner of the said vessel the difference in amount, if any, between such proceeds and such expenses.

(3) For the purposes of this section, the expression "vessel" shall include every article or thing, or collection of articles or things being or forming part of the hull, cargo, tackle, equipment, stores or ballast of such vessel.

(4) The provisions of this section shall be in addition to, and not in derogation of, the provisions of the Wrecks and Salvage Ordinance and of the Civil Wrongs Ordinance, 1944, and of any other Ordinance or law in force from time to time.

Cap. 155
No. 36 of
1944.

Apdx. 9 Sec. 14A.

14A.—(1) The High Commissioner may make rules, and, in any case where in his opinion the circumstances require it, may take any measures which he may consider necessary, to prevent the flying, exhibition or display upon any vessel while in a Palestinian port, harbour or anchorage, of any flag or emblem other than its own national flag, the Palestinian flag, signal flags, or any official naval or diplomatic flag.

(2) The power of taking the measures referred to in sub-section (1), and of deciding when and to what extent such measures are necessary, may be exercised by such officers as shall be designated in that behalf by the High Commissioner, and, subject to such designation, shall be exercised by the District Commissioner for the district wherein such port, harbour or anchorage is situated.

14B.—(1) Goods shall not be delivered from the custody of the Ports Authority except upon the presentation of a delivery order in a form approved by the Ports Authority with Customs clearance and upon payment of all port dues or other charges which may be leviable in respect of the goods.

(2) The person named in any such delivery order issued by the master or agent of any vessel or by any carrier as the person to whom, or to whose order, delivery of any goods carried in such vessel or means of conveyance is to be made, may be regarded by the Ports Authority as the owner or agent of the owner of the goods.

(3) The Ports Authority may require from the owner or agent of the owner of any goods proof by declaration on oath made before a person authorised to take such declaration or the production of documents that the goods described in any such delivery order are owned as claimed and are properly described, and the Ports Authority may refuse to deliver the goods pending such proof.

Power to prevent flying of certain flags by vessels in port.
No. 1/37
p. 111.

Delivery of goods from custody of Ports Authority.
No. 30/45.

14C.—(1) Any owner of goods may comply with the provisions of this Ordinance, or any rules made hereunder, by an agent lawfully authorised. Such agent shall be a person exclusively in the employment of the owner or shall be a customs agent duly licensed in accordance with the provisions of the Customs House Agents Ordinance.

Agents.
No. 30/45.

(2) Any officer may be required from any agent the production of his written authority from the principal for whom he claims to act and, in default of the production of such authority, may refuse to recognise the agency.

Cap. 45.

(3) Any person who acts as the agent of the owner for any of the purposes of this Ordinance, or any rules made hereunder, shall be deemed to be the owner of the goods and shall accordingly be personally liable for payment of any port dues or charges payable in respect of the goods and shall be liable to perform all acts in respect of the goods which the owner is under this Ordinance or any rules made hereunder liable to perform; but nothing in this sub-section contained shall relieve the principal from any liability.

(4) Any person who authorises an agent to act for him in relation to any goods for any of the purposes of this Ordinance or any rules made hereunder shall be liable for the acts and declarations of his agent and may accordingly be prosecuted for any offence committed by the agent with respect to any such goods in the same manner as if he had himself committed the offence, but shall not be sentenced to imprisonment unless he actually consented to the commission of the offence. Nothing in this sub-section shall relieve the agent from liability to prosecution.

14D.—(1) If any goods which have come into the custody of the Ports Authority are not claimed, and if in respect of such goods entries in ac-

Disposal of
unclaimed
goods.

cordance with the provisions of the Customs Ordinance are not passed, within three months of the day on which the vessel importing such goods completed the discharge of cargo at the port of importation, or, in the case of goods for export, within three months of the day on which such goods were placed in the custody of the Ports Authority, such goods may be sold by the Ports Authority:

Provided that, if goods are of a perishable nature, they may be sold at any time the Ports Authority may think fit.

(2) If any goods which have come into the custody of the Ports Authority and in respect of which entries in accordance with the provisions of the Customs Ordinance have been passed are not claimed and removed by the owner of the goods within seven days from the date of passing such entries or within such further period as the Ports Authority may see fit to allow, such goods may be sold by the Ports Authority.

(3) The sale of goods under this section shall be conducted under the conditions prescribed and the proceeds of sale shall be disposed of in the manner prescribed.

Apdx. 10 Sec. 15(1)(ff).

(ff) obstructs any officer or any servant of the Ports Authority in the exercise of his duty,
or

Apdx. 11 Sec 15(2A).

(2A) Any person who without the authority of the proper officer of the port removes any goods in respect of which any port dues or charges are lawfully payable without paying such dues or charges or giving security therefor, or evades payment of any port dues or charges which are lawfully payable, is guilty of an offence and is liable to imprisonment for one year or a fine of one hundred pounds, in addition to such dues or charges.

No. 30/45
p. 154.

Apdx. 12 Sec. 15A.

15A. Without prejudice to any penalty imposed by any other Ordinance, but provided that nothing herein contained shall enable any person to be punished twice for the same offence, —

(a) any person duly authorised to load or unload or arrange for the loading or unloading of any goods within any port, or employed in or about any port, who —

(i) receives any sum of money, or anything whatsoever, by way of reward or bribe in consideration for his giving undue preference in the execution of his office, or for his doing or omitting to do anything relating to his office, or

(ii) gives any undue preference, or shows any partiality in loading or unloading or arranging for the loading or unloading of any goods, and

(b) any person who gives or offers any such reward or bribe as aforesaid to any such person as is mentioned in paragraph (a) hereof —

shall be guilty of an offence and shall be liable to imprisonment for three months or a fine of twenty-five pounds or both such penalties, and in the case of a second or subsequent offence to imprisonment for six months or a fine of fifty pounds or both such penalties.

15B. If it be found when goods are imported at, or have been or are to be exported from, any port that the weight, quantity, or description of such goods has been understated or incorrectly given in any document presented to any officer for the purpose of enabling the port dues payable in respect of the said goods to be determined, the owner of such goods shall be liable to pay to the Ports Authority such sum not exceeding twice the proper dues on the whole weight or quantity of the consignment of goods so understated or incorrectly described as may be determined by the Ports Authority, and the said sum shall be recoverable as a debt due to the Government.

Bribery and giving undue preference.
Sec. 5 of
No. 3/39.

Penalty for understating, etc.
No. 30/45
p. 154.

Apdx. 13 Sec. 16A.

16A. The Ports Authority may without prejudice to any prosecution which may subsequently be brought against such person, at any time, suspend for a period not exceeding ten days on any one occasion, any licence issued in respect of any vessel belonging to or manned by any person who, without reasonable cause, proof of which shall lie upon such person, refuses or fails to obey any lawful order given by a duly authorised person for the good order of the port and the business therein;

Provided that if any prosecution founded upon the facts as a result of which the *Ports Authority* has suspended any licence hereunder is subsequently brought against such person and such prosecution fails —

- (a) no action shall lie against the Government of Palestine and no civil or criminal liability shall be incurred by the *Ports Authority* in respect of such suspension, but
- (b) if the acquittal be prior to the date of the determination of the period of suspension, such period shall determine forthwith upon acquittal.

Power of Director to suspend licences.
No. 1/37
p. 112.

No. 30/45.

No. 30/45.

Apdx. 14 Sec. 17(1)(c).

(c) regulating the issue by the officer in charge of the port of any licence to any person under this Ordinance, and the transfer or renewal or cancellation of any such licence and the conditions subject to which any such licence may be issued, transferred or renewed, and prescribing the fees payable thereon;

Sec. 4 of
No. 9/37.

Apdx. 15 Sec. 17(1).

(n) prescribing the working days and hours for all or any ports the fees to be charged for the services of the officers when working overtime is permitted;

No. 30/45
p. 154.

(o) providing for the issue of certificates by the Ports Authority and prescribing the fees to be paid for any such certificate;

(p) prescribing the fees to be charged for any other facilities or services provided by the Ports Authority;

(pp) prescribing the form and manner in which, and the person to whom, a notice under section 13A shall be given, and the requirements (including the giving of security or the making of a deposit), which the Ports Authority may impose upon such person with a view to ensuring compliance by him with such notice;

No. 51/46.

(q) prescribing all matters which, by this Ordinance, are required or permitted to be prescribed, and generally for more effectually carrying into effect any of the purposes and provisions of this Ordinance.

(2)(a) The High Commissioner in Council may make rules for stopping the loading or discharging of vessels, and regulating and controlling the shipment, unshipment, transshipment, receipt, storage, depositing and delivery of goods with a view to preventing congestion in any port; and no claim shall lie against the Government or the Ports Authority or any officer in respect of loss to the master or owner of the vessel or the owner of the goods, on account of such stoppage or regulation.

No. 30/45.

(b) If demanded, a note in writing shall be given by the officer in charge of the port to the masters of the vessels or to other interested parties stating the reason for stopping the loading or discharging of vessels or cargoes, or prohibiting the placing of goods on

the wharves or any particular wharf in the port.

18. The Ports Authority may make rules governing the employment of porters working in any port area and may fix the fees to be charged for their services.

No. 30/45.

PART IX. SUPPLEMENTARY.

19. Neither the Ports Authority nor the Government shall be liable for any loss or damage occasioned to any goods while they are in the custody of the Ports Authority, unless such loss or damage is caused by the wilful act of any officer or servant of the Ports Authority.

No claim for compensation for loss unless by wilful act.
No. 30/45.

20. Nothing in the Ordinance shall affect any power vested in the Director of Customs, Excise and Trade or any other officer of Customs under the Customs Ordinance or under any other law for the time being in force.

Saving of powers of Customs officers.
Cap. 42.

21. Any rules, orders, or delegation of powers, made under the powers conferred by this Ordinance, as amended by the Defence (Amendment of Ports Ordinance) Regulations, 1943, and in force immediately before the commencement of the Defence (Revocation) Regulations, 1945, shall be deemed to have been made under the powers conferred by this Ordinance as amended by the Defence Legislation (Incorporation in Certain Ordinances) Ordinance, 1945, and the amendments to certain rules and orders effected by regulation 15 of the Defence (Amendment of Ports Ordinance) Regulations, 1943, and in force immediately before the commencement of the Defence (Revocation) Regulations, 1945, shall respectively be deemed to have been effected by rules and orders made under his Ordinance as so amended.

Saving. Gaz.
25.3.43,
p. 267.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
25(2)	Substitute "the First Schedule" for "the Schedule to this Ordinance".	No. 30/45, p. 154.
29A-I	The following heading and sections added. (See appendix No. 1)	No. 30/45. p. 154.
31(2)(b)	Paragraph (b) replaced. (See appendix No. 2)	Sec 2(a) of No. 30/40.
31(4)	Delete "a fine of five pounds for every letter" appearing at end of subsection (4), and substitute the following therefor : (See appendix No. 3)	Sec. 2(b) of No. 30/40.
Part VII.	Repealed.	Sec. 19 of No. 40/41.
80A	Section 80A added. (See appendix No. 4)	Sec. 2 of No. 25/41.
98	Repealed. <i>Note:</i> See section 390 of Criminal Code Ordinance, 1936.	No. 1/37 p. 113.
Schedule I.	Insert "First" before "Schedule" and	No. 30/45,
Schedule II.	add the following Schedule II. (See appendix No. 5)	p. 154.

Apdx. I Sec. 29A.

PART IV A. — CONVEYANCE OF MAIL BAGS BY ROAD.

29A. In this Part —

“omnibus” has the same meaning as in the Road Transport (Routes and Tariffs) Rules, 1934;

“owner of public passenger service” means —

(a) the holder of a permit granted under the Road Transport (Routes and Tariffs) Rules, 1934, authorising him to operate a passenger road service as defined in those Rules; or

(b) the owner of one or more public motor vehicles which is or are employed on a regular service on any route; or

(c) any person who carries on the business of transporting persons by one or more public motor vehicles which is or are employed on a regular service on any route;

“public motor vehicle” means a motor vehicle, as defined in the Road Transport Ordinance, which is licensed under that Ordinance as a public vehicle to carry not more than six passengers.

29B.—(1) The Postmaster General may, by notice in writing delivered to any owner of a public passenger service, require that mail bags shall, from and after the day to be named in such notice, be conveyed and forwarded by such owner by the vehicles employed on his public passenger service, on such days and at such hours on or at which such vehicles are normally run, as the Postmaster General may from time to time direct.

(2) Where any such notice as aforesaid is delivered to any owner of a public passenger service, such owner shall —

(a) make all necessary arrangements, to the satisfaction of the Postmaster General, for the conveyance of mail bags by such vehicles as

Interpretation.

Gaz: 1.3.34, p.159.

No. 30/45 p. 160.

Cap. 128.

Power of Postmaster General to require owner of a public passenger service to convey mail bags.

No. 30/45.

aforesaid from and after the day named in the said notice; and

- (b) from and after the said day, —
- (i) receive, take up, carry and convey by the said vehicles all such mail bags as may for that purpose be tendered to such owner, or any of his employees, servants or agents, by any officer of the post office; and
 - (ii) receive, take up, deliver and leave such mail bags at such places on the route of the said vehicles, on such days and at such hours on or at which such vehicles are normally run, and subject to all such reasonable directions and restrictions as to places, times and duration of stoppages and times of arrival as the Postmaster General may in that behalf from time to time give or impose.

29C. Any owner of a public passenger service who is required to convey and forward mail bags, by a notice under section 29B, and his employees, servants, and agents, shall obey, observe and perform all such reasonable instructions respecting the conveyance, delivery and leaving of mail bags as may, in his discretion, from time to time be given by the Postmaster General or such officer of the post office as the Postmaster General may nominate in that behalf.

29D. The Postmaster General shall pay to any owner of a public passenger service as remuneration for the service of conveyance and forwarding of mail bags and the delivery thereof, under and in accordance with the provisions of this Part, the sum specified in the Second Schedule or such other sum as may be prescribed.

29E. If any owner of a public passenger service who is, by a notice under section 29B, required to convey and forward mail bags shall refuse or neglect to make all necessary arrangements,

Instructions respecting conveyances of mail bags.
No. 30/45

Remuneration for conveyance of mail bags.
No. 30/45.

Penalty for refusing or neglecting to arrange for

to the satisfaction of the Postmaster General for the conveyance and forwarding of mail bags from and after the day named in such notice, or if such owner, or any of his employees, servants or agents shall, from and after the said day, —

- (a) refuse or neglect to carry or convey any mail bags when tendered to him for such purpose by any officer of the post office; or
- (b) refuse or neglect to receive, take up, deliver or leave any such mail bags at such places, at such times, on such days and subject to such directions and restrictions as to places, times, and duration of stoppage as the Postmaster General may from time to time reasonably give or impose; or
- (c) fail to obey, observe and perform all such instructions respecting the conveyance of mail bags as the Postmaster General, or such officer of the post office as the Postmaster General may nominate in that behalf, may give for the purposes aforesaid,

such owner shall be guilty of an offence and shall for every such offence be liable to a fine not exceeding fifty pounds: Provided that the payment of or liability to such penalty shall not in any manner lessen or affect the liability of such owner under any bond which may have been given by him under the provisions of section 29F or his liability under the provisions of section 29G.

29F.—(1) The Postmaster General may, if he thinks fit, require any owner of a public passenger service, who is by a notice under section 29B required to convey and forward mail bags, to give security by bond to the Postmaster General on behalf of the Government, conditioned to be void if such owner shall from time to time —

- (a) carry or convey, or cause to be carried or conveyed, all mail bags in manner provided in section 29B; and
- (b) receive, take up, deliver, and leave all such

conveyance of and to convey, mail bags.

No. 30/45.

Power of Postmaster General to require security by bond.
No. 30/45.

mail bags at such places, at such times, on such days, and subject to such directions and restrictions as to places, times and duration of stoppages as provided in the said section; and

(c) obey, observe and perform all such instructions respecting the same as the Postmaster General, or such officer of the post office as the Postmaster General may nominate in that behalf, may reasonably give; and

(d) well and truly do and perform, and cause to be done and performed, all such other acts, matters and things as by this Part are required or directed to be done or performed by or on the part or behalf of such owner as aforesaid, his employees, servants and agents.

(2) Every such bond shall be taken in such sum and in such form as the Postmaster General may think proper.

(3) Every such security shall be renewed from time to time whenever and so often as such bond shall be forfeited, and also whenever and so often as the Postmaster General may in his discretion require the same to be renewed.

(4) If such owner of a public passenger service as aforesaid, shall, when so required as aforesaid, refuse or neglect, for the space of one month next after the delivery of any notice for such purpose to him given by or from the Postmaster General, —

(a) to execute to the Postmaster General, on behalf of the Government, such bond to the effect and in manner aforesaid; or

(b) to renew such bond whenever and so often as the same shall by or in pursuance of this Part be required to be renewed,

such owner shall be guilty of an offence and shall be liable to a fine of fifty pounds for every day during the period for which there shall be any refusal, neglect, or default, to give or renew such

security as aforesaid, after the expiration of the said one month.

29G. Where any mail bag is delivered under this Part for conveyance by the vehicles employed by the owner of a public passenger service, such owner shall be responsible for the safe custody of such mail bag, and in the event of the loss of or damage to any postal packet contained in such mail bag he shall be liable to refund to the Postmaster General the amount of any compensation paid by the Postmaster General to any person in respect of such loss or damage. Such amount may, without prejudice to the liability of such owner under any bond which may have been given by him under the provisions of section 29F, be recovered from him in the same manner as a debt due to the Government.

29H. Nothing in this Part shall authorise the Postmaster General to require the conveyance at any one time —

- (a) by any omnibus, of any mail bag weighing more than 25 kilogrammes or of more than eight mail bags; or
- (b) by any public motor vehicle, of any mail bag weighing more than 15 kilogrammes or of more than three mail bags.

29I. Any notice under the provisions of this Part by the Postmaster General to any owner of a public passenger service shall be deemed to be duly delivered if such notice is given or delivered to such owner or left at his usual place of business.

Apdx. 2 Sec. 31(2)(b).

- (b) letters concerning the private affairs of the sender or receiver thereof, sent by a messenger on purpose, provided that neither the messenger nor his employer receives any remuneration directly or indirectly based upon the number of letters carried;

Liability for loss of or damage to postal packets in mail bag.
No. 30/45.

Limitation.
No. 30/45.

Delivery of notices.
No. 30/45.

Sec. 2 of
No. 30/40.

Apdx. 3 Sec. 31(4)

a fine of fifty pounds for every letter, and in addition the court may order that any such letter or letters shall be confiscated. Any letter or letters confiscated in pursuance of such order shall be handed to the Postmaster-General, who may destroy or otherwise deal with the same as he shall in his absolute discretion think fit.

Sec. 2(b) of
No. 30/40.

Apdx. 4 Sec. 80A.

80A. Any person who, without the prior written authority of the Postmaster General, plants or allows to grow any kind of forest tree or fruit tree or bush underneath or within reach of or in such manner as to be likely when full grown to interfere with any overhead telegraph, is guilty of an offence and is liable to a fine of ten pounds, and any tree or bush so planted or allowed to grow may be cut down and removed by the Postmaster General without payment of compensation to such person for any damage done. The powers of the Postmaster General under this section shall be in addition to and not in derogation of his powers under paragraph (c) of section 40.

Growing of
trees likely
to interfere
with tele-
graphs.
Sec. 2 of
No. 25/41.

Apdx. 5.

THE SECOND SCHEDULE.
(Section 29D).

No. 30/45.

Amount of Remuneration for Conveyance, Forwarding and Delivery of Mail Bags.

(1) For each mail bag conveyed by any omnibus on any journey — 35 per centum of the maximum fare which is, at the time of the conveyance of such mail bag, chargeable under the Road Transport (Routes and Tariffs) Rules, 1934, in respect of such journey by a passenger.

Gaz: 1.3.34
p. 159.

(2) For each mail bag conveyed by any public motor vehicle on any journey — 35 per centum of the fare which is, at the time of the conveyance of such mail bag, lawfully charged in respect of such journey by a passenger.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
6(2)	Replaced. (See appendix No. 1)	Sec. 2 of No. 23/39.
19(1)	Sub-sections (1) and (2) replaced.	No. 1/37,
(2)	(See appendix No. 2)	p. 113.
19A	Section 19A added. (See appendix No. 3)	Sec. 2 of No. 24/39.
28A	Section 28A added. (See appendix No. 4)	Sec. 2 of No. 19/43.
32(1)	Substitute "other than newspapers and books" for "other than newspapers, books and bona fide commercial publications".	Sec. 3 of No. 19/43.

Apdx. 1 Sec. 6(2)

(2) The district commissioner shall have power to cancel a permit to publish a newspaper if the proprietor thereof shall fail (otherwise than as a result of an order of the High Commissioner or of a court) to publish —

Sec. 2 of
No. 23/39.

- (a) at least twelve consecutive daily issues (one day of rest each week ordinarily observed by the proprietor and any legal holiday being excepted) in each calendar month, in the case of a daily newspaper;
- (b) at least six issues in every two calendar months, in the case of a newspaper (other than a daily newspaper) for which a permit to publish once or more than once weekly has been given;
- (c) at least two issues in every four calendar months, in the case of a newspaper (other than a daily newspaper or one falling within paragraph (b) hereof) for which a permit to publish once or more than once monthly has been given;
- (d) for a continuous period of more than twelve calendar months, in the case of any other newspaper.

Act 2 Sec. 13.

11-1) The High Commissioner may, if he is satisfied that any person or persons to be named in any newspaper or periodical in such newspaper as in the opinion of the High Commissioner, likely to excite the public mind, or contains false news or other information calculated in his opinion, to create alarm or disturbance, and that if the publication of such matter in the newspaper is continued, the High Commissioner in Council will suspend the publication of such newspaper and suspend the publication of such newspaper and for the provisions hereof.

2) The High Commissioner may, if he is satisfied that any person or persons to be named in any newspaper or periodical in such newspaper as in the opinion of the High Commissioner, likely to excite the public mind, or contains false news or other information calculated in his opinion, to create alarm or disturbance, and that if the publication of such matter in the newspaper is continued, the High Commissioner in Council will suspend the publication of such newspaper and suspend the publication of such newspaper and for the provisions hereof.

3) If any newspaper or periodical is published in the opinion of the High Commissioner in Council, likely to excite the public mind, or contains false news or other information calculated in his opinion, to create alarm or disturbance, and that if the publication of such matter in the newspaper is continued, the High Commissioner in Council will suspend the publication of such newspaper and suspend the publication of such newspaper and for the provisions hereof.

Apdx. 3 Sec. 19A.

19A.—(1) Whenever the publication of a newspaper is suspended under the provisions of section 19, the High Commissioner in Council may, by notice in writing to the person who keeps or has in his possession any printing press used for the purpose of printing or publishing such newspaper, order that such printing press —

- (a) shall be suspended from operation for such period, which shall be stated in the said notice, as the High Commissioner in Council may think fit; or
- (b) shall not, during the period of suspension of the publication of such newspaper as aforesaid, be used for the purpose of printing or publishing such other newspaper as may be specified in the said notice.

(2) If any printing press is operated or used in contravention of a notice issued under this section, the person who keeps or has in his possession such printing press shall be guilty of an offence and shall be liable to imprisonment for six months or a fine of one hundred pounds or both such penalties, and the printing press shall be forfeited to the Government of Palestine.

Apdx. 4 Sec. 28A.

28A.—(1) Every book shall bear at the foot of the first and the last page thereof the names and addresses of the printer and publisher thereof and the place of printing.

(2) Any person printing or publishing any book in contravention of this section shall be guilty of an offence and shall on conviction thereof be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or both such penalties.

Power to suspend or restrict operation of printing presses in certain cases.
Sec. 2 of No. 24/39.

Names and addresses of printer and publisher and place of printing to be printed on every book.
Sec. 2 of No. 19/43.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3	Repealed.	No. 1/37, p. 114.
4	Replaced. (See appendix No. 1)	No 1/37, p. 114.
5	Repealed.	No. 1/37, p. 114.

Apdx. I Sec. 4.

4. Where a court of probate in the United Kingdom, or in any British possession, or a British court in a foreign country, has, either before or after the passing of this Ordinance, granted probate or letters of administration in respect of the estate of a deceased person, the probate or letters so granted may, on being produced to, and a copy thereof deposited with, the district court, be sealed with the seal of that court, and thereupon shall be of the like force and effect, and have the same operation in Palestine as if granted by that Court.

Sealing of probates and letters of administration granted outside Palestine.
No. 1/37
p. 114.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "public entertainment" replaced. (See appendix No. 1)	No. 1/37, p. 114.

Apdx. 1 Sec. 2.

"public entertainment" has the meaning assigned to the term in the Public Entertainments Ordinance, 1935.

No. 1/37
p. 114.

QUARANTINE. CAP. 124.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Insert "or air" between "sea" and "and".	No. 2 of No. 38/37.
3	Insert "aircraft" between "inspection of" and "vessels".	Sec. 3 of No. 38/37.
4A	Section 4A added. (See appendix No. 1)	Sec. 4 of No. 38/37.
5(1)(c)	Insert "aircraft" between "detention of" and "vessels", and add "or air;" after "land".	Sec. 5(a) No. 38/37.
5(1)(e)	Insert "and aircraft" after "vessels".	Sec. 5(b) No. 38/37.

Apdx. I Sec. 4A.

4A.—(1) The Director of Health and any other officer authorised in that behalf by the High Commissioner, by order, may compound any offence or act committed or reasonably suspected of having been committed by any person against the provisions of any rules made under this Ordinance by accepting from such person a payment in money, not exceeding the maximum pecuniary penalty incurred under this Ordinance for such offence or act.

(2) On payment of such sum to the Director of Health or authorised officer, no further proceedings in regard to that particular offence or act shall be taken against the person who has compounded, and, if he is in custody he shall be discharged.

Power to
compound.
Sec. 4 of
No. 38/37.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2(3)	Insert "to raise loans" between "into contracts" and "to execute". Add the following proviso at end of sub-section (3): (See appendix No. 1)	No. 1/37, p. 115.

Apdx. 1 Sec. 2(3).

Provided that no loan raised by any such council or board shall be binding on such council or board unless the consent of the High Commissioner has been given to the issue thereof and the terms upon which such loan was raised shall be binding only so far as they have been approved by the High Commissioner, and nothing in this Ordinance shall affect the liability of any member of any such council or board in respect of any unauthorised loan contracted by any such council or board.

No. 1/37

p. 115.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Replaced. (See appendix No. 1)	Sec. 2 of No. 15/47

Apdx. 1 Sec. 2.

2.—(1) A person who has changed his religious community and desires legal effect to be given to such change shall obtain from the head of the religious community which he has entered, or from the person appointed, or recognised, by the head of such religious community as the local head of the branch of such religious community in the area in which he resides, a certificate to the effect that he has been received into such religious community and shall notify the fact to the District Commissioner of the district in which he resides.

(2) The District Commissioner, on being satisfied as to the indentity of the applicant and on the production of the certificate referred to in subsection (1), shall register the change of community and shall give the applicant a certificate of such registration.

(3) A copy of the certificate of such registration shall be sent by the District Commissioner to the head of the religious community which the applicant has entered and to the head of the religious community to which he formerly belonged.

Procedure on
change of
community.
Sec. 2 of
No. 15/47.

ROAD TRANSPORT. CAP. 128.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definition of "certificate of insurance" added after the definition of "carriage". (See appendix No. 1) The definitions of "owner" and of "policy" added after the definition of "motor vehicle". (See appendix No. 2)	Sec. 2 of No. 9/47 No. 1/37, p. 115. Sec. 2 of No. 9/47.
8(1)(b)	Proviso added at the end of paragraph (b). (See appendix No. 3)	No. 1/37, p. 115.
11(f)	Paragraph (f) added. (See appendix No. 4)	Sec. 2 of No. 15/41.
12	Replaced. (See appendix No. 4)	No. 1/37, p. 115.
14	Repealed.	No. 1/37,
15		p. 116.
23(b)	Paragraph (b) replaced. (See appendix No. 5)	Sec. 2(1) of No. 14/44.
23(n)	Insert "(including any map or plan referred to in such tariff)".	No. 30/45, p. 164.
23(p)	Paragraph (p) replaced. (See appendix No. 6)	Sec. 3 of No. 15/41.
23(r)	Paragraph (r) replaced. (See appendix No. 7)	No. 1/37, p. 116.
23(tt)	Paragraph (tt) added. (See appendix No. 8)	Sec. 3 of No. 9/47 No. 30/45.
23A.	Section 23A added. (See appendix No. 9)	p. 164.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
25(1)(b)	Paragraph (b) replaced. (See appendix No. 10)	No. 1/37, p. 116.
25(1)(d) proviso	Substitute "one pound" for "two hundred and fifty mils".	Sec. 3 of No. 14/44.

Apdx. 1 Sec. 2.

"Certificate of insurance" and "certificate of security" have the same respective meanings as they have in the Motor Vehicles Insurance (Third-Party Risks) Ordinance, 1947;

Sec. 2 of
No. 9/47.
No. 8 of 1947.

Apdx. 2 Sec. 2.

"owner" in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement.

No. 1/37
p. 115.

"policy" means such policy of insurance in respect of third-party risks arising out of the use of motor vehicles as complies with the requirements of the Motor Vehicles Insurance (Third-Party Risks) Ordinance, 1947, and includes a covering note, and "security" means such security in respect of third-party risks arising out of the use of motor vehicles as complies with the requirements of that Ordinance.

Sec. 2 of
No. 9/47.

No. 8 of
1947.

Apdx. 3 Sec. 8(1)(b).

Provided that no fee shall be payable for the grant or the renewal of a licence to drive a motor vehicle by a consular officer appointed in Palestine who belongs to the regular consular service and is not engaged in any other business or profession.

No. 1/37
p. 115.

Apdx. 4 Sec. 11(f).

(f) the property of the Jewish Agency and used solely by the Jewish Settlements Police for the performance of their official duties.

Sec. 2 of
No. 15/41.

12 No fee shall be payable in respect of the licensing of a vehicle which is —

Exemption of
certain
vehicles from
licensing fee.
No. 1/37
p. 115.

(a) used solely for the purpose of agriculture or for the carriage of the produce of, or articles required for the use of, agricultural land; or

(b) used solely as an ambulance,
but the fee prescribed for registration of such a vehicle shall be payable.

Apdx. 5 Sec. 23(1).

(1) the examination of applicants for driving licences, the fees to be paid for such examination, and the classes of licences which may be granted;

Sec. 2(1) of
No. 14/44.

Apdx. 6 Sec. 23(p).

(p) empowering a superior police officer by notice erected on any road to prohibit or restrict the driving of any vehicle or any special kind of vehicle on any such road or any part thereof;

Sec. 3 of
No. 15/41

Apdx. 7 Sec. 23(r).

(r) the construction and weight of vehicles and the conditions under which they may be used;

No. 1/37

Adpx. 8 Sec. 23(tt).

(tt) requiring a person making application, under this Ordinance or any rules made thereunder, to a licensing authority for a licence to keep a motor vehicle, as defined in section 2 of the Motor Vehicles Insurance (Third-Party Risks) Ordinance, 1947, or for the renewal, or for the grant of approval for the transfer, of such a licence, to produce a certificate of insurance or a certificate of security or to produce such evidence as may be prescribed that either —

Sec. 3 of
No. 9/47.

No. 8 of 1947.

- (i) on the date when the licence or renewal of the licence comes into operation or when the approval is given, as the case may be, there will be in force the necessary policy or the necessary security in relation to the user of the motor vehicle by the applicant or by other persons on his order or with his permission; or
- (ii) the motor vehicle is a vehicle to which section 4 of the Motor Vehicles Insurance (Third-Party Risks) Ordinance, 1947, does not apply at any time when it is being driven by the owner thereof, or by a servant of his in the course of his employment, or is otherwise subject to the control of the owner.

No. 8 of 1947.

Apdx. 9 Sec. 23A.

23A. Any rules made under section 23, as amended by the Defence (Amendment of Road Transport Ordinance) Regulations (No. 2) 1942, and in force immediately before the commencement of the Defence (Revocation) Regulations, 1945, shall be deemed to have been made under section 23 as amended by the Defence Legislation (Incorporation in Certain Ordinances) Ordinance, 1945.

Saving.
Gaz :
26.11.42,
p. 1790.

Apdx. 10 Sec. 25(1)(b).

(b) the regulation by prohibition or otherwise of vehicles when stationary within the municipal or local council area;

No. 1/37
p. 116.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
4(1)	Substitute "fifteen" for "ten".	No. 1/37, p. 116.
5(1)	Substitute "thirty" for "twenty".	No. 1/37, p. 116.

SALT CAP. 130.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Insert the following definition after the definition of "customs authority". (See appendix No. 1)	Sec. 2 of No. 28/38.

SALT CAP. 130.

Adx. 1 Sec. 2.

"manufacture" in connection with salt includes the grinding thereof, or its treatment by any other means whereby a finer texture of salt is produced.

Sec. 2 of
No. 28/38.

STAMP DUTY. CAP. 133.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
5	Add the following further proviso at the end of section 5: (See appendix No. 1)	No. 30/45, p. 164.
8(a)	Substitute "facts" for "acts".	Sec. 2 of No. 6/46.
26(2)	Delete "or promissory note" after "bills of exchange". Delete "or note" after "if the bill".	No. 1/37, p. 116.
29	Repealed.	No. 1/37, p. 116.
30(1) Proviso	Substitute "is presented for payment unstamped" by "or promissory note is presented for payment unstamped or insufficiently stamped".	No. 1/37, p. 117.
37(1)	Sub-section (1) replaced. (See appendix No. 2)	No. 1/37, p. 117.
69(b)	Delete "but within one month" and "and shall not in any other case be stamped with an impressed stamp".	No. 1/37, p. 117.
70A	Add the following heading and section. (See appendix No. 3)	Sec. 3 of No. 6/46.
74	Replaced. (See appendix No. 4)	Sec. 4 of No. 6/46.
The Schedule.	See: No. 1/37, p. 118. No. 11/40, p. 50. No. 8/41, p. 28. No. 9/44, p. 29. No. 6/46, p. 55.	

Apdx. 1 Sec. 5.

Provided also that, without prejudice to any other provision of this Ordinance permitting the use of postage stamps for the purpose of denoting duty, the High Commissioner may, by order, declare that the duty, which, under this Ordinance, shall be denoted by revenue stamps, may be denoted by postage stamps of such value as may be specified in the order.

No. 30/45.
p. 164.

Apdx. 2 Sec. 37.

37.—(1) For the purposes of this Ordinance, the expression "conveyance on sale" means an assignment on sale or a bill of sale in respect of any movable property other than stocks or shares.

No. 1/37
p. 117.

Adpx. 3 Sec. 70A.

70A. The duty upon a return made by a company under the Companies Ordinance may be denoted by an adhesive stamp which is to be cancelled by the person by whom the return is signed.

Duty to be
denoted by
adhesive
stamps.
Cap. 22
Sec. 3 of
No. 6/46.

Apdx. 4 Sec. 74.

74—(1) For the purposes of this Ordinance —

“admission to an entertainment” means admission as a spectator, or as one of an audience, to any place in which the entertainment is held;

“charge for admission”, in relation to any entertainment, means the price of the ticket for admission to such entertainment, exclusive of the amount of any charge levied on such price by a municipal council or a local council or any other charge whatsoever levied on such price;

“entertainment” means any entertainment to which persons are admitted for payment and includes any theatrical or cinematograph entertainment, cabaret, circus, concert, dance, skating rink, and any exhibition, performance, amusement, game or sport, to which persons are so admitted, but does not include any lecture, or debate, of which the principal object is instruction even though such lecture or debate be illustrated in any way.

“proprietor”, in relation to any entertainment, means the person to whom a licence has been issued under the Public Entertainments Ordinance, 1935, to hold such entertainment, and, in any case where no licence has been issued under that Ordinance to hold such entertainment, or where under the provisions of that Ordinance no licence is required to hold such entertainment, means the person responsible for the management thereof;

“ticket for admission” means a ticket for admission to an entertainment.

(2) The proprietor of any entertainment shall issue tickets for admission, each of which shall have the following particulars truly stated thereon:—

- (a) the price thereof;
- (b) the amount of the duty payable thereon;

Provisions
as to duty
on tickets
for enter-
tainments.
Sec. 4 of
No. 6/46.

No. 5 of 1935.

STAMP DUTY. CAP. 133.

(c) the amount of any charge levied on the price thereof by a municipal council or a local council and any other charge whatsoever levied on such price,
and if any ticket for admission is issued (whether by the proprietor of any entertainment or by his servant, employee or agent) without having any of the said particulars truly stated thereon, the proprietor of such entertainment shall incur a fine of twenty pounds in respect of each such ticket.

(3) (a) It shall be the duty of the proprietor of any entertainment, and of any of his servants, employees or agents by whom any tickets for admission are sold, before the sale of any such ticket and before its delivery to the purchaser thereof, to affix to such ticket the appropriate adhesive stamps denoting the duty payable on such ticket and duly to cancel such stamps.

(b) If any ticket for admission to any entertainment is sold or delivered (whether by the proprietor of such entertainment or by his servant, employee or agent) which does not have affixed to it the appropriate adhesive stamps denoting that the duty payable on such tickets has been paid, the proprietor of such entertainment shall incur a fine of twenty pounds in respect of each such ticket, and if such ticket for admission is so sold, or delivered, by his servant, employee or agent, such servant, employee or agent shall also incur a fine of twenty pounds in respect of each such ticket.

(4) (a) No person shall be admitted for payment to any entertainment, except with a ticket for admission to such entertainment bearing the appropriate adhesive stamps denoting that the duty payable on such ticket has been paid.

(b) If any person is admitted for payment to

any entertainment (whether by the proprietor of such entertainment or by his servant, employee or agent) without a ticket for admission to such entertainment bearing such stamps as aforesaid, the proprietor of such entertainment shall incur a fine of twenty pounds in respect of each person so admitted, and if any person is so admitted by such proprietor's servant, employee or agent, such servant, employee or agent shall also incur a fine of twenty pounds in respect of each person so admitted.

(5) If the proprietor of any entertainment desires to obtain exemption from duty on the ground that the proceeds of such entertainment are to be devoted to religious or charitable purposes he shall, before he issues tickets for admission to such entertainment, make application for exemption to the district commissioner of the District in which the entertainment is to be held, and, if he shall fail to make such application, or if his application shall be refused, he shall not be entitled to exemption from the duty chargeable on the tickets issued for admission to such entertainment.

(6) Any officer authorised in that behalf in writing by the Commissioners may enter any place of entertainment while the entertainment is proceeding, and any place ordinarily used as a place of entertainment at any reasonable times, with a view to ascertaining whether the provisions of this section are being complied with, and if any person prevents or obstructs the entry of any officer so authorised, such person shall be guilty of an offence and shall be liable to imprisonment for three months.

SUCCESSION. CAP. 135.

TABLE OF AMENDMENTS.

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
14(2)	Sub-section (2) replaced. (See appendix No. 1)	Sec. 2 of No. 38/46.
15A—B	Sections 15A & 15B added. (See appendix No. 2)	Sec. 2 of No. 19/44.

Apdx. 1 Sec. 14(2).

(2) Probate of a will may be granted to an executor appointed by the will or, if no executor is appointed by the will or the executor appointed by the will has died or renounced probate or is incompetent, to a beneficiary under the will or to any other fit person.

Sec 2 of
No. 38/46.

Apdx. 2 Sec. 15A.

15A.—(1) The High Commissioner may, by notice in the Gazette, at his discretion and subject to such conditions as he may either generally or in respect of any specific company impose, approve any company for the purposes of section 15B if he is satisfied that such company is a company which is empowered, by its charter, statutes or memorandum and articles of association or other instrument constituting it or defining its constitution, to act as an executor or administrator, and is either

- (a) lawfully incorporated or registered in Palestine (whether with or without limited liability), and has a capital (in stock or shares) for the time being issued of not less than fifty thousand pounds, of which not less than twenty five thousand pounds has been paid up in cash, or
- (b) lawfully incorporated or registered in Palestine without limited liability and has as one of its members a company fulfilling the requirements of paragraph (a) hereof.

(2) The High Commissioner may, without reason assigned, refuse such approval or revoke any such approval so given.

15B.—(1) The District Court, or any judge thereof, may —

- (a) where a company approved by the High Commissioner under section 15A (hereinafter referred to as an "approved company") is named in a will as executor, whether alone or jointly with another person, grant probate to the company either solely or jointly with another person, as the case may require; and
- (b) grant administration to an approved company, either solely or jointly with another person,

Approved companies
Sec. 2 of
No. 19/44.

Appointment
of approved
companies
as executor
or adminis-
trator.
Sec. 2 of
No. 19/44.

and the company may act accordingly as executor or administrator, as the case may be.

(2) Probate or administration shall not be granted to a syndic, or nominee on behalf of an approved company.

(3) Any officer authorised for the purpose by an approved company or the directors or governing body thereof may, on behalf of the company, swear affidavits, give security and do any other act or thing which may be required with a view to the grant to the company of probate or administration, and the acts of an officer so authorised shall be binding on the company.

SURVEY. CAP. 136.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	The definition of "public survey" replaced. (See appendix No. 1)	Sec. 2 of No. 2/46.
8	Replaced. (See appendix No. 2)	Sec. 3 of No. 2/46.
11(1)(a)	Substitute "written order" for "notice".	Sec. 4(a) of No. 2/46.
11(2)	Sub-section (2) replaced. (See appendix No. 3)	Sec. 4(b) of No. 2/46.
11(7)	Substitute "a written order issued under this section" for "the notice".	Sec. 4(c) of No. 2/46.
14	Insert the following heading immediately after section 14: "PART IV. — SUPPLEMENTAL"	Sec 5 of No. 2/46.
15 Marginal note	Delete "or notice" appearing in the marginal note.	Sec. 6 of No. 2/46.
16	Replaced. (See appendix No. 4)	Sec. 7 of No. 2/46.
17 18	Repealed and the following section substituted therefor: (See appendix No. 4)	Sec. 8, of No. 2/46.
Schedule.	Add the following Schedule at the end of the Ordinance: (See appendix No. 5)	Sec. 9 of No. 2/46.

Apdx. 1 Sec. 2.

"public survey" means any topographical survey, or town survey, carried out by the Department of Surveys, or any survey carried out, whether before or after the date of the commencement of the Survey (Amendment) Ordinance, 1946, by the Department of Surveys in connection with the settlement of title to land under the Land (Settlement of Title) Ordinance, or any survey carried out, whether before or after that date, by the Department of Surveys for official purposes at the request of the head of any department of the Government, or any other survey declared by the High Commissioner, by order, to be a public survey;

Sec. 2 of No. 2/46.

Cap. 80.

Apdx 2 Sec.8.

8. The provisions of this Part shall apply to any public survey.

Application of Part III. Sec. 3 of No. 2/46.

Apdx. 3 Sec. 11(2).

(2) Every person upon whom such a written order has been served shall be legally bound to attend as required by the order and to do any of the things mentioned therein.

Sec. 4 of No. 2/46.

SURVEY. CAP. 136.

Apdx. 4 Sec. 16.

16. The High Commissioner may make rules prescribing the fees or other payments to be paid for, or in connection with, any survey or other work carried out by officers of the Department of Surveys on the application of any person, and the manner in which such fees and other payments shall be paid, and such rules may provide for the making of a deposit on account of such fees and other payments and for the manner of disposal of such deposits :

Provided that until varied or revoked by any such rules, the Rules contained in the Schedule shall be in force.

17. Any fee, or other payment, payable under any rules made under section 16 may be recovered under the Taxes (Collection) Ordinance which shall apply to the collection of such fee, or other payment, as though it were a tax within the meaning of that Ordinance.

Rules.

Sec. 7 of
No. 2/46.

Recovery of
fees and
other
payments.
Cap. 137.
Sec. 8 of
No. 2/46.

Apdx. 5.

THE SCHEDULE.

1. These Rules may be cited as the Survey (Fees) Rules, 1946.
- 2—(1) The fee to be paid for the following work carried out by any officer of the Department of Surveys, that is to say —
 - (a) a survey for which application is made by the owner of any land, or
 - (b) checking the plan prepared by a licensed surveyor and deposited by the owner of any land in connection with the registration of any transaction in land under the Land Transfer Ordinance, or
 - (c) any other work carried out by any officer of the Department of Surveys on the application of any person,
 shall be paid at the rate of five hundred mils for each hour, or part of an hour, during which each such officer is employed upon any such work.
- (2) In addition to the fee specified in sub-rule (1) of this rule, the person applying for any work to be carried out by an officer of the Department of Surveys shall pay, in respect of —
 - (a) the cost of the materials required for such work, and
 - (b) the travelling expenses of any such officer employed upon such work,
 such sum as may be fixed by the Director.

Citation.

Fees and other payments prescribed. Sec. 9 of No. 2/46.

Cap. 81.

SURVEY. CAP. 136.

(3) Any person applying for any work to be carried out by any officer of the Department of Survey shall, if so required by the Director, before such work is commenced by any such officer, make a deposit, on account of the fee payable under sub-rule (1), and the sum payable under sub-rule (2), of rule 2 of these Rules, of such amount as may be fixed by the Director, and where such deposit is made the sum payable under that rule shall be defrayed out of such deposit and the balance thereof, if any, shall be refunded to the depositor.

Deposit.

TAXES (COLLECTION) CAP. 137.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
8	Replaced. (See appendix No. 1)	No. 1/37, p. 121.

Apdx. I Sec. 8.

8.—(1) If no sufficient goods of the defaulter are found in his house or upon his lands, and if, on inquiry, it shall appear that the defaulter owns immovable property, whether registered in his name or not, capable of being sold for the payment of the sum due, the district commissioner, upon proof of such insufficiency, may issue a warrant for the sale of such immovable property or sufficient part thereof in like manner as if it were sold by order of the competent court for payment of a judgment debt :

Provided that :-

(a) where such immovable property consists in whole or in part of a house in the occupation of the defaulter, there shall be left to or provided for the defaulter, such house accommodation as shall in the opinion of the district commissioner be necessary for him and his family,

(b) if the defaulter is a farmer, there shall be exempted from the sale so much land as shall in the opinion of the district commissioner be necessary for the support of himself and his family.

(2) The proceeds of such sale shall be applied in payment of the sum due; and the surplus thereof, after deducting the sum due and the cost and charges of the sale and all proceedings in connection therewith, shall be paid to the defaulter.

(3) If the defaulter owns more than one immovable property, he may select which of his properties shall be sold :

Provided that the value is, in the opinion of the district commissioner, adequate to cover the sum due; and provided, further, that if the proceeds of the sale of the property so selected are not sufficient for the payment of the sum due, another property may be selected for sale by the district commissioner.

Sale of immovable property where no sufficient goods.
No. 1/37
p. 121.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
11A.	Section 11A added. (See appendix No. 1)	Sec. 2 of No. 24/45.

Apdx. 1 Sec. 11A.

11A. If the commuted tithe is not paid within six months from the date or dates on which it is due a sum equal to twenty per centum of the amount of the commuted tithe payable shall be added thereto, and the provisions of this Ordinance relating to the collection and recovery of commuted tithe shall apply to the collection and recovery of such sum :

Provided that the District Commissioner may for any good cause shown direct the recovery of any sum less than the full penalty and may enhance the sum so directed to be recovered from time to time in the case of a continuing default, so, however, that the total sum so directed to be recovered shall not exceed twenty per centum of the amount of the commuted tithe payable.

Penalty for non-payment of commuted tithe.

Sec. 2 of No. 24/45.

TOBACCO. CAP. 141.

TABLE OF AMENDMENTS.

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3	Replaced. (See appendix No. 1)	Sec. 2 of No. 14/45. Sec. 2 of No. 37/46.
4(1)	Replaced. (See appendix No. 1)	Sec. 2 of No. 4/39. No. 1/37, p. 123.
4(2a)	Sub-section (2a) added. (See appendix No. 2)	Sec. 2 of No. 4/39.
4(5)	Insert "may be uprooted by an officer of Excise and" between "of this section" and "shall be deemed".	Sec. 2 of No. 28/37.
6(4)	Delete "in the presence of an officer of Excise" and substitute "by an officer of Excise in the presence of the grower".	Sec. 3(a) of No. 28/37.
6(5)	Add the following at the end of sub-section (5): (See appendix No. 3)	Sec. 3(b) of No. 28/37.
7(2)	Sub-section (2) (as enacted by No. 1/37) repealed and substituted by the following: (See appendix No. 4)	Sec. 4 of No. 28/37.
24(6)	Add the following at the end of sub-section (6): (See appendix No. 5)	No. 1/37 p. 124.
24(7)	Sub-section (7) replaced. (See appendix No. 5)	Sec 3 of No. 4/39.

TOBACCO. CAP. 141.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
38(2)	Sub-section (2) replaced. (See appendix No. 6)	No. 1/37, p. 125.
39(6)	Sub-section (6) added. (See appendix No. 7)	Sec 5 of No. 28/37.
Schedule.	See Suppl. 2/37, p. 1313.	

TOBACCO. CAP. 141.

Apdx. I Sec. 3.

3.—(1) No tithe shall be payable on tobacco.

(2) An excise duty at the rate of one pound per kilogramme shall be paid in the manner herein-after prescribed on tobacco, including imported tobacco, manufactured and sold in Palestine :

Provided that an excise duty at the rate of 100 mils per kilogramme shall be paid on heishah when manufactured and sold in Palestine unmixed with any other kind of tobacco :

Provided further that an excise duty at the rate of 400 mils per kilogramme shall be paid on tobacco when manufactured and sold in Palestine unmixed with any other kind of tobacco :

Provided further that no excise duty shall be payable on manufactured tobacco delivered by a licensed manufacturer from his licensed premises, upon proof to the satisfaction of the Director that it has been purchased from such manufacturer by a department of His Majesty's Forces in Palestine solely for consumption in Palestine by His Majesty's Forces or any Forces of any of His Majesty's Allies.

4.—(1) Any person wishing to plant tobacco shall, on or before the 31st January of the year in which the tobacco is to be planted, apply on the prescribed form for a licence so to do to the officer of Excise in the area in which the tobacco is to be planted stating the size of the plot which is to be planted, and the officer of Excise, subject to the approval of the Director, shall issue to such person a licence on the prescribed form :

Provided that where it is shown to the satisfaction of the Director there was reasonable cause for delay, a licence may be issued notwithstanding that application for such licence was made after January 31st.

(1a) The Director may withhold his approval to the grant of a licence by the officer of Excise

Excise duty.
Sec. 2 of
No. 14/45.

First
proviso.

Second
proviso.

Third
proviso.

Application
for licence
to grow
tobacco, etc.
Sec. 2(a) of
No. 4/39.

No. 1/37
p. 123.

TOBACCO. CAP. 141.

to any person making application therefor in accordance with the provisions of subsection (1) hereof on any one or more of the following grounds, that is to say:-

- (a) that the land in question has been certified by the Director of Agriculture and Fisheries to be land not suitable for the production of good marketable tobacco;
- (b) that the applicant has been convicted of an offence under the provisions of this Ordinance;
- (c) that the applicant is not the owner or the tenant of the land on which he desires to plant tobacco;
- (d) that the applicant has neither exported nor sold to a dealer or licensed factory in Palestine, tobacco grown by him during the three consecutive years immediately prior to his application;

Sec. 2(b) of
No. 4/39.

No. 1/37
p. 124.

Sec. 2(c) of
No. 4/39.

Apdx. 2 Sec. 4(2α).

(2a) The Director may, at his discretion limit the size of any or every plot to be planted with tobacco, provided that such limitation shall be stated on the licence at the time of issue.

Sec. 2(d) of
No. 4/39.

Apdx. 3 Sec. 6(5).

and the grower shall sign the counterfoil of such certificates as an acceptance by the grower of the correctness of the weight shown in the certificate: thereafter such counterfoil shall be sufficient evidence of the weight of the tobacco appearing therein.

Sec. 3(b) of
No. 28/37.

TOBACCO. CAP. 141.

Apdx. 4 Sec. 7(2).

(2) If —

(a) all or any part of his tobacco is lost or destroyed before being registered, or

(b) all or any of his growing tobacco be for any reason uprooted or abandoned,

otherwise than by an officer of Excise acting under section 4(5) of this Ordinance, the grower shall forthwith give notice to the Excise authority who shall take measures for the requisite examination and verification.

Sec. 4 of
No. 28/37.

Apdx. 5 Sec. 24(6).

and in respect of any imported duty paid tobacco so destroyed by a manufacturer engaged solely in the manufacture of tobacco, cigarettes or cigars from imported duty paid tobacco a refund of customs duty less ten per centum may be allowed in respect of :-

(i) the mid-ribs of such tobacco stripped in the factory; and

(ii) shorts, smalls or other refuse of a size too large to pass through a sieve the meshes of which are not larger than 144 to the square inch:

Provided that where the tobacco destroyed contains more than ten per centum of moisture the rate of refund of customs duty shall be proportionately reduced according to the percentage of moisture in excess of ten per centum.

(7) A proportion of not more than fifteen cigarette papers to each ten grammes of tobacco may be included in any container of cut tobacco in a loose state or of manufactured tobacco made up in any form other than cigarettes, cigars, snuff, chewing tobacco and tobacc issued from any factory.

No. 1/37
p. 124.

Sec. 3 of
No. 4/39.

Apdx. 6 Sec 38(2).

(2) Any person who is found in possession of contraband tobacco shall, if the quantity of such tobacco be one kilogramme or more, be punishable with a fine of not less than one pound and not more than three pounds for every kilogramme of such tobacco or part thereof in his possession or if the quantity of such tobacco be less than one kilogramme, be punishable with a fine calculated at the rate of one mil for each gramme of such tobacco in his possession or two hundred and fifty mils, whichever be the greater: in the case of a second or subsequent offence he shall be liable in addition to imprisonment for six months: further, any vessel not exceeding two hundred and fifty tons register or any means of conveyance made use of in the importation, removal or transport of such tobacco may be seized or detained in any place by an officer of the Customs or any police officer and may be confiscated by order of the court:

Provided that the owner of a vessel exceeding two hundred and fifty tons register which would be liable to be confiscated if the vessel were less than two hundred and fifty tons shall be liable to a penalty of one thousand pounds and the vessel may be detained until the penalty is paid or security is given for payment.

Apdx. 7 Sec. 39(6).

(6) If, in any proceeding under this Ordinance in respect of tobacco found deficient or excessive, a dispute shall arise as to the accuracy of weights, the burden of proof thereof shall be upon the defendant.

No. 1/37
p. 125.

Sec. 5 of
No. 28/37.

TABLE OF AMENDMENTS

<i>Section No.</i>	<i>How affected</i>	<i>Amended by</i>
Long Title.	Substitute "Public Health, Public Order, Public Safety and Town Planning" for "Public Health and Public Order".	Sec. 2 of No. 7/39.
3	Replaced. (See appendix No. 1)	Sec. 2 of No. 28/45.
4(3)	Sub-section (3) added. (See appendix No. 2)	No. 1/37, p. 125.
6	Insert "Subject to the provisions of section 7 (2)" at the beginning of section 6.	Sec. 3 of No. 7/39.
7	Replaced. (See appendix No. 3)	Sec. 4 of No. 7/39.
8	Add the following at the end of section 8: (See appendix No. 4)	Sec. 2 of No. 18/41.
9(1)	"Shall have power to enter" substituted for "shall be authorised to enter" appearing in the first line.	Sec. 3(a) of No. 28/45
9(3)	Subsection (3) added. (See appendix No. 5)	Sec. 3(b) of No. 28/45.
10	Sections 10, 11 and 12 replaced.	Sec. 4 of No. 28/45.
11	(See appendix No. 5)	
12		
13(2)	Sub-section (2) repealed.	Sec. 5 of No. 28/45.
Schedule.	Replaced : Suppl. 2/41, pp. 978, 1378, 1804. Suppl. 2/44, p. 677. Suppl. 2/47, p. 594.	

Apdx. 1 Sec. 3.

3. This Ordinance shall apply —

- (a) in every municipal area in respect of every classified trade :

Provided that the District Commissioner of the District in which any municipal area is situated may, by order, declare that in such municipal area the Ordinance shall not apply in respect of any classified trade specified in such order ;

- (b) in any area, other than a municipal area, to which it may, by order, be applied by the District Commissioner of the District within which such area is situated in respect of such classified trades as such District Commissioner may by such order declare that it shall apply.

Application
of Ordinance.
Sec. 2 of
No. 28/45.

Apdx. 2 Sec. 4(3).

(3) Where any person is the holder of a valid licence granted under the Sale of Intoxicating Liquor Ordinance, 1935, or under the Public Entertainments Ordinance, 1935, it shall not be necessary for such person to obtain a licence under this Ordinance for the premises in respect of which such licence was granted under the Sale of Intoxicating Liquor Ordinance, 1935, or the Public Entertainments Ordinance, 1935, but the provisions of this Ordinance shall apply to such person and to such premises as though a licence had been granted under this Ordinance.

No. 1/37
p. 125.

Apdx. 3 Sec. 7.

7.—(1) The Director of Medical Services, or any officer authorised in writing by him, and the Inspector-General of Police and Prisons, or any officer authorised in writing by him, may refuse to approve any licence to carry on a classified trade under section 6 or may attach to any licence special conditions under which a classified trade shall be conducted, in the interests of public health, public order or public safety, or for the purpose of ensuring due compliance with any town planning provisions relevant to the conduct of such classified trade.

Refusal of licences and attachment of special conditions thereto.

Sec. 4 of No. 7/39.

(2) Applications for licences to carry on a classified trade included in Class II of the schedule to this Ordinance shall be referred for approval to the Inspector-General of Police and Prisons or an officer authorised by him whether or not they have been refused by the Director of Medical Services or an officer authorised in writing by him, and in the event of any difference of opinion between the Director of Medical Services and the Inspector-General of Police and Prisons, or the officers respectively authorised by them as aforesaid, as to whether any licence should be approved or as to what conditions should be attached to the grant thereof, the matter shall be referred to the High Commissioner, whose decision shall be final.

Apdx. 4 Sec. 8.

and may in like manner exempt any person or class of persons from the payment of all or any such fees.

Sec. 2 of No. 18/41.

Apdx. 5 Sec. 9(3).

(3) Where any person having power under sub-section (1) to enter upon premises licensed in respect of a classified trade has, with respect to any premises situated in any area to which this Ordinance applies, reasonable cause to believe that a classified trade to which this Ordinance applies in that area is carried on upon those premises otherwise than under the authority of a valid licence granted under this Ordinance, such person shall have power at any time to enter upon those premises for the purpose of ascertaining whether such classified trade is so carried on upon those premises :

Sec. 3(b) of
No. 28/45

Provided that the power to enter under this sub-section shall not be exercised in respect of a dwelling house, unless a warrant for that purpose shall first have been obtained from a magistrate.

10.—(1) Any person shall be guilty of an offence who —

Offences.
Sec. 4 of
No. 28/45

(a) carries on a classified trade in any area, being a classified trade to which this Ordinance applies in that area, otherwise than under the authority of a valid licence granted under this Ordinance,

(b) being the holder of a valid licence granted under this Ordinance in respect of a classified trade carried on by him in any area, being a classified trade to which this Ordinance applies in that area, contravenes, or causes or permits any other person to contravene, any of the conditions of the licence or any provisions of any rules made under section 13, or

(c) not being the holder of a valid licence as aforesaid, contravenes any rules made under section 13, or

(d) refuses or neglects to produce his licence on demand made by any person having power under section 9 to enter upon premises licensed

in respect of a classified trade, or obstructs any such person.

(2) Notwithstanding any provision of law to the contrary, all such offences shall be deemed for all purposes to be misdemeanours.

11.—(1) Where a charge has been brought under paragraph (a) or (b) of sub-section (1) of section 10, the District Commissioner of the District in which the premises are situated may make a provisional closing order in respect of all or any of the premises in which the classified trade is carried on by the person against whom the charge has been brought.

(2) A provisional closing order may at any time be revoked by order of the District Commissioner and shall cease to have effect —

(a) in the event of the charge being withdrawn;

or

(b) upon a judgment being given by the court on the charge.

(3) A provisional closing order may authorise the police to enter upon the premises to which it refers and remove or seal up any goods found thereon and take such other steps as may be necessary to secure obedience to the order.

12.—(1) Any person convicted of an offence against paragraph (a) of sub-section (1) of section 10, or of an offence against paragraph (b) of sub-section (1) of section 10 which is a continuing offence, shall, subject to the provisions of sub-section (2), be liable to a fine of two hundred and fifty pounds or to imprisonment for six months or to both such penalties, and to a further fine of ten pounds or to further imprisonment for seven days or to both such further penalties for each day during which the offence is continued.

(2) The High Commissioner in council may by order direct that, in relation to any specified

Provisional
closing order
by District
Commissioner.
Sec. 4 of
No. 28/45

Penalties for
offences
against
section 10.
Sec. 4 of
No. 28/45.

class or description of classified trade, higher or lower maximum penalties shall be substituted for all or any of the penalties set out in sub-section (1) and thereupon this section shall have effect accordingly.

(3) Any person convicted of an offence against paragraph (b) of sub-section (1) of section 10 which is not a continuing offence, or of an offence against paragraph (c) or (d) of that sub-section, shall be liable to a fine of fifty pounds or to imprisonment for three months or to both such penalties.

(4) The court before which any person is convicted on any charge brought, in relation to any classified trade carried on by him, for an offence against paragraph (a) or (b) of sub-section (1) of section 10 may, in addition to imposing a penalty in respect of such offence, make a closing order in respect of all or any of the premises in which that classified trade is carried on by that person.

(5) A closing order may authorise the police to enter upon the premises to which it refers and remove or seal up any goods found thereon and take such other steps as may be necessary to secure obedience to the order.

12A.—(1) Any person who carries on a classified trade in any premises in respect of which a provisional closing order or a closing order is in force in relation to that classified trade shall be guilty of an offence and shall, subject to the provisions of sub-section (2), be liable to a fine of two hundred and fifty pounds or to imprisonment for six months or to both such penalties, and to a further fine of ten pounds or to further imprisonment for seven days or to both such further penalties for each day during which the offence is continued.

(2) The High Commissioner in Council may by order direct that, in relation to any specified class

Penalty for carrying on classified trade in contravention of provisional closing order or closing order.
Sec. 4 of No. 28/45.

or description of classified trade, higher or lower maximum penalties shall be substituted for all or any of the penalties set out in sub-section (1) and thereupon this section shall have effect accordingly.

12B. For the purposes of sub-section (1) of section 12 and sub-section (1) of section 12A —

- (a) it is hereby declared for the avoidance of doubt that the recommencement of an offence after an interval constitutes a fresh offence;
- (b) a prosecution may be instituted, and the person accused may be convicted and sentenced, from time to time in relation to any portion of the period during which the offence continues to be committed, not being a portion of such period in relation to which the person accused has been previously convicted and sentenced for the offence.

Provisions
regarding
continuing
offences.
Sec. 4 of
No. 28/45.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
14	Replaced. (See appendix No. 1)	Sec. 2 of No. 21/41.

Apdx. I Sec. 14.

14.—(1) The Chief Veterinary Officer may dispense with such provisions of this Ordinance as he shall think fit in favour of —

- (a) veterinary practitioners employed by Government or by Municipal or Local Councils;
- (b) veterinary students certified by him as such;
- (c) any veterinary practitioner of a foreign country who has come to Palestine for the purpose of carrying out a particular veterinary mission.

(2) All veterinary officers of His Majesty's Forces residing in Palestine while on full pay shall be entitled to the privileges of persons licensed under this Ordinance and shall be deemed to be licensed.

Exceptions to application of Ordinance. Sec. 2 of No. 21/41.

VILLAGE ROADS AND WORKS. CAP. 149.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
2	Definitions of "village" and "village authority" replaced as follows: (See appendix No. 1)	Sec. 2 of No. 42/46.
3(d)	Paragraph (d) added. (See appendix No. 2)	Sec. 2 of No. 22/43.
9	Sections 9 & 10 added.	No. 30/45,
10	(See appendix No. 3)	p. 165.

VILLAGE ROADS AND WORKS. CAP. 149.

Apdx. 1 Sec. 2.

"village" means —

Sec. 2 of
No. 42/46

Laws of Pal.
p. 2569.

Laws of Pal.
p. 2569.

Sec. 2 of
No. 42/46

No. 23 of 1944.

Sec. 2 of
No. 22/43.

(a) where an area has been or is hereafter declared to be a village or tribal unit under Article 11 of the Palestine Orders in Council, 1922-1939, and no part of such area is within the jurisdiction of a municipal council, the whole of such area, and

(b) where part of an area which has been or which is hereafter declared to be a village or tribal unit under Article 11 of the Palestine Orders in Council 1922-1939, is within the jurisdiction of a municipal council, such part of such area as is not within the jurisdiction of such municipal council;

"village authority" means —

(a) in the case of a village wholly or partly within the area of a local council, the local council,

(b) in the case of any other village which is wholly or partly brought within the operation of Part II of the Village Administration Ordinance, 1944, the village council,

(c) in any other case, the mukhtar and elders for the time being of such village.

Apdx. 2 Sec. 3(d).

(d) any work, not being a work specified in paragraph (a), (b) or (c), which is certified by the District Commissioner as being of benefit to the village.

Apdx. 3 Sec. 9.

9. The district commissioner may, from time to time by written notice under his hand addressed to any village authority, direct the postponement, for such period as he may think fit, of the execution of any work included in a programme of works submitted to him by such village authority under sub-section (1) of section 4, and upon the giving of such direction this Ordinance shall in relation to such work have effect as if —

(a) in section 6, the words from "and the amount due" to "payable to him" were omitted;

(b) in sub-section (1) of section 7, the words from "who has not made" to "on the works," were omitted.

10. Any notice issued under section 9, as enacted by the Defence (Amendment of Village Roads and Works Ordinance) Regulations, 1944, and in force immediately before the commencement of the Defence (Revocation) Regulations, 1945, shall be deemed to have been issued under section 9 as enacted by the Defence Legislation (Incorporation in Certain Ordinances) Ordinance, 1945.

Power to
postpone
execution
of works.
No. 30/45.

Saving.
Gaz: 30.3.44,
p. 337.

No. 30/45

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
3(2)	Sub-section (2) replaced. (See appendix No. 1)	No. 1/37, p. 135.
5(5)	Repealed.	Sec. 2 of No. 43/39.
6	Insert “, other than prosecutions for establishing or maintaining a wireless receiving station without a licence,” between “No proceedings” and “shall be taken”.	Sec. 3 of No. 43/39.
7(a)	Paragraph (a) replaced. (See appendix No. 2)	No. 1/37, p. 135.

Apdx. 1 Sec. 3(2).

(2) Every such licence shall be in such form and for such period as the High Commissioner may determine and shall contain, or be accompanied by, a statement of the conditions on and subject to which the licence is granted.

No. 1/37
p. 135.

Apdx. 2 Sec. 7(a).

(a) prescribing the form and manner in which applications under this Ordinance shall be made, the conditions on which licences shall be granted and the fees payable on the grant or renewal of any such licence.

No. 1/37
p. 135.

WORKMEN'S COMPENSATION. CAP. 154.

TABLE OF AMENDMENTS

<i>Section No.</i>	<i>How affected</i>	<i>Amended by</i>
2(1)	Delete the following occurring in 2nd, 3rd and 4th lines of definition of "Workman": "any person so employed whose remuneration exceeds three hundred and fifty pounds in a year, or"	Sec. 2 of No. 28/43.
2(3)	Sub-section (3), with the exception of the proviso, replaced. (See appendix No. 1)	Sec. 2(a) of No. 27/42.
2(4)	Sub-section (4) added. (See appendix No. 2)	Sec. 2(b) of No. 27/42.
4(1) Proviso	Insert "or any failure to make a claim within the period above specified", between "such notice" and "shall not".	Sec. 3(1) of No. 27/42.
7	Insert ", diyet or compensation in lieu of diyet" between "damages" and "in respect" appearing in fourth line.	Sec 2(a) of No. 17/43.
7(a)	Para. (a) replaced. (See appendix No. 3)	Sec. 2(b) of No. 17/43.
7(b)	Insert "diyet or compensation in lieu of diyet" after "damages" appearing in the sixth line.	Sec. 2(c) of No. 17/43.
10	Substitute "Chief Secretary" by "Director, Department of Labour".	Sec. 3 of No. 28/43.
Schedule I. Item 4.	Item 4 replaced. (See appendix No. 4)	Suppl. 2/43 p. 738.
Item 9-13	Items 9, 10, 11, 12 & 13, added. (See appendix No. 5)	Suppl. 2/38 p. 695. Suppl. 2/42 p. 728.

WORKMEN'S COMPENSATION. CAP. 154.

TABLE OF AMENDMENTS

<u>Section No.</u>	<u>How affected</u>	<u>Amended by</u>
Schedule II.	Replaced.	Sec. 3 of
para. 1.	(See appendix No. 6)	No. 17/43.
para. 5.	Replaced.	Sec. 2 of
	(See appendix No. 7)	No. 33/40.
para. 12.	Renumbered as para. 12(1) and sub-para. (2) added.	Sec. 4 of
	(See appendix No. 8)	No. 17/43.
Schedule III.	Substitute "a single arbitrator appointed by the Chief Secretary" appearing in sub-para. (1) by the following :	Sec. 3(a) of
2(1)	(See appendix No. 9)	No. 33/40.
2(2)	Substitute the following for "An arbitrator appointed by the Chief Secretary" appearing in sub-para. (2) :	Sec. 3(b) of
	(See appendix No. 9)	No. 33/40.
5	Para. 5 replaced.	Sec. 3(c) of
	(See appendix No. 10)	No. 33/40.
6	Substitute "Chief Registrar of the Supreme Court" for "superintendent of courts at Jerusalem", and "Chief Registrar" for "superintendent", wheresoever occurring.	Sec. 3(d) of
		No. 33/40.

WORKMEN'S COMPENSATION. CAP 154.

Apdx. 1 Sec. 2(3).

(3) This Ordinance shall apply to persons employed by or under the Government of Palestine, other than members of the Police Force, in the same way and to the same extent as if the employer were a private person :

Sec. 2(a) of
No. 27/42

Apdx. 2 Sec. 2(4).

(4) This Ordinance shall not apply to members of His Majesty's Naval or Military or Air Forces or, save as aforesaid, to persons in the civil employment of His Majesty.

Sec. 2(b) of
No. 27/42

Apdx. 3 Sec. 7(a).

(a) the workman may take proceedings both against that person to recover damages, diyet or compensation in lieu of diyet, and against any person liable to pay compensation under this Ordinance for such compensation, but shall not be entitled to recover both damages or diyet or compensation in lieu of diyet, and compensation under this Ordinance; and

Sec. 2(b) of
No. 17/43

Apdx. 4 Item 4 Schedule I.

4. All operations in which articles are manufactured, repaired, cleaned, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed.

Sup. 2/43
p. 738.

Apdx. 5 Schd. I. Item 9.

9. Transport by sea in vessels registered in Palestine, including any seaman and apprentice and any other person employed on board any such vessel for the purposes of the vessel or of any passengers or cargo or mails carried by the vessel, if he is otherwise a workman within the meaning of this Ordinance.

Sup. 2/38
p. 695.

10. Sea fishing in vessels registered in Palestine, but excluding such members of the crew of a fishing vessel, not being members of a registered co-operative society to whom the first proviso of section 2(2) of this Ordinance applies, as are remunerated wholly or mainly by shares in the profits or gross earning of the working of such vessels.

Sup. 2/38
p. 695.

(11) the work of constructing and maintaining harbours, ports, jetties, and other marine structures, and the operation and repair of all plant and machinery used in connection therewith;

Sup. 2/42
p. 728.

(12) the construction, repair, maintenance and operation of vessels within the territorial waters of Palestine;

Sup. 2/42
p. 728.

(13) the salvage or demolition of vessels within the territorial waters of Palestine.

Sup. 2/42
p. 728.

WORKMEN'S COMPENSATION. CAP 154.

Apdx. 6 Para 1 Schedule II.

1. The amount of compensation under this Ordinance shall be —

Sec 3 of
No. 17/43.

(a) where death results from the injury

(i) if the workman leaves any dependants wholly dependent upon his earnings, a lump sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of one hundred and fifty pounds, whichever of those sums is the larger, but not exceeding in any case three hundred pounds; and, if the period of the workman's employment by the said employer has been less than the said three year, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty six times his average weekly earnings during the period of his actual employment under the said employer;

(ii) there shall be deducted from the sum as above calculated the amount of weekly payments (if any) made to the workman before his death, so, however, as not to reduce the lump sum below one hundred and fifty pounds; and if such weekly payments have been redeemed under this Ordinance, there shall also be deducted the amount paid in respect of the redemption thereof;

(iii) if the workman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration, to be reasonable and proportionate to the injury to the said dependants; and

WORKMEN'S COMPENSATION. CAP 154.

- (iv) if he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding fifteen pounds;
- (b) where total or partial incapacity for work results from the injury —

a weekly payment during the incapacity not exceeding fifty per cent. of his average weekly earnings during the previous twelve months, if he has been so long employed, but if not then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed one pound and five hundred mils :

Provided that —

- (i) where the weekly payment calculated as aforesaid is less than one pound and two hundred and fifty mils, the workman shall be entitled in respect of and during total incapacity to a weekly addition equal to one-half of the difference between such weekly payment and the sum of one pound and two hundred and fifty mils or his average weekly earnings, whichever is the less, and such addition shall, for the purposes of this Ordinance, be treated as if it were part of the weekly payment;
- (ii) the High Commissioner may, by rule, prescribe a scale of the amount of compensation to be paid in cases of partial incapacity.

WORKMEN'S COMPENSATION. CAP 154.

Apdx. 7 Schedule II. Paragraph 5.

5.—(1) The payment in the case of death shall, unless made otherwise as hereinafter provided, be made to the district court, and the receipt of the registrar of the court shall be a sufficient discharge in respect of any sum so paid into court. Any moneys so paid into court shall be deposited or invested in a manner approved generally by the Financial Secretary of the Government of Palestine and shall be disbursed as the court may, subject to the provisions of any rules of court, direct.

Sec. 2 of
No. 33/40.

(2) Notwithstanding anything in sub-paragraph (1) of this paragraph in case of death where the workman leaves no dependants the payment shall, if so agreed, be made to his legal personal representative, or, if he has no such representative, to the person to whom the expenses of medical attendance and burial are due.

(3) Where before the date of the commencement of the Workmen's Compensation (Amendment) Ordinance, 1940, any sums have been paid into the district court in connection with the death of a workman and such sums have been paid to an individual or institution by an order of the court, such individual or institution may be called upon by the registrar of the court to account for such sums; and after hearing the respondent the court may, on its own motion, revoke its former order and make such order for the repayment into court of any sums so paid to the respondent, as may seem to it just, and may order the deposit or investment of such sums in manner provided in sub-paragraph (1) of this paragraph. Any person failing to account for any sums when called upon to do so as aforesaid may be deemed to be guilty of contempt of court.

Apdx. 8 Schedule II. Paragraph 12(2).

(2) Where the review takes place more than six months after the accident, and it is claimed and proved that, had the workman remained uninjured and continued in the same class of employment as that in which he was employed at the date of the accident, his average weekly earnings during the twelve months immediately preceding the review would, as a result of fluctuations in rates of remuneration, have been greater or less by more than twenty per cent. than his average weekly earnings during the twelve months previous to the accident (or if the weekly payment has been previously varied on a review during the twelve months previous to that review or the last of such reviews), the weekly payment shall be varied so as to make it such as it would have been if the rates of remuneration obtaining during the twelve months previous to the review had obtained during the twelve months previous to the accident.

Sec. 4 of
No. 17/43.

Apdx. 9 Schedule III. Paragraph 2(1).

any magistrate having jurisdiction in the area in which the claim arose, on application made by any party to the arbitration; and upon such application being made, such magistrate shall act as arbitrator as provided in this Ordinance: Provided that any such party may, before the hearing of the arbitration, apply for the matter to be settled by a British magistrate and upon such application being made the matter shall be settled accordingly.

Sec. 3(a) of
No. 33/40

(2) A magistrate acting as arbitrator in accordance with the preceding sub-paragraph or paragraph 5 of this Schedule

Sec. 3(b) of
No. 33/40

WORKMEN'S COMPENSATION. CAP 154.

Apdx. 10 Schedule III. Paragraph 5.

5. In the case of the death, or refusal or inability to act, of an arbitrator agreed on by the parties, any such party may apply for the matter to be settled by a magistrate having jurisdiction in the area in which the claim arose; and upon such application being made such magistrate shall act as arbitrator as provided in this Ordinance: Provided that any such party may, before the hearing of the arbitration, apply for the matter to be settled by a British magistrate and upon such application being made the matter shall be settled accordingly.

Sec. 3(c) of
No. 33/40

THE LAW FINDER (SUBSIDIARY LEGISLATION)

1. Statutory Rules and Orders, etc., made under the Ordinances	p. 418
2. Rules of Court	p. 495
3. Imperial Statutes and Orders in Council and Proclamations, etc., made thereunder and Royal Instructions	p. 498
4. Index to Imperial Statutes, etc.	p. 535

Note: This brings the law up to date as on 1st August, 1947.

Please contact Publishers for subsequent amendments.

STATUTORY RULES, ORDERS, ETC.

Alphabetical list of short titles:

*Drayton, or Amended Repealed
Year/page Year/page Year/page*

ACCIDENTS & OCCUPATIONAL DISEASES (NOTIFICATION)

Accidents or Dangerous Occurrence, —
notice of, No.18/45
Occupational Disease — notice of, ... No.18/45

ADVOCATES

Advocates Fees	... ..	No.32/38	
Advocates Rules	... ..	Dr.1585	38/1496
Advocates Rules	... ..	38/1496	43/1021
Advocates Rules	... ..	43/1021	
Advocates Examinations (Fees to Examiners) Rules	... ..	Dr.1589	34/503
Advocates Examinations (Payment of Expenses) Rules	... ..	34/503	
Advocates (Forensic Robes) Rules	... ..	Dr.1590	
Advocates (Professional Conduct.) Rules		Dr.1590	

AGRICULTURAL FERTILIZERS

Agricultural Fertilizers Rules 38/1248 39/15,
622,
1257

ANIMAL DISEASES

Animal Burial Rules	... ..	Dr.1591	41/916
Animal Diseases (African Sickness) Rules	... ..	45/658	
Animal Diseases (Anthrax) Rules	... ..	37/548	
Animal Diseases (Cattle Plague) Rules		Dr.1593	
Animal Diseases (Dourine) Rules	... ..	Dr.1594	35/1252
Animal Diseases (Foot and Mouth Disease) Rules	... ..	Dr.1597	
Animal Diseases (Fowl Plague) Rules	... ..	Dr.1602	41/1977 43/256
Animal Diseases (General) Rules	... ..	Dr.1605	
Animal Diseases (Glanders) Rules	... ..	Dr.1605	45/542
Animal Diseases (Importation of Camels from Sudan) Rules	... ..	44/423	
Animal Diseases (Importation of Poultry) Rules	... ..	Dr.1609	35/125

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Animal Diseases (Mange) Rules	Dr.1610		
Animal Diseases (Rabies) Rules	Dr.1614		35/177
Animal Diseases (Swine Fever Vaccination) Rules	46/622	47/441	
Animals Diseases (Tick Borne Disease) Rules	37/549		
Animal Diseases (Vaccine) Rules	Dr.1618	46/1027	
Animal Diseases (Variation of Definition of Disease) Order	46/803		
	1182		
	1537		
	47/984		
Animal Products (Importation and Exportation) Rules	Dr.1619	38/868	
		46/1026	
Animal Quarantine Rules	Dr.1622	34/152,	
		238,	
		284,	
		538,	
		840,	
		924,	
		1027,	
		1886.	
		35/210,	
		319,	
		337,	
		339,	
		417,	
		679,	
		773,	
		1253,	
		1256,	
		36/44,	
		130,	
		1020,	
		1163,	
		1347.	
		37/883.	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Animal Quarantine Rules (cont.)	...	...	...	38/634,
				1124,
				1597.
				39/15,
				206,
				1316,
				1456.
				40/119,
				516,
				735,
				1122.
				41/341,
				683.
				42/509,
				638.
				43/590.
				44/423,
				651.
				45/791,
				1464.
				46/804.

See: 36/98, 38/1557, 44/423, 651.

Animal Quarantine (Detention Period) Rules	...	...	...	...	46/401	47/1081
Animal Quarantine (Importation of Cyprian Stock) Rules	...	...	...	...	39/1316	
Animal Quarantine (Importation of Slaughter Cattle from Infected (Countries) Emergency Rules	...	...	...	...	38/1557	38/1598 39/69, 956, 40/753 1431.
Animal Quarantine (Poultry) Rules	...	...	...	...	35/1200	36/1184 37/449 38/1269

See: 35/1252, 37/412, 41/592, 44/173.

Animal Quarantine (Prohibition of Importation of Cattle, Sheep and Goats from Turkey) Rules	46/1223	46/1262
---	-----	-----	-----	-----	---------	---------

Animal Quarantine (Prohibition of Im- portation of Cattle from Turkey) Rules	46/1263	46/1366
Animal Quarantine (Swine Fever Vaccination) Rules	46/632	
Animals and Poultry (Sea Transport) Rules	36/1123	40/924
Compensation — Maximum Amount of, to be payable under Section 15(2) of the Ordinance in respect of certain Kinds or Species of Animals slaughte- red under the Provisions of the Or- dinance prescribed	45/1457	
Export of Animals to Egypt (Certificates) Rules	37/573	39/322
Foreign Hay and Straw Rules	34/1055	47/985
Fowl Cholera Rules	36/727	
Haifa Animal Quarantine (Overtime Fees) Rules	34/686	37/1315
Importation of Carcasses from European Countries Rules	38/785	39/788
Importation of Carcasses from European Countries (Prohibition) Rules	38/427	45/1464
Importation of Cattle for Slaughter in Quarantine via Egypt Rules	38/636	
Importation of Horses, Mules and Don- keys from European Countries Rules...	35/319	
Importation of Horses, Mules and Donkeys from the United States of America Rules	36/656	
Importation of Poultry from Great Britain Rules	37/412	
Poultry (Land Transport) Rules	36/1235	
Prohibition of Importation of Horses, Mules and Donkeys (Egypt) Rules ...	44/651	46/57
Prohibition of Importation of Poultry Rules	41/592	
Prohibition of Importation of Poultry (Syria and Lebanon) Rules	44/173	
Prohibition of Importation of Poultry (Trans-Jordan) Rules	45/206	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Prohibition of Importation of Swine (Syria and Lebanon) Rules... ..	43/590		44/141
Prohibition of Importation of Swine (Syria and Lebanon) Rules... ..	45/206		
Restriction of Importation of Cattle, Sheep etc. (Egypt) Rules	45/1143		
Restriction of Importation of Meat Rules	45/1463		
Restriction of Importation of Swine (Trans-Jordan) Rules	45/1538		
Slaughter House Rules	Dr.1644	34/4220	
		36/637	
		39/116	
		41/36	
		42/944	
		43/1114	
		44/589	
		45/1116	

See: 46/1026.

Slaughter House (Edible Offal) Rules	44/590		
Slaughter house, rules of various localities: '			
Afula and outlying localities	43/552	44/590	
Environs of Jaffa	44/310	44/590	
Herzliya and Outlying localities	47/1021		
Jerusalem and outlying localities	36/149	44/590	
Karkur and outlying localities	41/38	41/563	
		44/590	
Lydda and outlying localities	43/845	44/590	
Nahariya and outlying localities	47/776		
Petah Tiqva and outlying localities	43/369	43/595	
		44/590	
Raanana — Kefar Sava and outlying localities	47/720		
Ramat Gan Area	35/775	35/867	
Rehovot and outlying localities	43/596	44/590	
Tel Aviv and outlying localities	39/787	40/1667	
		43/1114	
		44/590	

Alphabetical list of short titles:

Stock Imported by Sea (Removal for Slaughter in Quarantine) Rules ...	34/284	34/673, 795, 1056. 36/83, 743, 1036. 37/20.	46/1152
Swine (Prohibition of Movement) Rules	45/592		
Veterinary Officers Notice ...	46/462		

ANIMAL TAX

Animal Tax (Rates of Tax) Order ...	46/300
Animal Tax (Rates of Tax) Order ...	47/196
Enumeration of all scheduled animals in 1947 ...	47/157

ANTIQUITIES

Antiquities Rules ...	Dr.1650	47/442
Antiquities (Exemptions) Rules ...	Dr.1653	
Schedule of Historical Monuments and Sites ...	44/1219	

ANTIQUITIES (ENCLOSURES)

Antiquities (Palestine Archaeological Museum) Rules ...	37/1240	39/1150
---	---------	---------

ARBITRATION

Arbitration Rules ...	Dr.2323	37/951
Arbitration Rules ...	37/951	
See: Rules of Court.		

ARCHIVES

Archives Rules ...	35/1258	37/408 38/79
--------------------	---------	-----------------

BANDEROLLES

Banderolles Rules ...	Dr.1654
-----------------------	---------

BANKING

Banking (Variation of Form of Schedules) Order ...	46/498
--	--------

BANKRUPTCY

Bankruptcy Rules	36/811	37/153, 1237, 38/1450 39/289 41/214 47/439
-------------------------	--------	---

See: Rules of Court.

Jurisdiction, Courts of the Chief (British) Magistrates to have, in Bankruptcy Matters	37/571
Official Receiver, Administrator General appointed to be	42/625

BEARER BONDS

Bearer Bonds Rules	No.29/46
---------------------------	----------

BEARER BONDS (ESTABLISHMENT OF BOARD)

Board, Members of the Bearer Bonds Board appointed	47/33
---	-------

BEDUIN CONTROL

Beduin Control (Application of Ordinance) Orders	No.38/45 47/352
---	--------------------

BEE DISEASES

Bee Diseases (Appointment of Inspectors) Order	Dr.1655
Bee Diseases (Importation of Bees) Rules	Dr.1655

BILLS OF EXCHANGE

Bills of Exchange (Legal Holidays) Order	Dr.1656	41/1064 47/767
---	---------	-------------------

CARRIAGE OF GOODS BY SEA

Bills of Lading, Rules relating to ...	Dr.105
--	--------

CHARITABLE TRUSTS

Charitable Trusts (Fees) Rules	35/22
---------------------------------------	-------

CHARITIES (PUBLIC TRUSTEE)

Charities (Public Trustee) Rules ... 47/979
 Public Trustee appointed ... 47/979

CINEMATOGRAPH FILMS

Cinematograph Films Rules ... Dr.1657 44/265

CITRUS CONTROL

Citrus Control (Committees of Reference) Rules ... 46/1380
 Citrus Control (Exempted Places) Order 43/1125
 Citrus Control (Export of Citrus) Rules 46/1369
 Citrus Control (Functions and Duties of Board) Rules ... 41/1443
 Citrus Control (Levy on Citrus Fruit) Rules ... 45/1392 46/1381
 Citrus Control (Levy on Citrus Fruit) Rules ... 46/1381
 Citrus Growers required to submit to the Palestine Citrus Board Particulars regarding their Citrus Groves ... 40/1825
 Citrus Marketing Board appointed ... 40/1770
 Citrus Marketing Scheme 1946/47 ... No.47/46
 Control of Export of Citrus Rules ... 39/601 46/1369
 Fruit Export (Exempted Places) Order Dr.1757
 See: Sec. 32 of No. 37/40.

Palestine Citrus Control Board, appointed ... 40/1769 41/1043
 1469
 1968
 42/1920
 43/1113
 45/41
 1234
 46/1183
 1229
 47/473
 933

CITRUS FRUIT ADVERTISEMENT

Citrus Fruit Advertisement Rules ... Dr.1658 No.37/40

CIVIL TRIAL OF MEMBERS OF THE FORCES

Civil Trial of Members of the			
Forces Order ... ..	...	46/363	
Members of the Forces (Place of			
Detention) Order ... ..	...	Dr.1660	

CIVIL WRONGS

Civil Wrongs Ordinance brought into			
force ... ..	...	47/981	

COMPANIES

Companies (Fees) Order	Dr.1661	
Companies (Fees) Order	44/261	
Companies (Fees on Winding Up) Rules	Dr.2326	35/899
See: Rules of Court.		

Companies (Foreign Companies)		
(Fees) Order	44/263	
Companies (Insurance Companies		
Deposits) Order	Dr.1661	34/760
Companies (Insurance Companies		
Deposits) Order	45/999	45/1537
		46/33
Companies (Winding Up) Rules	36/412	36/739
		1370
		39/208
		325
		41/214

See: Rules of Court.

Companies (Winding Up		
Jurisdiction) Order	Dr.1662	
Companies (Winding Up		
Jurisdiction) Order	40/1150	45/1000
Insurance Companies Deposits Notice...	34/760	
Official Receiver, Administrator		
General appointed to be	42/625	
Registrar of Companies, Administrator		
General appointed to be	42/624	

COMPENSATION (DEFENCE)

Compensation (Defence) General Tribunal		
Procedure Rules	41/897	No.39/46
Compensation (Defence) Notice of		
Claims Rules	40/1796	
See: 42/1808, 1809.		
Compensation (Defence) Shipping		
Tribunal Rules	41/595	
Shipping Tribunal appointed	47/933	

COOPERATIVE SOCIETIES

Cooperative Societies Order	44/4932	
Cooperative Societies (Accounts and		
Audit) Regulations	Dr.1663	34/61
Cooperative Societies (Forms and		
Returns) Regulations	34/72	
Cooperative Societies Regulations	34/61	
Cooperative Societies (No. 2)		
Regulations	34/371	
Charges payable by a Registered Society		
for Publication of Notices in Palestine		
Gazette	44/492	
Income Tax Exemptions (Cooperative	42/801	44/274
Societies) Order		46/611

COPYRIGHT

Copyright Regulations	Dr.1666
------------------------------	---------

CORONERS

Coroners Regulations	Dr.1669
-----------------------------	---------

COURTS

Courts (Execution Officers) Order	Dr.1670
Court Fees Rules	
See: Rules of Court.	

CREDIT BANKS

Credit Banks (Inspector's Fees) Rules	Dr.1671
Credit Banks (Receivers) Rules	Dr.1671

CRIMINAL CODE

- Liabilities,*
 Taxes, Fees, Rates, Loans or other Pay-
 ment Liabilities under the Provisions
 of the Taxes (Collection) Ordinance or
 any other Law or Ordinance to be
 Liabilities for the Purpose of Section
 145 of the Ordinance 37/80
 Tribal Areas and the Area of the Sub-
 District of Beersheba, Sections 90 and
 91 not applied to 37/81

CRIMINAL PROCEDURE (ARREST AND SEARCHES)

- Criminal Procedure (Arrest and
 Searches) Order Dr.1673

CRIMINAL PROCEDURE (EVIDENCE)

- Criminal Procedure (Identification)
 Rules Dr.1674

CULTIVATORS (PROTECTION)

- Appointment of a Commission re. Kefar
 Uriya lands 47/554
 Cultivators (Special Commission)
 Appeal Rules 37/409
 See: Rules of Court.
 Protection of Cultivators Rules 34/99

CUSTOMS

- Air Stations for Civil Air Traffic,
 Aerodromes appointed to be 40/468
 Cartridges, importation of, prohibited 37/525
 Chemicals (Low Flash Point) Order ... 37/917 47/561
 Chemicals (Low Flash Point) Order ... 47/561
 Copper and Bronze in the form of Wire,
 Bars or Scrap Metal, exportation of,
 prohibited, save under Licence issued
 by the Postmaster-General 39/49
 Coupons resembling any Bank Note
 or Currency Note, importation of,
 prohibited 38/1156

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Customs Rules	Dr.1680	34/841	
		45/663	
Customs (Drawback) Order (No. 2) ...	37/915	38/1265	
Customs (Drawback) Rules	37/1336		
Customs (Drawback on Sugar- Composite Goods) Order	40/1069		
Customs (Drawback on Sugar- Composite Goods) Rules	40/1070		
See: 35/501.			
Customs (Places of Entry) Order ...	Dr.1675	38/957	
		39/740	
		1315	
		41/863	
Customs Portorage (Jaffa Railway Station) Rules	40/629		45/682
Customs Portorage (Jaffa and Tel Aviv Railway Station) Rules	45/681		
Customs Portorage (Jerusalem Railway Station) Rules	37/461	43/869	
Customs Portorage (Rosh Pinah and Ras en Naqura) Rules	37/1272	43/1015	
Customs Portorage (Samakh, Jisr El Majami, Jisr Sheikh Hussein and Jisr El Yarmoukh) Rules	43/560	43/1015	
Customs Portorage (Tel Aviv Railway Station) Rules	37/297		45/682
Customs (Public Holiday) Order	Dr.1676		
Customs (Regulation of Export of Honey) Order	37/349		
Customs (Regulation of Exports) Order	Dr.1677		
Customs (Regulation of Imports) Order	Dr.1677	34/1001	
		36/583	
		648	
		715	
		38/1311	
		47/578	
See: 36/583.			
Customs (Restriction on Importation of Explosives) Order	36/580		

Customs (Shipment of Local Produce)			
Order	Dr.1694		
Customs (Temporary Admission of Engineering Files without Payment of Duty) Order	43/461		
Drawback Rules	35/501		
Egg Marking Rules	36/2		
Forms to be used for the Export of cer- tain Goods from Palestine to Trans- Jordan and the Import thereof from Trans-Jordan into Palestine	41/970		
Gas Masks Order	37/1314	39/933	
		40/670	
Gaming Machines	46/29		
Importation of Cereals and Oil (Regulation) Order	Dr.1694		35/381
Import Duties (Valuation of Goods) Rules	41/1831		
Lottery Tickets or Advertisements relating to any Lottery prohibited ...	38/1226		
See: 46/29.			
Manure, Place of Entry :			
Abu Zaboura	35/764		
El Haram	34/857		
Kfar Vitkin	37/627		
Military Equipment	47/578		
Military Uniforms	37/349		47/578
Percussion Caps	38/32		
Petroleum Importation Order	34/895		
Prohibition of importation of certain classes of goods, to which section 214 of the Customs Ordinance applies ...	34/662		
Prohibition of Importation (Plant Diseases) Order	34/201		
Rye, regulation and Restrictions on importation	35/941	38/1227	
Sugar Importation (Manufacture of Composite Goods) Rules	38/1531		

Sugar Importation (Manufacture of Confectionery) Rules	Dr.1699	38/1531
Sugar Importation (Manufacture of Fruit Juice Products) Rules	Dr.1700	38/1531
Sugar Importation (Temporary Admission) Order	Dr.1702	
Textile Manufactures Importation (Dyeing and Printing) Rules	40/1186	46/544
Warehousing of Goods for Ship's Stores Rules	37/732	
Wheat	41/1296	
Wheat Flour, Semolina, Unrefined Olive Oil, etc.,	38/1228	
Wheat Triticum and Wheat Flour	39/236, 422,	

CUSTOMS FRONTIER

Customs Frontier (Prescribed Routes and Places of Entry) Order	40/1647	
---	---------	--

CUSTOMS HOUSE AGENTS

Customs House Agents Order	Dr.1703	35/698 37/818
Fees payable on the Issue of Licences prescribed	37/1351	39/1472 40/1433

CUSTOMS TARIFF AND EXEMPTION

Customs Tariff and Exemption (Recognised Commercial Agent) (France) Order	45/883	
--	--------	--

DANGEROUS DRUGS

Dangerous Drugs Rules	Dr.1704	No.17/36
Dangerous Drugs Rules	36/1139	
See: No. 42/45.		
Dangerous Drugs (Codeine and Dionon) Rules	36/1162	
See: No. 42/45.		
Dangerous Drugs (Methylmorphine and Ethylmorphine) Rules	36/1162	45/714

DEAD SEA CONCESSION

Concession for the Extraction of Salts
 and Minerals in the Dead Sea No.23/37

DENTISTS

Dentists Rules	No.1/45	
Dentists (Change of Name) Rules ...	36/681	No.1/45
Dentists (Consulting Room Notices or Door Plates) Rules	37/1037	No.1/45
Dentists (Lost Licences) Rules	36/725	No.1/45
Dentists (Notification of Addresses) Rules	36/585	No.1/45

DRAINAGE (SURFACE WATER)

Drainage Area (Prohibition of Obstruction and Cultivation) Orders ...		
Na Amein	45/130	
Wadi Es Sarar	43/1105	
Wadi Fari'a	44/852	
Wadi Fari'a	46/1157	
Wadi Maghora	47/356	
Drainage (Surface Water) (Declaration of Drainage Area) Orders	43/184, 205, 360, 884	43/1105
	46/805, 1157	
	47/172, 640, 691, 718	

EDUCATION

Education Authorities (Appointment) Order	Dr.1709 37/526, 1054 38/868 40/1361 41/1299
---	--

Alphabetical list of short titles:

Education Authorities	42/330		
(Appointment) Order (cont.)	43/361		
	44/409		
	46/287		
	366		
Education Regulations	34/300		
Education Rules	Dr.1710	38/571	
		43/1114	
Public Schools, certain schools registered as	42/1236	47/899	
	44/392,		
	512		
	45/508		
	46/785,		
	846,		
	936,		
	1095,		
	1347		
	47/429,		
	682		
Tiberias declared to be an Area in which there shall be two Education Commit- tees of the Local Education Authority	40/672		

ELECTRICITY

Electricity Rules	Dr.1726
-------------------	---------

ELECTRICITY CONCESSIONS

Concession Granted to the Palestine Electric Corporation for the Utilisation of the Waters of the Rivers Jordan and Yarmuk for Generating and Sup- plying Electrical Energy, Dated the 5th Day of March, 1926	Dr.634
Concession Granted to Pinhas Ruten- berg in Connection with the Provision and Supply of Electrical Energy for Lighting and Power Purposes and for Irrigation in what is described therein as the District of Jaffa, Dated the 12th September, 1921	Dr.646

EXTRADITION

Extradition Proclamations and Agreements:

Albania	Dr.1727
Argentine	Dr.1727
Austria	36/80
Belgium	Dr.1727
Bolivia	Dr.1727
Chile	Dr.1727
Columbia	Dr.1727
Cuba	Dr.1727
Czechoslovakia	Dr.1727
Denmark	36/783
Ecuador	38/487
Egypt, Provisional Agreement with re- gard to the Extradition of Offenders	Dr.689
Estonia	Dr.1727
Finland	Dr.1727
France	Dr.1727
Germany	Dr.1727
Greece	Dr.1727
Guatemala	Dr.1727
Hayti	Dr.1727
Hungary	37/1052
Iceland	39/1307
Iraq	Dr.1727
Italy	Dr.1727
Latvia	Dr.1727
Liberia	Dr.1727
Lithuania	Dr.1727
Luxembourg	38/1449
Mexico	Dr.1727
Monaco	Dr.1727
Netherlands	Dr.1727
Nicaragua	Dr.1727
Norway	Dr.1727
Panama	Dr.1727
Paraguay	Dr.1727
Peru	Dr.1727
Poland	34/397

Alphabetical list of short titles:

Portugal	34/817	
Roumania	Dr.1727	
Salvador	Dr.1727	
San Marino	35/1	
Siam	Dr.1727	
Spain	Dr.1727	
Sweden	Dr.1727	
Switzerland	36/79	
Syria, Provisional Agreement for Extradition of Offenders between Palestine and Syria	36/94	36/97
Trans-Jordan, Extradition Agreement	34/657	
Tunis	Dr.1727	
United States of America	35/759	
Uruguay	Dr.1727	
Yugoslavia	Dr.1727	

FACTORIES

Factories (Authorised Boiler Inspector's Fees) Order	47/514
Factories (Chains and Lifting Tackle) (Exemption) Certificate	47/500
Factories (Docks) Rules	47/1041
Factories (Protection of Eyes) Rules...	47/505
Factories (Steam Boilers — Autoclaves and Vulcanisers) (Exemption) Certificate	47/500
Factories (Steam Boilers, Steam Receivers and Air Receivers) Rules	47/506
Factories (Steam Boilers-Steam Tube Ovens and Steam Tube Hotplates) (Exemption) Certificate	47/501
Factories (Steam Receivers-Maximum permissible working pressure slightly below the maximum permissible working pressure of the boiler) (Exemption) Certificate	47/503
Factories (Steam Receivers-Traps, Separators or Dryers, Strainers, De-	

Alphabetical list of short titles:

*Drayton, or Amended Repealed
Year/page Year/page Year/page*

Superheaters and Oil Separators)
(Exemption) Certificate 47/504

FIREARMS

Firearms Rules Dr.1731
Firearms (Beduin Areas) Order Dr.1729 37/234
Firearms (Beduin Areas) Order 37/234 37/954
Firearms (Import and Export) Rules... Dr.1729

FISHERIES

Fishery Officers (Powers) Order ... Dr.1734
Fisheries Rules Dr.1733 No.6/37
Fisheries Rules 37/103 37/526
920
38/1343
40/547
41/363
1069
1642
45/560
46/281
Sponge Fishery Rules 37/547 38/1112
1344

FLOODING AND SOIL EROSION (PREVENTION)

Deir 'Amr Conservation Rules 45/4
Er Rama Conservation Rules 45/5
Hable Village Conservation Rules ... 45/210
Jebel ed Dahi (Little Hermon)
Conservation Rules 47/354
Haifa (Carmel Section)
Conservation Rules 43/861
Jaffa — Rishon le Zion — Wadi Rubin
Sand Dunes Conservation Rules ... 42/1357 43/441
47/935
Jerusalem (Western Approaches)
Conservation Rules 45/2
Khan Yunis Soil Conservation Rules... 45/598
Tiberias Slope Conservation Rules ... 41/1517 43/435

FOOD AND ESSENTIAL COMMODITIES (CONTROL)

Benzine and Kerosene, Maximum Retail Prices of,	43/1050	44/282
Benzine and Kerosene, Rates and Maximum Retail Prices of,	44/282	44/1213
Benzine Rationing Rules	42/749	44/1213
Concealment and Destruction of Controlled Articles (Prohibition) Order ...	41/266	45/504 46/1201

See: Sec. 14 of No. 4/42.

Controlled Articles, declaration of, ...	39/727	
	814	
	1138	
	40/814	42/186
		45/957
	1525	
	41/504	
	1152	
	1580	45/957
	1620	
	1736	45/285
	1858	

See: Sec. 14 of No. 4/42.

Drugs, Surgical Dressings, Pharmaceutical Products, Medical and Surgical Appliances, Dental Appliances and Supplies, Retail and Wholesale Dealing in, limited to Persons who hold Special Licences	39/850	
	943	
Drugs Maximum Prices for, prescribed	39/929	39/1116
Food and Essential Commodities (Registration) Rules	42/159	47/332
Retail Dealing in Benzine (Limitation) Order	41/994	44/1213
Sale by Wholesale of Controlled Articles (Invoices) Order	41/456	44/1025

See: Sec. 14 of No. 4/42

Sodium Hydroxide and certain Other Chemicals Orders	40/1525	1610
Wholesale and Retail Dealing in Con- trolled Articles (Licences) Rules ...	41/262	
<i>See: Sec. 14 of No. 4/42.</i>		
Wholesale and Retail Dealing in Con- trolled Articles (Limitation) Order ...	41/264	45/503 46/1200
<i>See: Sec. 14 of No. 4/42.</i>		
Wholesale Dealing in Controlled Articles (Restriction) Rules	41/265	45/504 46/1200

Note: See Orders under the Defence Regulations on the subject.

FOOD CONTROL*

Butter imported into Palestine, Sale of, or otherwise Disposal of, prohibited save under a special Permit signed by an Assistant Food Controller	42/747	47/332
Cheese Containing Cream, Persons having in their Possession or under their Control, for the Purpose of Sale, to furnish the Food Controller with a Return of all stocks held on the 31st August, 1942	42/1486	47/332
Concealment and Destruction of Con- trolled Articles (Prohibition) Order...	41/266	46/1201
<i>See: Sec. 14 of No. 4/42.</i>		
Controlled Articles of Foodstuffs, Wholesale Traders in, required to furnish the Food Controller with a Re- turn showing the Quantities, Move- ment, Place of Storage, Selling Prices and other Particulars of Controlled Articles of Foodstuff which were in		

* With some exceptions, reference is made only to existing legislation.

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

their Control during the Week ending at the close of Business on the preceding Day	42/1070	47/334
Edible Hardened Oils and Fats Notice	42/1069	
Edible Hardened Oils or Fats, Import or otherwise Disposal of, prohibited save under a special Permit granted by the Food Controller	42/1069	47/332
Food Control (Alcoholic Liquors) (Restriction of Manufacture) Order...	43/870	
Food Control (Baby Biscuits) Order ...	43/1069	45/1193
Food Control (Bread) Rules	42/1019	45/986
Food Control (Bread) Rules	45/986	46/539
		994
		47/863
Food Control (Burghol) (Maximum Prices) Order	42/1510	45/963
Food Control (Cake) Order	44/505	44/1187
		45/1296
		46/539
Food Control (Cattle) (Restriction of Sale and Prohibition of Slaughter) Order	43/877	44/206
Food Control (Cheese) (Manufacture and Maximum Prices) Order	43/194	47/1058
Food Control (Chocolate) Order	44/420	44/936
		47/158
Food Control (Coffee) (Maximum Prices) Order	43/966	46/1129
Food Control (Coffee) (Maximum Prices) Order	46/1129	47/120
Food Control (Commodity-Linking) Rules (No. 2)	42/1429	42/1500
		1576
		1586
		1646
		1696
		45/850
		921

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Food Control (Commodity Linking) (Restriction of Application) Rules ...	44/136	45/849
Food Control (Controlled Articles) Orders ...	39/814	
	41/1580	
	42/186	
	45/957	47/865
	46/530	
Food Control (Condensed and Evaporated Milk) (Maximum Prices) Order	44/935	46/1202
Food Control (Dairy Products) (Manufacture and Maximum Prices) Order	43/937	44/616
		937
		970
		1187
		46/398
		790
		1501
		47/579
Food Control (Description of Articles and Evidence) Rules ...	45/181	45/288
Food Control (Exportation of Food-stuffs By Post) Order ...	42/1728	46/789
		904
		1031
Food Control (Extension of Validity of Wholesalers' and Retailers' Licences) General Licence ...	44/14	44/153
		256
		443
		892
		1464
Food Control (Fish) (Maximum Prices) Order ...	44/226	44/443
		714
		783
		45/177
		651
		985
		1128

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Food Control (Fish) Maximum	46/145		
Prices) Order	399		
		677	
		1083	
Food Control (Flour) (Labelling) Order	46/536		
Food Control (Fresh Fruits and Fresh Vegetables) Order	43/931	43/954	
		1094	
		1120	
		44/13	
		254	
		749	
		45/1156	
		46/26	
		606	
		766	
		1285	
Food Control (Government Imported Australian Butter) (Control and Max- imum Prices) Order	46/1047	47/581	
Food Control (Halva) Order	44/582		
Food Control (Honey) Order	44/435	45/851	
Food Control (Imitation Coffee) (Pro- hibition of Manufacture and Sale) Order	43/761		
Food Control (Imitation Dairy Products) (Prohibition of Manufacture and Sale) Order	43/504	43/696	
		46/425	
Food Control (Maintenance of Registers) Notice (No. 2)	43/724	46/533	
		47/761	
		864	
Food Control (Manufacture of Soap) Order	43/694		
Food Control (Maximum Prices for Cer- tain Alcoholic Drinks) Order (No. 2)	44/366	44/416	
		46/787	
		904	
		47/464	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Food Control (Maximum Prices for Certain Fodderstuffs) Order	43/800		47/230
Food Control (Maximum Prices for Certain Foodstuffs) Order	46/1202		47/230
Food Control (Mills) (Percentage of Flour Extraction) Order	42/1194		47/332
Food Control (Miscellaneous Maximum Prices) Order	47/230	47/429	
		630,	
		688,	
		758,	
		861,	
		904	
		1097	
		1120	
Food Control (Olive Oil Soap) Order	44/1069		
Food Control (Olives) (Regulation of Picking and Pressing) Order	42/1452	43/739	
		45/899	
		47/1156	
Food Control (Rationing) Rules	45/821	46/426	
		533,	
		821,	
		933,	
		1536	
		47/195,	
		333,	
		495,	
		949	
Food Control (Registration of Children) Rules	43/199		47/332
Food Control (Registration of Coffee Roasters and Coffee Grinders) Notice	43/832		47/332
Food Control (Registration of Importers and Manufacturers) Notice (No.2)	42/1836		47/332
Food Control (Registration of Importers and Manufacturers) Notice (No. 2)	42/1836		47/332

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Food Control (Restriction of Movement) Order	44/151	44/221, 971 45/930
Food Control (Sale of Camel Flesh) Order	43/763	
Food Control (Standard Biscuits) Order	44/412	46/765
Food Control (Standard Jam) Order	43/886	44/202 584 46/1082 47/686 929
Food Control (Tea) Order	44/218	44/421 47/158
Food Control (Wholesalers' Returns) Order	47/334	47/865 950
Importers of Foodstuffs, Manufacturers, Canners, Curers, Preparers or Preservers of Foodstuffs required to register their Names, Addresses and Occupations at the Headquarters Office of the Food Controller	42/568	47/332
Macaroni or Foodstuffs similar to Macaroni, Manufacturers of, required to furnish the Food Controller within one Week with Returns in writing	42/628	47/332
Meat, Animals from which Meat is derived and Fish, Wholesale and Retail Dealers in, required to register their Names, Addresses and Occupations at the Headquarters Office of the Food Controller	42/689	47/332
Saccharine, sale of, otherwise Dealing in, prohibited, save under a Permit granted by the Food Controller	42/1084	47/332
Sales Restriction (Sugar) Order	41/628	47/332
Wholesale and Retail Dealing in Controlled Articles (Licences) Rules	41/262	45/410

Alphabetical list of short titles:

Year/page Amended Repealed
Drayton, or Year/page Year/page

Wholesale and Retail Dealing in Controlled Articles (Limitation) Order ... 41/264 46/1200
 47/297
 761
 929

See: Sec. 14 of No. 4/42.

Wholesale Dealing in Controlled Articles (Restriction) Rules ... 41/265 46/1200
 47/297
 760
 928

See: Sec. 14 of No. 4/42.

FORESTS

Forests Rules ... Dr.1746 42/393
 44/263
 45/161
 Forests (Protected Trees) Order ... Dr.1745 39/1150
 40/1299
 46/1157

Forests Reserve (Prohibition of Smoking) Order ... 45/776

Note: The "Reserves", "Closed Forest Areas" and "Protection Orders" are not shown in this index:

FOREIGN JUDGEMENTS

Foreign Judgments Rules ... Dr.2332
 See: Rules of Court.

FRUIT EXPORT

For Citrus Fruit see "Citrus Control"
 Citrus Fruit Export Rules ... Dr.1751 36/710

FUGITIVE OFFENDERS (PURSUIT)

Fugitive Offenders from Egypt (Pursuit) Order ... Dr.1758
 Fugitive Offenders from Syria and the Lebanon (Pursuit) Order ... Dr.1758 45/74

GAME PRESERVATION

Game Preservation Rules	Dr.1761	34/2	873
Game Preservation (Appointment of Guards) Order	Dr.1759		
Game Preservation (Close Season) Proclamation	Dr.1759		
Game Preservation (Gazelle) Proclamation	Dr.1759		
Game Preservation (Protection) Proclamation	Dr.1760	39/718	44/1401
Game Preservation Reserves	Dr.1764	35/14	

GOVERNMENT RAILWAYS

Government Railways (General Mana- gers Powers) Rules	38/1113	43/807	1028
			44/1010
			47/298

Note: By-Laws made by the General Manager are not shown in this index.

GUIDES

Guides Rules	Dr.1765	35/597	41/982
---------------------	---------	--------	--------

IMMIGRATION

Immigration Rules	Dr.756	35/310	37/445
			39/34
			360
			641
			43/1073
			44/259
			950
			45/1362

Immigration (Appointment of Director) Order	Dr.1766		
---	---------	--	--

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Immigration (Custody Pending Deportation) Order	Dr.1766	39/786	
			1314
Immigration (Deportation Orders) Order	44/673		
Immigration (Detention) Order	Dr.1767	37/385	
Immigration (Fees) (Exemption) Order	Dr.1767		
Immigration (Overtime Fees) Order ...	34/200		
Immigration (Places of Entry) Order...	Dr.1769		34/784
Immigration (Working Days and Hours) Order	44/449	46/134L	
Immigration (Working Hours) Order...	Dr.1769		42/1838
Persons Exempted from the Provisions of the Ordinance	34/731		
	37/754		
	38/608		
	41/1574		
	42/1838		
	45/928		
	1112	47/169	47/442
	1199	47/170	47/442
	46/55	47/168	47/442
	427	47/169	47/442
Persons Suffering From a Disease in connection with section 5(1)(i) of the Ordinance	46/1426		
Places of Entry	43/125	44/1009	
Trans-Jordans to be in possession of passports when entering Palestine ...	39/313		
Working Hours Order	42/1838		44/449
IMPORT, EXPORT AND CUSTOMS POWERS (DEFENCE)			
Import (Certificates of Origin and Interest) Order	40/181		46/613
Import (Certificates of Origin and Interest) Notice	40/184		46/613
Licensing of Exports Order	40/189	40/820	
		42/1174	
		1946	
		43/123	

Alphabetical list of short titles:

Year/page Amended Repealed
Drayton, or Year/page Year/page

Exports Open General Licence	45/1340	45/1484	
		46/86	
		1058	
		1263	
		1490	
		1534	
		47/905	
Licensing of Imports Order	39/425	40/964	
		42/1174	
		1733	
		1947	
		43/124	
Imports Open General Licence	45/1337	46/335	
		474	
		1058	
		1490	
		1534	

Revocation of Import Licences (Carob Juice, Raisin Juice, Date Juice) Notice	43/212		
Revocation of Import Licences (Dried Fruits and Nuts) Notice	44/138		
Revocation of Import Licences (Dried Raisins) Notice	43/764		
Revocation of Import Licences (Fresh Fruits, Fresh Vegetables, Onions, Potatoes) Notice	43/795		
Revocation of Import Licences (Lentils) Notice	43/472		
Revocation of Import Licences (Pulses) Notice	43/1070		
Revocation of Import Licences (Salted Fish) Notice	43/855		
Revocation of Export Licences (Olive and Olive Oil Soap) Notice	46/1328		
Melons — exportation prohibited	42/628		

INCOME TAX

Income Tax (Deduction from Emoluments) Rules	44/314		
--	--------	--	--

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Income Tax (Depreciation) Rules ... 41/1505 42/857
 46/627

Income Tax (Exemption of Interest
 on War Savings Certificates) Pro-
 clamation 43/96

Income Tax Exemptions (Cooperative
 Societies) Order 42/801 44/274
 46/611

Income Tax Exemptions (Local
 Authorities) Order 46/809

Income Tax (Forms) Rules 41/1417 43/463
 44/675
 46/602

Income Tax (Non-Resident Pensioners'
 Allowances) Rules 43/365

Rules of Court (Income
 Tax Appeals) 41/1465 41/1683
See: Rules of Court.

Trading with the Enemy provisions re-
 garding persons, income or property
 affected by the law relating to Schedule
 to No.13/47

INDUSTRIAL COURTS

Date of Coming into Force 47/1131

INTERPRETATION

Delegation of Powers under Sect. 29... 46/1222

INTOXICATING LIQUORS (MANUFACTURE AND SALE)

Alcohol (Medical Purposes) Rules ... 37/755

Alcohol (Removal for Use in Manufac-
 ture of Flavouring Materials and
 Essences) Rules 35/352

Alcohol (Removal for Use in Manufac-
 ture of Pectin) Rules 40/1429

Intoxicating Liquors Rules Dr.1770 35/635
 835

38/92
 39/211
 40/426
 47/661

**IRAQ PETROLEUM COMPANY
 CONVENTION AND AGREEMENTS**

Petroleum (Loading and Discharging
 at Haifa) Rules 39/860

JUDGMENTS (RECIPROCAL ENFORCEMENT)

Judgments (Reciprocal Enforcement)
 Rules Dr.2343 35/899
 See: Rules of Court.

Judgments (Reciprocal Enforcement —
 South Wales) Order Dr.1795

JUDICIAL COMMITTEE

Judicial Committee Rules Dr.2347
 See: Rules of Court.

JUVENILE OFFENDERS

Juvenile Offenders Rules 38/1241 No.42/44
 Juvenile Offenders Rules 41/1561

LAND (ACQUISITION FOR ARMY AND AIR FORCE)

Qalandiya Landing Ground By-Laws ... 36/616
 See: Sec. 26 of No. 24/43.

LAND (EXPROPRIATION)

Expropriation of Land (Forms)
 Regulations 35/248 40/232
 See: Sec. 26 of No. 24/43.
 Land (Expropriation) Rules Dr.1796 35/248

LAND (SETTLEMENT OF TITLE)

Land (Settlement of Title) Exclusion of
 Sites of Houses from Settlement ... Dr.1799
 Land (Settlement of Title) (Fees) Order 45/209 45/1260
 Settlement of Title Rules Dr.1810 34/132
 38/441
 40/29
 Settlement of Title Actions (Fees and
 Payments) Order Dr.1799 45/209

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Settlement of Title (Procedure) Rules...	Dr.1803	34/149	
		35/899	
		39/825	
Settlement of Title (Registration Fees) Order	Dr.1808		Sched.to No.1/46
Settlement of Title (Registration and Partition Fees) Order	Schd. to	47/1103	
	No.1/46		

Note: Orders re Minimum Areas for Registration Purposes and orders re Settlement Areas are not shown in this index.

LAND (TRANSFER)

Land Transfer Rules	Dr.1820	35/396	
		37/157	
Land Transfer (Fees) Rules	39/1477	42/257	
		43/331	
		393	
		No.34/45	

See: Sec. 12 of No. 36/41.

Note: See Land Transfer Regulations made under Article 16D of the Palestine Orders in Council, 1922 to 1939 — found in 40/327.

LAW COUNCIL

Law Council Rules	38/1457	38/1554	
		39/36	
		161	
		1087	
		1256	
		41/1094	
		42/714	
		44/23	
		1053	
		1358	
		45/231	
		1025	
		1297	

Alphabetical list of short titles:

Drayton, or Amended *Repealed*
Year/page Year/page Year/page

Law Council Rules (cont.)	...	...	...	...	46/405
					653
					791
					47/350
					934

See: 45/1297, 46/609, 653.

LOANS (RECOVERY OF INTEREST)

Loans issued upon the security of mortgages for a term exceeding 12 years exempted from the application of the Ottoman Law whereby the total interest recoverable on a debt shall not exceed the principal amount of the debt

38/387
497
39/5
1274
1405
1453
41/364
466
42/866
44/1437
798
45/505
47/152
934

LOCAL COUNCILS

Local Councils (Affula) Order	...	...	Dr.1824	40/1531
See under Ir-Izrael-Affula.				
Local Councils (Anebta) Order	...	...	37/1317	43/362
Local Councils (Bait-Vegan) Order	...	...	36/1371	38/370
				599
				1095
				39/22
				41/344
				44/69
Local Councils (Beit Sahur) Order	...	...	Dr.1826	35/573
				46/1477

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Local Councils (Benei Beraq) Order ...	37/891	38/1096	
		39/1152	
		41/656	
		44/398	
		46/30	
Local Councils (Bir-Zeit) Order	Dr.1828		33/581
Local Councils (Ein Karim) Order	Dr.1829		45/858
Local Councils (El Bassa) Order	Dr.1831	35/121	
		46/1480	
Local Councils (El Bira) Order	Dr.1833		41/1173
Local Councils (El Bireh) Order	41/1173		
Local Councils (El Faluja) Order	Dr.1835		37/819
Local Councils (El Mujeidal) Order	Dr.1836		44/129
Local Councils (Emek Hefer)			
See :Regional Local Council of Emek Hefer			
Local Councils (Er Rama) Order	Dr.1837		44/1387
Local Councils (Ezor Efraim) Order... ..	45/374	47/201	
Local Councils (Ezor Izrael) Order	41/1693	45/1118	
Local Councils (Ezor Kishon) Order	45/351	47/200	
Local Councils (Ezor Nahalal) Order... ..	45/449	47/201	
Local Councils (Faluja) Order	37/819	37/962	
Local Councils (Givatajim) Order	42/867	45/211	
Local Councils (Hadera) Order	40/195	40/370	
Local Councils (Hadera Rural Area) Order	47/951		
Local Councils (Herzliya) Order	36/1413	38/1094	
		39/1408	
		40/1439	
		44/399	
		45/976	
Local Councils (Holon) Order	40/429	40/662	
		45/422	
Local Councils (Ir Izrael — Affula) Order	40/1531		
Local Councils (Jericho) Order	Dr.1839		47/475
Local Councils (Jericho) Order	47/475		
Local Councils (Kafr Kanna Area) Order	37/1031		
Local Councils (Kafr Yasif) Order	Dr.1841	46/1481	
Local Councils (Karkur) Order	40/153	41/689	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Local Councils (Kfar Ata) Order ...	41/737	43/361	
Local Councils (Kfar Saba) Order ...	36/1385	38/1096	
		39/1407	
		40/1305	
		44/802	
		1085	
		400	
		45/151	
		46/284	
		793	
		964	
Local Councils (Kfar Yona) Order ...	40/1679	42/1264	
		1308	
		46/514	
Local Councils (Kiryat Motzkin) Order	40/573	47/555	
Local Councils (Magdiel) Order ...	44/39		
Local Councils (Ma'lul) Order ...	Dr.1843		
Local Councils (Municipal Auditor's Fees) Order ...	46/92		
Local Councils (Municipal Auditor's (No. 2) Order ...	46/1391		
Local Councils (Nahariya) Order ...	41/131	42/1040	
		44/957	
		47/485	
Nathanya ... see Local Councils (Township of Nathanya) Order.			
Local Councils (Petah Tiqva) Order ...	Dr.1845	35/44	
		329	
		37/276	
Local Councils (Petah Tiqva Rural Area) Order ...	37/465	39/1407	
		44/398	
Local Councils (Qalqilya) Order ...	Dr.1851	41/344	
		1645	
		46/1478	
Local Councils (Ra'anana) Order ...	36/1399	38/809	
		39/1408	
		43/284	
		44/399	
Local Councils (Ramat Gan) Order ...	Dr.1852		43/1157

Medical Practitioners (Change of Name) Rules	35/830	
Medical Practitioners (Consulting Room Notices or Door Plates) Rules	37/797	
Medical Practitioners (Lost Licences) Rules	Dr.1883	
Medical Practitioners (Notification of Address) Rules	36/134	36/372

MERCHANDISE MARKS

Merchandise Marks Rules	Dr.1884	
Merchandise Marks Regulations	35/163	

MERCHANT SHIPPING (WIRELESS TELEGRAPHY)

Merchant Shipping (Wireless Telegraphy) Rules	42/421	47/1080
--	--------	---------

METHYLATED SPIRITS

Methylated Spirits Rules	Dr.1889	43/1122
		46/1
		47/715
Methylated Spirits (Rebate) Order	40/1135	41/1124
		46/362

MIDWIVES

Midwives Rules	Dr.1896	
Midwives (Change of Name) Rules	37/1063	
Midwives (Lost Licences) Rules	37/1066	
Midwives (Notification of Address) Rules	37/1064	
Midwives (Prescribed Areas) Order	Dr.1896	
Midwives (Prescribed Areas) Order	37/1111	

MINING

Controller of Mines (Appointment) Order	Dr.1899	
Mining Rules	Dr.981	No.25/38
	Dr.995	No.25/38
Town Planning Area of Jerusalem declared to be closed to Prospecting and exploration	36/411	
Quarrying Rules	Dr.1899	

MOTOR VEHICLES INSURANCE (THIRD PARTY- RISKS)

Motor Vehicles Insurance (Third-Party Risks) Rules No.8/47

MUNICIPAL CORPORATIONS

Accounts of Municipal Councils,
 Audit of 35/741
 962

Annual Estimates, Books, Receipts,
 Payments, Deposits, Salaries and Wa-
 ges, and Monthly Returns 37/235 40/428

Councillors, Increase of Number of,
 Orders:

Safad 47/612

Tel-Aviv 47/819

Tiberias 47/613

Election and Nomination of Councillors,
 Regulations No.1/34

Forms of Estimates and Abstracts ... 37/425

Jerusalem, Order 38/1094

Meetings and Proceedings of Councils,
 Regulations No.1/34

Municipal Corporations (Duration of
 Municipal Commission) (Jaffa) Order 47/1021

Municipal Corporations (Municipal
 Auditor's Fees) Order 46/91

Municipal Corporations (Municipal
 Auditor's Fees) (No. 2) Order 46/1390

Municipal Corporations (Exemption)
 Order in Council 45/733

Municipal Election Petitions Rules ... 35/651 35/1042

Petah Tiqva Municipal Corporation
 Proclamation 37/276 39/1088

1151
 1261

Petah Tiqva Municipal Council Order
 in Council 45/210

Rates, default of payment of, penalty
 to be paid for:

Acre: 47/696

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Beersheba	47/388	47/912
Beersheba	47/912	
Haifa	47/832	
Nazareth	47/387	
Ramle	47/799	

Note: Orders re Election Divisions, Electoral Divisions, Nomination of Municipal Commissions and Authorisation of Loan are not shown in this index.

**MUNICIPAL CORPORATIONS
 (SEWERAGE, DRAINAGE AND WATER)**

Orders applying the Ordinance to
 Municipal Corporations of :

Haifa	36/129
Jaffa	36/273
Jenin	36/320
Jerusalem	36/82
Majdal	45/583
Nablus	36/320
Nazareth	41/1381
Safad	37/127
Tel Aviv	37/218
Tulkarm	36/319

OATHS

Oaths Regulations No.61/36

OIL MINING

Oil Mining Rules No.25/38 39/272
 361
 44/624

ORTHODOX PATRIARCHATE

Orthodox Patriarchate Regulations ... No. 32/41

PALESTINE LOAN (CAP. 102)

Palestine Loan Rules Dr.1902

PALESTINE LOAN ORDINANCE, 1942.

Palestine Loan Rules 42/1353

PALESTINE POST OFFICE SAVINGS BANK

Palestine Post Office Savings Bank			
Rules	42/195	43/531	1008
			44/519
			45/580

PALESTINE VOLUNTEER FORCE

Palestine Volunteer Force Rules ...	41/1342	42/1875	
Force disbanded	43/1099		

PARTNERSHIP

Partnership (Registration) Rules	Dr.1904	38/435	
			44/260
Registrar of Partnerships, Administrator			
General appointed to be,	42/625		

PASSPORT

Passport Rules	Dr.1908		
See: Sec. 8 of No. 35/34.			
Passport Regulations	No.35/34		
Passport Regulations	36/374		
Passport Regulations	38/488		

PATENTS AND DESIGNS

Designs Rules	Dr.1910	34/989	
Designs (International Convention)			
Rules	35/113		
Designs (United Kingdom) Rules ...	35/724		
Jurisdiction under the Ordinance, Dis-			
trict Courts of Jerusalem, Jaffa, Tel			
Aviv, Haifa and Nablus appointed to			
exercise	40/313		
Patents and Designs (British Territo-			
ries) Order	35/288		
Patents and Designs (Industrial Pro-			
perty Convention) Order	34/310	35/1108	
			36/619
			38/241
Patents and Designs Office Order ...	Dr.1925		

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Patents (International Convention)			
Rules ... ..	... 35/109		
Patents Rules ... ..	... Dr.1925	36/69	
		37/919	
		47/444	
Register of Patent Agents Rules ...	Dr.1947		38/1181
Register of Patent Agents Rules ...	38/1181		
Office of the Registrar of Patents and Designs to be the Place in which the Register of Patents and Designs shall be kept ... ..	... 42/943		
Registrar of Patents and Designs, Administrator General appointed to be	42/748		

PATENTS, DESIGNS, COPYRIGHT AND TRADE MARKS (EMERGENCY)

Patents, Designs, Copyright and Trade Marks (Emergency) Rules 39/1485
--	-------------

PENAL LABOUR

Penal Labour Rules Dr.1950
---------------------------	-------------

PENSIONS

Pensions Rules ... ..	... No.1/44	No.34/44	
		47/532	
		1077	
Pensions (Pensionable Offices) Order	Dr.1951		40/291
Pensions (Pensionable Offices) Order	40/291	46/224	
Pensions (Pensionable Offices) Order...	44/1103	46/224	

PERSONAL INJURIES (EMERGENCY PROVISIONS)

Boards of Medical Officers, District Medical Boards nominated to be, for the Purpose of the Scheme and the Personal Injuries (Civilians) Rules...	44/1012
Compensation Commissioner for the Purposes of the Ordinance appointed	44/726
Personal Injuries (Civilians) Scheme...	43/482
Personal Injuries (Civilians) Rules ...	44/726

PHARMACISTS

Pharmacists Rules	Dr.1954	47/1080
Pharmacists (Change of Name) Rules ...	37/1038	
Pharmacists (Lost Licences) Rules ...	37/1040	
Pharmacists (Notification of Address) Rules	36/1052	

PLANT PROTECTION

Citrus Fruit Transport Rules	35/401	36/1165
Plant Protection Order (No. 2)	34/202	34/870
		35/869
		976
		990
		37/387
		734
		40/325
		41/772
Plant Protection Rules	Dr.1965	34/206
		88
		839
Plant Protection (Black Scale) Rules ...	Dr.1958	
Plant Protection (Citrus Grove Fumigation) Rules	Dr.1958	34/488
Plant Protection (Citrus Grove Fumigation) Rules	34/488	35/705
Plant Protection (Control of Pests) Rules	Dr.1960	
Plant Protection (Control of Pests) Rules	45/420	
Plant Protection (Diseases and Pests) Order	Dr.1961	45/146
		46/629
Plant Protection (Importation of Plants) Order	Dr.1961	34/202
Plant Protection (Nursery) Rules	34/1062	37/734
		38/1080
		39/273
Plant Protection (Places of Inspection) Order	Dr.1964	36/1165

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Plant Protection (Plant Inspectors) Order	Dr.1964	38/407
Plant Protection (Plant Inspectors) Order	38/407	

PLAYING CARDS EXCISE

Playing Cards Excise Rules	38/494	
-----------------------------------	--------	--

POLICE

Additional Police (Employment) Rules	Dr.1967	36/620
British Police (Language Allowance) Rules	45/37	46/225
General Police Fund Rules	Dr.1967	
Meetings and Processions, Licences to hold	40/767	
	945	
	946	
	989	
	46/873	
	874	
Police (Determination of Military Ranks) Order	42/936	
Police (Disciplinary Offences) (Definition) Rules	41/234	41/1810
Police (Forms of Declaration) Rules ...	Dr.1968	39/235
Police Good Conduct Pay Rules	Dr.1871	36/619
		46/225
Police (Language Allowance) Rules ...	Dr.1972	34/492
Police (Language Allowance) Rules ...	45/37	46/225
Police (Language Allowance and Proficiency Pay) Rules	34/492	46/225
Police (Language Allowance and Proficiency Pay) Rules ...	46/225	46/766
		47/1016
Police Leave Rules	Dr.1973	46/225
Police (Lost Property) Rules	Dr.1975	36/317
		37/760
Police (Military Force) (Discipline) Rules	42/1520	44/954
		1357
		47/692

Police Force shall be employed for Military Purposes, for the Duration of the War, within the Limits of the Command of the General Officer, Proclamation	40/920		
Police Force to be a Military Force and, for the Duration of War, to be liable to be employed on Military Duties in the Defence of Palestine ...	42/935		
Police Pensions Rules	Dr.1975		
Police (Place of Residence) Rules ...	36/62		
Police Proficiency Pay Rules	Dr.1978	34/492	
Police Proficiency Pay (British Section) Rules	Dr.1977	46/225	
Police Recruiting Rules	Dr.1980		

POOR PRISONERS' DEFENCE

Poor Prisoners' Defence Rules	Dr.2377	38/30	
		47/37	

See: Rules of Court.

PORTLAND CEMENT

Portland Cement Rules	44/280	44/384	
Portland Cement (Excise Duty) Order	44/282		

PORTS

Acre Port Water Limits Order	45/1145		
Charges for offloading from Railway Waggons	34/1059	46/1472	
Dead Sea Port (Water Limits) Order...	45/632		
Gaza Port (Water Limits) Order ...	45/1145		
Haifa Harbour (Bathing) Rules ...	34/685		
Haifa Harbour (Berthing) Rules ...	34/435		
Haifa Harbour (Motive Power) Rules	34/145		
Haifa (Pilotage Dues) Regulations ...	34/145	44/267	
<i>See: Port of Haifa (Pilotage Dues) Rules.</i>			
Jaffa Roadstead (Anchorage) Rules ...	34/1002		
Petroleum (Loading and Discharging at Haifa) Rules	39/860	47/386	
Port of Haifa-Limits defined	39/622		

Alphabetical list of short titles:

Port of Haifa Rules	Dr.1996	43/301	
		1096	
		46/940	
Port of Haifa (Citrus Fruit Portrage Charges) Order	43/1095		46/940
Port of Haifa (Compulsory use of Cranes) Rules	39/944		
Port of Haifa (Cranage Charges) Order	Dr.1983		34/465
Port of Haifa (Cranage Charges) Order	39/44	42/842	
		44/520	
Port of Haifa (Definition) Order ...	Dr.1983		34/671
Port of Haifa (Hire of Tugs) (Fees) Rules	44/269	45/665	
Port of Haifa (Lighterage, Agency and Portrage Charges) Order	Dr.1983		36/1324
Port of Haifa (Lighterage, Agency and Portrage Charges) Order	36/1324		46/944
Port of Haifa (Lighterage Charges) Order (No. 2)	45/1262		46/944
Port of Haifa (Lighterage and Portrage) Rules	46/940	46/1152	
See: 46/1472.			
Port of Haifa (Mooring, Berthage and Wharfage Dues) Rules	Dr.1988	39/597	
		598	
		43/301	
		44/269	
		45/39	
		577	
		47/637	
		1078	
Port of Haifa (Offloading of Citrus) Order	46/1472		
Port of Haifa (Pilotage Dues) Rules ...	Dr.1995		34/145
Port of Haifa (Pilotage Dues) Rules...	44/267	45/665	
Port of Haifa (Pilotage Fees) Rules ...	Dr.1995		34/145
Port of Haifa (Portrage Charges) Order	45/590		46/944
Port of Haifa (Regulation of Shipping Traffic) Rules	38/1408		

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Port of Haifa (Slipway) Rules	41/1622	44/272	
Port of Haifa (Small Craft Moorings) Rules	47/637		
Port of Haifa (Tariff for Certain Services) Order	46/944	46/1261	
		47/990	
		1105	

See: 46/1472.

Port of Haifa (Transport of Passengers and Luggage Charges) Order	Dr. 1998	38/609	
		45/1208	
Port of Jaffa Rules	Dr.2006		46/948
Port of Jaffa (Citrus Fruit Portorage Charges) Order	43/1096		46/952
Port of Jaffa (Definition) Order	Dr.1999		39/739
Port of Jaffa (Definition) Order	39/739		
Port of Jaffa (Electric Crane Charges) Order	Dr.2000	37/317	
Port of Jaffa (Lighterage, Agency and Portorage Charges) Order	Dr.2000		46/952
Port of Jaffa (Lighterage and Portorage Charges) Rules	46/948		
Port of Jaffa (Lighterage Charges) Order	45/207		46/952
Port of Jaffa (Portorage Charges) Order (No. 2)	43/1154		46/952
Port of Jaffa (Size of Small Craft) Rules	36/739	37/709	
Port of Jaffa (Slipway and Repairing Area) Rules	37/352	37/464	
		39/1315	
Port of Jaffa (Tariff for Certain Services) Order	46/952	46/1261	
		47/829	
Port of Jaffa (Transport of Passengers and Luggage Charges) Order	Dr.2007	47/303	
Port of Jaffa (Wharfage Dues) Rules	37/173	43/301	
		44/273	
		45/579	
		47/1079	

Alphabetical list of short titles:

Port of Tiberias — Tiberias declared to be a Port for the Purpose of the Ordinance	42/989		
Ports Rules	Dr.2013		43/286
Ports Rules	43/286	43/426	
		44/1108	
		46/808	
Ports (Anchorage Dues) Rules	Dr.2008	39/599	
		44/266	

Ports (Employment of Persons within Limited Area) Rules	37/754		
Ports (Employment of Vessels within Limited Area) Rules	36/1358		
Ports (Flying of Flag by Vessels) Rules	36/1082		
Ports (Licensing of Persons) Rules	38/1369	43/301	
Ports (Light Dues) Rules	Dr.2010	37/691	
		43/301	

Ports of Haifa and Jaffa (Citrus Fruit Storage Dues) Rules	43/1097		
Ports of Haifa and Jaffa (Passenger Dues) Rules	45/836		
Ports of Haifa and Jaffa (Storage Dues) Rules	43/289	43/768	
		1095	
		45/39	
		577	
		1428	

See: 43/1097.

Ports (Petroleum and Calcium Carbide) Rules	Dr.2010		
Ports (Ports Authority's Powers) Rules	44/900		
Ports (Power-Driven Fishing Vessels) (Life-Saving Equipment) Rules	44/1183		
Ports (Prevention of Pollution) Rules	35/606		
Ports (Seagoing Vessels) Rules	35/85	37/184	
		46/1453	

See: Appointment of Surveyors of

Ships	47/387
Board Nominated	47/910

Alphabetical list of short titles:

*Drayton, or Amended Repealed
Year/page Year/page Year/page*

Ports (Shipping Agents) Order	46/956		
Ports (Wrecks Removal Notice) Rules	47/530	47/716	
Registration and Licensing of Vessels Rules	Dr.2014	35/940	
		43/301	
		46/1054	

POST OFFICE

Post Office (Fines Fund) Rules	Dr.2018	38/524	
Post Office (Imposition of Fines) Rules	Dr.2019	47/559	
Rates of Postage to be payable in re- spect of certain Services		47/1002	
Telegraphs (Telephone Exchange Service Agreements) Regulations, 1943	43/745	45/927	

PRESS

Press (Fees) Rules	Dr.2021		
---------------------------	---------	--	--

PRISONS

See: Sec. 70 of No. 2/40.

Declaration of a Camp to be a Prison (Latrun)	47/440		
Prison Rules	Dr.2023	35/93	
		36/252	
		38/52	
		787	
		45/131	
		46/1453	
Prison Rules	No.3/46		
Prisons and Reformatory School Rules	Dr.2078	38/998	
Prisons (Special Treatment) Rules ...	35/93		
<i>See: 35/932.</i>			
Reformatory School Rules	Dr.2079	35/1239	
		38/840	

PROBATES (BRITISH AND COLONIAL)

Probates (British and Colonial) Rules...	Dr.2378		
<i>See: Rules of Court.</i>			
Probates (British Guiana) Order	Dr.2087		

PROBATION OF OFFENDERS

Probation of Offenders Rules No.42/44

PROVIDENT FUND

Provident Fund (Rate of Interest)
Order 44/844
Provident Fund (Rate of
Interest) Order 45/662
Provident Fund (Rate of
Interest) Order 46/1390
Provident Fund (Rate of
Interest) Order 47/709

PUBLIC HEALTH

Public Health (Amendment of Registers
of Births and Deaths) Rules 41/841
Public Health (Antimalaria) Rules ... Dr.2088 41/1300
Public Health (Antimalaria) Rules ... 41/1300
Public Health (Births and Deaths)
(Fees) Rules 41/842
Public Health (Re-Interment) Rules ... 41/727
Rural Sanitary Areas, Administrative
Sub-Districts, excluding Municipal and
Local Council Areas, declared to be... 41/864
Section 20 Provisions of, to apply
within certain areas 41/1204
1382
42/608
1755
43/631
44/1052

PUBLIC HEALTH (RULES AS TO FOOD)

Public Health (Imported Meat) Rules 38/1390 39/260
Public Health (Labelling of Foods)
General Rules 35/244 35/697
38/453
Public Health (Manner of Procuring
and Submitting Samples for Examina-
tion) General Rules 35/246
Public Health (Preservatives, etc. in

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Food) Rules	35/238	35/697	
		42/768	
		1040	
		45/208	
Public Health (Standard of Foodstuffs) Rules... ..	35/225	35/696	
		37/740	
		817	
		38/452	
...		39/71	
		195	
		524	
		40/1590	
		41/356	
		1538	
		43/544	
		970	

QUARANTINE

Quarantine Rules	Dr.2090	36/1448	
		37/1272	
		44/283	
		47/720	
Quarantine (Rat Prevention) Rules ...	36/250		

RAILWAYS

Railways Rules	Dr.2122		38/1113
See: Sec. 45 of No. 29/45.			
Railways Board Rules	Dr.2113		
Railways Byelaws	Dr.2114		

RATES AND TAXES (EXEMPTION)

Rates and Taxes (Exemption) Rules ...	40/469		
---------------------------------------	--------	--	--

REGISTRATION OF BUSINESS NAMES

Registration of Business Names Rules	35/639		
Registrar of Business Names, Adminis- trator General Appointed to be	42/1265		

RELIGIOUS COMMUNITIES (ORGANISATION)

Jewish Community Rules	Dr.2132	34/218	
		37/27	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Jewish Community Rules (cont.)	... 37/53	1520
		39/459
		43/394

See: Sec. 2 of Cap. 126.

Jewish Community Rules	... 47/241
	47/497

See: Para. 13(4) in Dr. 2132.

Municipalities and Villages declared to be Jewish Municipalities or Jewish Villages for the Purposes of the Jewish Community Rules	... 39/305
	397
	42/1039
	43/492
	47/935

RENT RESTRICTIONS (BUSINESS PREMISES)

Landlords and Tenants (Ejection and Rent Restriction (Premises) (Proce- dure) Rules	... 35/738
---	------------

See: Sec. 12 of No. 6/41.

Rent Restrictions (Business Premises) Appeals Rules	... 41/682
--	------------

See: Rules of Court.

Rent Restrictions (Business Premises)
(Application to) Orders:

Acre	... 43/450
Afula	... 43/436
Arnona	... 44/680
Bait Vegan	... 44/250
Bat Yam	... 43/579
Beisan	... 43/205
Beit Hakerem	... 44/250
Beit Jala	... 45/190
Benei Baraq	... 43/577
Betlehem	... 45/46
Gaza	... 43/1080
Givatayim	... 43/78

Alphabetical list of short titles:

*Drayton, or Amended Repealed
Year/page Year/page Year/page*

Givat Eliyahu	44/680		
Givat Shaul	44/250		
Hadera	44/213		
Haifa	41/915		
Haifa Bay	44/1125		
Haifa Bay Industrial Area Extension	47/140		
Hebron	44/423		
Herzliya	44/70		
Holon	43/579		
Jaffa	42/1922		
Jenin	43/6		
Jerusalem	41/1927	44/448	
Karkur	47/777		
Kfar Ata	44/712		
Kfar Sava	43/947		
Kiryat Bialik	45/732		
Kiryat Motzkin	45/732		
Lydda	42/1941		
Lydda District	44/1361		
Majdal	44/1132		
Nablus	42/1942		
Nahariya	43/580		
Nahlat Yitshaq	44/712		
Nazareth	42/1969		
New Montefiori	44/250		
Pardes Hanna	45/15		46/734
Petah Tiqva	43/576		
Petah Tiqva Rural Area	43/577		
Raanana	44/409		
Ramallah	43/1154		
Ramat Gan	43/577		
Ramle	42/1941		
Rehovot	43/578		
Rishon le Zion	43/578		
Safad	43/206		
Shave Zion	45/82		
Tel Aviv	41/1065		
Tiberias	42/1858		
Township of Nathanya	42/1969		
Tulkarm	42/1940		

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Road Transport Rules (cont.)	...	...	...	46/767
				1034
				1427
				47/528

See: 47/717.

Road Transport (Authentication of Specifications of Commercial Vehicles) Rules	...	...	...	36/273
Road Transport (Beersheba Municipal Area) Rules	...	...	...	42/795
Road Transport (Carriage of War Department and Air Ministry Civilian Employers in Commercial Motor Vehicles) Order	...	...	...	47/134
Road Transport (Closure of Roads) Rules	...	...	...	41/896
				43/107
				715
Road Transport (Closure of Roads) (Hanita Road) Notice	...	...	...	46/973
Road Transport (Dawwara Bridge) Notice	...	...	...	43/988
Road Transport (Damiya Bridge) Rules	...	...	...	40/1162
Road Transport (Dimensions of Commercial Vehicles) (Exemption) Order	...	...	...	42/485
Road Transport (Double Decker Omnibus) (Experiment) Order	...	...	...	36/1273
				42/487
Road Transport (Hedera Local Council Area) Rules	...	...	...	40/1030
Road Transport (Haifa Municipal Area) Rules	...	...	...	41/657
Road Transport (Haim Nathaniel) Order	...	...	...	35/454
				42/487
Road Transport (International Circulation) Rules	...	...	...	37/801
Road Transport (Iraq Petroleum Company Limited) Order	...	...	...	Dr.2145
				46/1389
				47/365
Road Transport (Jaffa Municipal Area) Rules	...	...	...	36/98

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Road Transport (Jaffa Municipal Area) Rules	38/619		
Road Transport (Jerusalem Municipal Area) Rules	39/1233	40/520	
Road Transport (Jerusalem Traffic) Rules	40/1362		
Road Transport (Kalandiya Landing Ground) Rules	34/1024		
Road Transport (Palestine Electric Corporation Limited) Order	47/717		
Road Transport (Palestine Potash Limited) Order	37/801		
Road Transport (Petah Tiqva Municipal Area) Rules	37/1274	42/1013	
Road Transport (Petroleum Development (Palestine) Limited) Order	46/1508		
Road Transport (Potash Company) (Exemption) Order	45/1395		
Road Transport (Public Carriages) Rules	35/274		
Road Transport (Routes and Tariffs) Rules	34/159	35/1109	
		37/1244	
		41/81	
		1161	
		1737	
		39/328	
		42/581	
		1865	
		43/643	
		1022	
		44/336	
		45/558	
		1491	
		46/429	
		503	
		543	
		610	
		735	
		1076	
		47/85	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Road Transport (Shell Company) ...			
(Exemption) Order	45/408		1394
Road Transport (Southern District) Rules	37/59		
Road Transport (Spinneys Limited) Order	38/727		
Road Transport (Tariff for Public Motor Vehicles) (Jaffa and Tel Aviv) Rules	42/1784	43/641	
Road Transport (Tariff for Public Motor Vehicles) (Jerusalem and Environs) Rules	42/1777		
Road Transport (Tel Aviv Municipal Area) Rules	37/859		
Road Transport (Temporary Provisions) Order	46/236	47/170	

RURAL PROPERTY TAX

CITRUS

Rate of Tax in Areas planted with, in respect of the Period 1st April, 1945, to 31st March, 1946, and the Period 1st April, 1946, to 31st March, 1947, reduced	45/1		1378
---	------	--	------

Gaza Sub-District, Certain Rates of Rural Property Tax payable in respect of Lands in, for the Period 1st April, 1947, to 31st March, 1948, reduced and remitted	47/1014		
---	---------	--	--

HULA CONCESSION

Tax for the use of Territory within the Boundaries of the Area of the, to be payable as from 1st April, 1944 ...	43/1099		
Rural Property Tax Rules	43/808	44/108	508
Rural Property Tax (Application) Order	35/57	44/274	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Rural Property Tax (Exemption) Rules	35/224
Rural Property Tax (Industrial Buildings) Order	45/146
Rural Property Tax (Industrial Buildings) Order	46/406
Rural Property Tax (Industrial Buildings) Order	47/141
Rural Property Tax (Procedure on Case Stated) Rules	35/603

SAFEGUARDING OF PUBLIC WATER SUPPLIES

Safeguarding of Public Water Supplies (Declaration of Public Water Supply Areas) Notices	37/815	
	945	
	1150	
	39/555	
	42/678	42/1411
	44/309	
	46/656	
	1152	
	47/1071	

SALE OF INTOXICATING LIQUOR

Hours of Sale of Intoxicating Liquor (Municipal Areas) Regulations	
Acre	42/608
Beit Jala	36/40
Bethlehem	36/39
Gaza	40/1287
Hadera	42/268
Haifa Rural District etc.	42/268
Haifa Municipal Area	42/209
Hebron	36/277
Jaffa	42/211
Jerusalem District	35/1067
Jerusalem	35/1265
Karkur	42/268
Kfar 'Ata	42/268
Kiryat Motzkin	42/268

Alphabetical list of short titles:

Lydda District	42/210
Lydda	42/267
Natanya	42/842
Nazareth	36/1038
Petah Tiqva	42/210
Ramallah	35/963
Ramle	42/268
Safad	36/1040
Shefa 'Amr	42/268
Tel Aviv	42/212
Tiberias	36/1039
Tulkarm District	37/741
H. M. Fores and Allies canteens, messes etc.	46/362

SALT

Salt Rules	Dr.2182
Salt (Excise Duty) Order	44/279

SHARIA COURTS PENSIONS

Regulations for the Granting of Pensions and Gratuities	No.15/34 p. 157
Sharia Court Fees Order see Rules of Court	

SHORT TERM CROP LOANS (SECURITY)

Short Term Crop Loans (Security) Rules	35/959
Barclays Bank (Dominion, Colonial and Overseas) approved for the purposes of the Ordinance	35/976

STAMP DUTY

Commissioners of Stamp Duty, Accountant General and Administrator General appointed as	42/626	
Commissioners of Stamps Duties Order	Dr.2185	42/626
Stamp Duty Rules	Dr.2185	40/800
		41/328
		939
Stamp Duty (Discount) Rules	Dr.2185	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

'Affula	26/254	
Bat Yam	38/329	
Beersheba	22/8	
Beisan	24/561	
Beit Jala	43/681	
Benei Beraq	44/197	
Bethlehem	43/680	
Bireh	37/581	
Emek Hephher	46/909	
Faluja	44/1144	
Gaza	23/326	
Hedera	37/804	
Haifa	34/46	41/722
Hebron	36/745	
Herzliya	41/718	
Jaffa	44/130	45/25
Jenin	45/1161	
Jericho	46/31	
Jerusalem	29/1058	
Kefar 'Atta	43/753	
Kefar Sava	42/1273	
Khan Yunis	42/398	
Lydda	40/1743	
Majdal	39/1280	
Nablus	45/1389	
Nahariya	41/323	41/722
Nathanya	41/888	
Nazareth	38/874	
Petah Tiqva	44/113	
Ramallah	37/583	
Ramat Gan	46/41	
Ramle	40/1655	
Rehovot	42/1472	
Rishon Le Zion	42/1474	
Safad	45/1163	
Shefa Amr	43/740	
Tel Aviv	46/43	
Tiberias	37/493	
Tulkarm	45/100	
Limits of Regional Planning Areas ...	41/1447	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

- Town Planning (Demolition of Dangerous Structures) (Jerusalem District) Rules 47/599
- Town Planning (Demolition of Dangerous Structures) (Lydda District) Rules, 1947 47/889
- Town Planning (Permits) Rules Dr.2242
See: 37/313, 663, 713.
- Town Planning Schemes (Plans) Rules Dr.2246
See: 40/1567.
- Town Planning (Temporary Buildings) Rules Dr.2247

TRADE MARKS

- High Court (Trade Marks) Rules ... 37/363 40/227
See: Rules of Court.
- Registrar of Trade Marks, Administrator General appointed to be 42/748
- Trade Marks Rules Dr.2269 40/228
- Trade Marks Rules 40/228 40/426
 664
 42/942
 47/444
- Trade Marks (British Territories) Order 35/292 38/368
- Trade Marks (Industrial Property Convention) Order 34/308

TRADES AND INDUSTRIES (REGULATION)

- Application of Ordinance to certain Trades in certain Areas 36/43
 46/416
- Institutions exempt from the Payment of Licence Fees 41/1645
- Petroleum Rules Dr.2250 34/451
- Petroleum Regulations 34/451 34/666
 46/1229
 47/40
- See: 44/1192, 46/348.*
- Timber Storage Rules 36/650 36/1166

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Trades and Industries (Galilee District) Order	45/867	
Trades and Industries (Haifa District) Order	40/1649	
Trade and Industries (Jerusalem District) Order	Dr.2258	40/784
Trades and Industries (Jerusalem District) Order	40/748	
Trades and Industries (Lydda District) Order	45/936	
Trades and Industries (Manufacture of Black Powder) Rules	40/571	41/1805
Special Conditions to be observed in the Manufacture and Storage of Black Powder	41/1805	
Trades and Industries (Manufacture of Potassium Chlorate) Rules	41/1931	
Trades and Industries (Northern District) Order	Dr.2259	34/874
Trades and Industries (Regulation) Rules	Dr.2261	34/15 36/649 46/628 47/1040
Trades and Industries (Samaria District) Order	45/338	
Trades and Industries (Southern District) Order	Dr.2267	34/877

TRADING WITH THE ENEMY

Application of the provisions of the Trading with the Enemy Ordinance, 1939, to:

Bulgaria	41/359
Finland	41/1342
French Indo-China	42/272
Hungary	41/585
Manchuria	42/272
Roumania	41/290
Siam (Thailand)	42/272

Communication in writing, General Licences authorising, with Persons in the Occupation of His Majesty or a Power allied with His Majesty:	
Austria	46/90
Bulgaria	45/174
Finland	45/174
Germany	47/120
Hungary	45/1170
Italy	44/1354
Japan	47/361
Roumania	45/259
Siam	45/1170
Custodian of Enemy Property, Powers vested in the High Commissioner by Sections 2(2), 3(2)(b)(i), 5, 6 and 7 of the Ordinance, delegated to the Custodian of Enemy Property	41/971
Despatch by parcel post, authorisation of, to:	
Bulgaria	47/578
Germany	47/578
Roumania	47/578
Despatch of Periodical Publications, General Licence authorising the, to persons in the British Zone of Control in Germany	46/1423
Estate of a Deceased Person, Persons who hold or manage any Property belonging to the, in which an "Enemy" is interested, or owe Money to such an Estate or are themselves interested in such an Estate, required to communicate the Fact to the Custodian of Enemy Property	46/1133
Foreign Currencies, prescribed rates appropriate for ascertaining the Value in Palestine Currency:	
Austrian Shilling	40/988

Alphabetical list of short titles:

Drayton, or Amended Repealed
 Year/page Year/page Year/page

Belgian Franc	40/988
Bulgarian Leva	41/1033
Czechoslovakian Kronen	40/678
Danish Kronen	40/988
Dutch Florin	40/988
Finnish Mark	42/254
French Franc	40/988
German Reichsmark	40/678
Greek Drachma	41/1033
Hungarian Pengoe	41/1033
Italian Lira	40/988
Japanese Yen	43/523
Lithuanian Litas	43/523
Norwegian Kronen	40/988
Polish Zloty	40/678
Roumanian Lei	41/1033
Syrian Pound	41/1033
Yugoslavian Dinar	41/1033
Income Tax, Provisions regarding persons, income or property affected by the law relating to trading with the enemy	Schedule to No.13/47
Money, Bank holding, on behalf of an Enemy and Persons owing Money to an Enemy required to give full Information to the Custodian of Enemy Property	41/181
Owners of Cargoes in Ships lying at a Port in any Country not being Enemy Territory authorised to pay Freight and Other Charges to an Enemy for the Purpose of obtaining Possession of the Cargoes	40/965
See: 40/1645	
Patents, Designs and Trade Marks, Authorisation of Payments in respect of,	43/190
	47/668
	928

Securities; General Licence regarding the Allotment or Transfer to, or for the benefit of, Enemy Subjects resident in Palestine or in the United Kingdom of Securities to which Section 7 of the Trading with the Enemy Ordinance applies	40/1059
Shares; Companies Incorporated or Carrying on Business in Palestine, Shares in which are held by, or for the Benefit of, an "Enemy" required to submit to the Custodian of Enemy Property certain Informations	42/1738
Trading with the Enemy (Authorisation) Order	43/844
Trading with the Enemy (Authorisation) Order	44/124
Trading with the Enemy (Authorisation) Order	45/257
Trading with the Enemy (Authorisation) Order	46/1269
Trading with the Enemy (Authorisation) (Austria) Order	46/1336
Trading with the Enemy (Authorisation) (Belgium and Luxembourg) Order	45/1201
Trading with the Enemy (Authorisation) (Czechoslovakia) Order	46/50
Trading with the Enemy (Authorisation) (Denmark) Order	45/1166
Trading with the Enemy (Authorisation) (France) Order	45/618
Trading with the Enemy (Authorisation) (French Indo-China) Order... ..	47/1132
Trading with the Enemy (Authorisation) (Germany) Order	47/872
Trading with the Enemy (Authorisation) (Greece) Order	45/1169
Trading with the Enemy (Authorisation) (Hungary) Order	46/1308

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Trading with the Enemy (Authorisation) (Italy) Order	45/1204		
Trading with the Enemy (Authorisation) (Japan) Order	47/1134		
Trading with the Enemy (Authorisation) (Netherlands) Order	45/1206		
Trading with the Enemy (Authorisation) (Netherlands East Indies) Order	46/1305		
Trading with the Enemy (Authorisation) (Poland) Order	46/1305		
Trading with the Enemy (Authorisation) (Roumania) Order	47/876		
Trading with the Enemy (Authorisation) (Siam) Order	46/629		
Trading with the Enemy (Authorisation) (Yugoslavia) Order	46/168		
Trading with the Enemy (Custodian) Order	39/1201	40/545	
		709	
		1364	
		42/1275	
		251	
		44/1339	
		45/133	
		499	
		46/167	
		47/930	
Trading with the Enemy (Custodian) (Amendment) (Insurance) Order ...	45/1271		
Trading with the Enemy (Custodian) (Amendment No. 2) Order	46/1271		
Trading with the Enemy (Custodian) (— — —) Orders:			
Austria	46/1338		
Belgium and Luxembourg	45/991		
Czechoslovakia	46/52		
Denmark	45/199		
Finland	45/1165		
France	45/616		
French Indo-China	47/1133		

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Germany	...	...	...	...	47/875
Greece	...	...	...	...	45/1167
Hungary	...	...	...	...	46/1310
Italy	...	...	...	...	45/1202
Japan	...	...	...	...	47/1137
Netherlands	...	...	...	...	45/1204
Netherlands East Indies	...	...	...	...	46/1311
Poland	...	...	...	...	46/1307
Roumania	...	...	...	...	47/878
Siam	...	...	...	...	46/631
Yugoslavia	...	...	...	...	46/170
Trading with the Enemy (Enemy Territory) (Cessation) (— — —) Orders:					
British Territories	...	...	...	...	46/54
Channel Islands	...	...	...	...	45/707
China	...	...	...	...	46/366
Cyrenaica	...	...	...	...	45/118
Dodecanese Islands	...	...	...	...	47/796
Italian East Africa	...	...	...	...	45/118
Norway	...	...	...	...	46/53
Philippine Islands	...	...	...	...	46/53
Portuguese Timor	...	...	...	...	46/1474
Tripolitania	...	...	...	...	45/118
Union of Soviet Socialist Republics	...	...	...	...	46/1473
Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (No. 2) Order					
...	...	...	...	...	46/1270
Trading with the Enemy (Transfer of Negotiable Instruments, etc.) Orders:					
Austria	...	...	...	...	46/1337
Belgium and Luxembourg	...	...	...	...	45/992
Czechoslovakia	...	...	...	...	46/51
Denmark	...	...	...	...	45/1200
Finland	...	...	...	...	45/1165
France	...	...	...	...	45/617
Germany	...	...	...	...	47/873
Greece	...	...	...	...	45/1168
Hungary	...	...	...	...	46/1309
Italy	...	...	...	...	45/1203
Japan	...	...	...	...	47/1136

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Netherlands	45/1205	
Poland	46/1306	
Roumania	47/877	
Siam	46/630	
Yugoslavia	46/169	
Vesting Order No. 2 by the High Commissioner under Section 9(1)(b) ...	40/23	40/146

See: 46/1268, 47/384.

Vesting Order No. 302 by the High Commissioner freeing from Custodian control and re-vesting registered securities belonging to or held on behalf of bona fide individual residents of France including the *French Colonial Empire* 47/384

TRANSJORDAN FRONTIER FORCE

Provisions of Section 4 whereby the Trans-Jordan Frontier Force may be employed for the Defence of Palestine and Trans-Jordan outside the Limits of the said Countries to come into Force 41/1036

Transjordan Frontier Force (Field Punishment) Rules	41/1189	
Transjordan Frontier Force (Fines Fund) Rules	Dr.2284	
Transjordan Frontier Force (Leave) Rules	Dr.2285	
Transjordan Frontier Force (Procedure) Rules	Dr.2287	
Transjordan Frontier Force (Proficiency Pay, Trade Pay and Good Conduct Badges and Pay) Rules	40/1411	41/564

42/444
600
1249
45/148
46/405

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Transjordan Frontier Force (Proficiency, Trade and Good Conduct Pay) Rules	Dr.2288	40/1411
---	---------	---------

UNITED NATIONS IMMUNITIES AND PRIVILEGES

United Nations Immunities and Privileges Order	47/1004
United Nations Special Committee on Palestine (Immunities and Privileges) Order, 1947	47/1004

URBAN PROPERTY TAX

Revaluation of Properties and Posting of Valuation Lists within the Urban Areas of <i>Jaffa, Lydda and Gaza Districts</i> , Commencement of	47/622	
Urban Property Tax Rules	Dr.2293	41/789
Urban Property Tax Rules	41/789	42/1227
		43/679
		44/508
		45/1483
		46/300
Urban Property Tax (Appointment of Assessment Committee) (Tel Aviv) Order	46/363	
Urban Property Tax (House Properties Exemption) Order	44/521	
Urban Property Tax (Rates of Tax) Orders	44/154	
	45/153	
	47/58	
Urban Property Tax (Variation of Urban Areas) Orders:		
Acre	42/449	
Affula	47/202	
Bat Yam	44/326	
Beersheba	45/291	
Beisan	29/14	
Beit Jala	42/169	
Beit Sahur	34/993	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Benei Beraq	...	...	...	...	39/591	
Bethlehem	...	...	...	...	42/170	
Gaza	...	...	...	...	45/239	
Hadera	...	...	...	...	35/95	
Haifa	...	...	...	...	40/210	
Hebron	...	...	...	...	41/347	
Herzliya	...	...	...	...	41/163	
Holon	...	...	...	...	44/326	
Jaffa	...	...	...	...	44/326	
Jenin	...	...	...	...	41/279	
Jerusalem	...	...	...	...	36/794	
Kefar Saba	...	...	...	...	40/1441	
Khan Yunis	...	...	...	...	45/242	
Lydda	...	...	...	...	45/292	
Majdal	...	...	...	...	45/260	
Nablus	...	...	...	...	45/266	
Nahalat Yitshaq	...	...	...	...	44/326	
Naharia	...	...	...	...	44/1401	
Nathanya	...	...	...	...	46/1450	47/141
Nazareth	...	...	...	...	42/1798	
Petah Tiqva	...	...	...	...	39/241	
Ra'anana	...	...	...	...	41/162	
Ramallah	...	...	...	...	42/680	
Ramat Gan	...	...	...	...	45/271	
Ramleh	...	...	...	...	42/1850	
Rehovoth	...	...	...	...	32/802	
Rishon Le Zion	...	...	...	...	32/803	
Safad	...	...	...	...	44/334	
Sarona	...	...	...	...	44/326	
Shefa 'Amr	...	...	...	...	33/1731	47/521
Shefa 'Amr	...	...	...	...	47/521	
Tel Aviv	...	...	...	...	44/330	
Tiberias	...	...	...	...	45/269	
Tulkarm	...	...	...	...	41/254	

VILLAGE ADMINISTRATION

Village Administration (Mukhtars' Re-	...	...	...	46/1181
muneration and Fees) Rules	...	...	...
Village Administration (Procedure in	...	...	...	46/1483
Village Councils) Rules	...	...	...

VILLAGE ADMINISTRATION (VILLAGE COUNCILS) ORDERS:

<u>Name of Village</u>	<u>Sub-District</u>	<u>District</u>	<u>Year/page</u>
Abu Dis	Jerusalem	Jerusalem	45/1214
Al Yahudiya		Lydda	46/13
Bani Shueila	Gaza	Gaza	46/238
Baqa El Gharbiya	Tulkarm	Samaria	45/769
Beituniya	Ramallah	Jerusalem	45/1183
Bir Zeit	Ramallah	Jerusalem	45/1183
Buq'eia	Acre	Galilee	46/93
Deir Dibwan	Ramallah	Jerusalem	45/1183
Deir El Balah	Gaza	Gaza	46/238

Note: Revoked 46/657 save Fiscal Blocks 1, 2, 3, 4.

Ein Karim		Jerusalem	45/859
El Khadr	Jerusalem	Jerusalem	45/1214
El Maliha	Jerusalem	Jerusalem	45/1214
Ez-Zib	Acre	Galilee	46/545
Fir'in	Safad	Galilee	45/838
Hamama	Gaza	Gaza	46/238
Ibillin	Haifa	Haifa	46/429
'Illar	Tulkarm	Samaria	45/769
Isdud	Gaza	Gaza	46/238
Isfiya	Haifa	Haifa	46/429
Jabaliya	Gaza	Gaza	46/238
Jalama	Jenin	Samaria	45/769
Jish	Safad	Galilee	45/838
Kafr Kanna	Nazareth	Galilee	45/658
Kafr Manda	Nazareth	Galilee	46/658
Khalisa, El	Safad	Galilee	45/838
Masmiya El Kabira	Gaza	Gaza	46/238
Mujeidil, El	Nazareth	Galilee	46/658
Rama	Acre	Galilee	46/93
Reina, Er	Nazareth	Galilee	46/658
Salfit	Nablus	Samaria	45/769
Silwad	Ramallah	Jerusalem	45/1183
Sin'il	Ramallah	Jerusalem	45/1183
Tantura, Et	Haifa	Haifa	46/1484
Taiyiba, Et	Tulkarm	Samaria	46/848

<u>Name of Village</u>	<u>Sub-District</u>	<u>District</u>	<u>Year/page</u>
Tira, Et	Haifa	Haifa	46/429
Tira, Et	Tulkarm	Samaria	46/848
Tubas	Nablus	Samaria	46/1090
Tur'an	Nazareth	Galilee	46/658
Yafa	Nazareth	Galilee	46/658
Yibna	Ramle	Lydda	47/41
			1022

Alphabetical list of short titles:

	<u>Drayton, or Amended</u>	<u>Repealed</u>
	<u>Year/page</u>	<u>Year/page</u>

Village Councils (Collection of Rates) Order	47/368
Village Councils (Rates) Order	47/350

WAR LOAN

War Loan Rules	42/975	43/47
		203
		433

WAR LOAN (BEARER BONDS) No. 27/44

War Loan (Bearer Bonds) Rules ...	No.27/44	No.37/45
		No.12/45

WAR LOAN (BEARER BONDS) (No. 2) 1945

Allocation of Bonds to unsundered Certificates	47/658
	683

War Loan (Bearer Bonds) Rules ...	No.17/45	No.29/46
-----------------------------------	----------	----------

WAR REVENUE (COMPANY PROFITS TAX)

War Revenue (Company Profits Tax) (Forms) Rules	45/885
--	--------

WEIGHTS AND MEASURES

Authentication of Secondary Standards of Weights and Measures	44/966	47/459
Authentication of Secondary Standards of Weights and Measures	47/459	
Controller and Deputy Controller of Weights and Measures appointed ...	47/459	
Keeper of the Standards appointed...	44/831	

Weights and Measures (Form of Certificate) Rules	No.2/47		
Weights and Measures (Measures of Capacity) Rules	No.2/47		
Weights and Measures (Measures of Length) Rules	No.2/47		
Weights and Measures (Measures of Length) Order	47/660		
Weights and Measures (Metric Weights) Order (No. 2)	45/681		47/458
Weights and Measures (Metric Weights) Order	47/458		
Weights and Measures (Metric Weights) Rules	No.2/47		
Weights and Measures (Weighing Machines) Rules	No.2/47		
WIRELESS TELEGRAPHY			
Wireless Telegraphy Rules	Dr.2311	39/261	
		41/365	
		43/369	
Wireless Telegraphy (Exemption) Order	45/417		
Wireless Telegraphy (Licences for Ship Stations) Order	37/1019		
Wireless Telegraphy (Receiving Stations) Rules	43/369	45/417	
Wireless Telegraphy (Ship Station Licences and Operators' Certificates) Rules	37/1024		
WORKMEN'S COMPENSATION			
Medical practitioners legally qualified, appointment of	47/7	47/797	
		982	
Returns of Injuries and Compensation, annual return	47/8		
Workmen's Compensation Rules	Dr.2318	36/683	
		40/1152	
		42/1263	
		44/120	

Alphabetical list of short titles:

Repealed Amended Drayton, or
Year/page Year/page Year/page

Workmen's Compensation (Memoranda
Recording) Rules 44/725
See: Rules of Court.

WRECKS AND SALVAGES

Receivers of Wreck, Collectors of
Customs, Haifa and Jaffa, appointed
to be 45/119
Wrecks and Salvages (Fees) Rules ... 46/400

RULES OF COURT

<i>Alphabetical list of short titles:</i>	<i>Drayton, or</i>	<i>Amended</i>	<i>Repealed</i>
	<i>Year/page</i>	<i>Year/page</i>	<i>Year/page</i>
Advocates Fees Rules	Dr.2322		38/111 40/35
Arbitration Rules	Dr.2323		37/951
Arbitration Rules	37/951		
Archives Rules	35/1258	37/408	
		38/79	
Bankruptcy Rules	36/811	37/153	
		1237	
		38/1450	
		39/289	
		41/214	
		47/439	
Civil and Commercial Procedure Rules	Dr.2324		38/111
Civil Appeal Rules	Dr.2326		38/111
Civil Procedure Rules, 1935	36/191		38/111
Civil Procedure Rules	38/111	38/531	
		39/255	
		404	
		45/491	
		1260	
Companies (Fees on Winding-Up) Rules	Dr.2326		35/899
Companies (Winding-Up) Rules	36/413	36/739	
		1370	
		39/208	
		325	
		41/214	
Court Fees Rules	35/899	35/1014	
		36/1119	
		37/331	
		406	
		1181	
		38/884	
		1402	
		39/517	
		637	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Court Fees Rules (cont.)	...	...	...	...	40/645	
					777	
					45/Sec.3	
					of No.33	
Note: Increase of all fees except for item 68:					40/645	
					44/259	
See: Sec. 4 of No. 33/45						
Court Vacation Rules	...	...	...	Dr.2327		40/918
Note: the subsequent Court Vacation Rules are not shown in this index.						
Cultivators (Special Commission)						
Appeal Rules	...	...	...	37/409		
District Courts (Formal Orders) Rules	Dr.2328					38/111
District Courts (Summary Trials) Rules	38/259					
Evidence on Commission Rules	...	...	Dr.2329			38/111
Execution (Allowances) Rules	...	...	Dr.2331			
Foreign Judgments Rules	...	...	Dr.2332			
Foreign Tribunals (Evidence) Rules	...	Dr.2334		36/719		
				38/955		
Foreign Tribunals (Process) Rules	...	Dr.2337				
High Court Rules	...	...	37/301		39/501	
					40/1359	
High Court (Trade Marks) Rules	...	37/363			40/227	
Judgment By default (District and Land Courts) Rules	...	...	Dr.2339			38/111
Judgment By Default (Magistrates' Courts) Rules	...	...	Dr.2341			40/35
Judgments (Reciprocal Enforcement) Rules	...	...	Dr.2343		35/899	
Judicial Committee Rules	...	...	Dr.2347			
Land Court Rules	...	...	Dr.2368			38/111
Language of Courts Rules	...	...	Dr.2370			38/111
Legalisation of Documents Rules	...	Dr.2370		35/899		
Magistrates' Courts (Formal Orders) Rules	...	...	Dr.2374			40/35
Magistrates' Courts (Forms) Rules	...	34/336				
Magistrates' Courts Procedure Rules	...	Dr.2371				40/35
Magistrates' Courts Procedure Rules	...	40/35		40/628		
				43/396		

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Notary Public Rules	Dr.2375	47/37	
Ottoman Judgments (Execution) Rules	Dr.2376		
Poor Prisoners' Defence Rules	Dr.2377	38/30	47/37
Prize Court (Fees) Rules	40/135		
<i>See: 40/627</i>			
Probates (British and Colonial) Rules... ..	Dr.2378		
Registry Rules	36/668	36/1010	39/619
Rules of Court (Income Tax Appeals)	41/1465	41/1683	
Service Out of Jurisdiction (Trans- Jordan) Rules	35/181		
Sharia Court Fees Order	34/960	35/273	40/647
		44/1131	
Succession Rules	Dr.2380	35/899	38/1578
		39/258	43/459
		47/909	
Tribal Court Rules	37/841		
Witnesses (Allowances) Rules	Dr.2392	34/102	
Workmen's Compensation (Memoranda Recording) Rules	44/725		
Young Offenders Rules	Dr.2393		

Sect 25 of
No.2/37

IMPERIAL STATUTES AND ORDERS IN COUNCIL AND PROCLAMATIONS, ETC., MADE THEREUNDER AND ROYAL INSTRUCTIONS

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

ADMINISTRATION OF JUSTICE ACT, 1920

10 & 11 Geo. 5, c. 81.

Part II.- Reciprocal Enforcement of Judgments in the United Kingdom and in other Parts of His Majesty's Dominions.
Dr.2548

Order in Council Extending Part II of the Administration of Justice Act, 1920 (10 & 11 Geo. 5, c. 81) to Palestine Dr.2551

ADMIRALTY OFFENCES (COLONIAL) ACT, 1849

12 & 13 Vict. c. 96.

An Act to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty.
Dr.2397

See: 1) Art. 35 of Palestine Order in Council, 1922, and
2) Colonial Courts of Admiralty Act, 1890.

ADMIRALTY OFFENCES (COLONIAL) ACT, 1860.

23 & 24 Vict. c. 122.

An Act to enable the Legislatures of Her Majesty's Possessions abroad to make Enactments similar to the Enactment of the Act Ninth George the Fourth, Chapter Thirty-one, Section Eight.
Dr.2399

AIR NAVIGATION ACT, 1920.

10 & 11 Geo. 5, c. 80.

An Act to enable effect to be given to a Convention for regulating Air Navigation, and to make further provision for the control and regulation of aviation.
Dr.2401

Air Navigation (Aden) Order, 1938. ... 39/563

Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927. Dr.2411 37/331

341

Alphabetical list of short titles:

Drayton, or Amended *Repealed*
Year/page *Year/page* *Year/page*

Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927 (contd.)		38/1	238	
			39/565	
			569	
			931	
Air Navigation (Fees) Regulations ...	40/1228	47/365		
Air Navigation (Restrictions on Flying by Civil Aircraft) Order ...	39/808		39/849	
			40/134	
Colonial Air Navigation (Application of Acts) Order 1937 ...	37/675		38/49	
Customs Aerodromes Regulations ...	42/785		46/541	
Customs (Air Navigation) Regulations			Dr.2444	
Navigation of any Aircraft over Palestine or the Territorial Waters adjacent thereto prohibited, save by Authority etc. ...				
	41/1009			46/341

ALLIED FORCES ACT, 1940.

3 & 4 Geo., c. 51.

An Act make provision with respect to the discipline and internal administration of certain allied and associated forces, and for the application in relation to those forces of the Visiting Forces (British Commonwealth) Act, 1933, the Naval Discipline Act, the Army Act and the Air Force Act.

41/999

Allied Forces (Application of Acts to Colonies, etc.) (No. 1) Order 1941 ...	41/1002			
Allied Forces (Application of Acts to Colonies, etc.) (No. 2) Order, 1941 ...	41/1788			
Allied Forces (Application of 23 Geo. 5. c. 6) (No. 1) Order, 1940 ...	41/1775			
Allied Forces (Application of 23 Geo. 5. c. 6) (No. 2) Order, 1941 ...	41/1781			
Allied Forces (Greece and Yugoslavia) Order, 1941 ...	41/1787			
Allied Forces, Members of, if sentenced by a Service Court of the Allied Power to which the Force belongs may be temporarily detained in a Prison or Detention Barracks in Palestine ...	41/1794			

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Free French Forces, Members of, if sentenced by a French Service Court may be temporarily detained in a Prison or Detention Barracks in Palestine 41/1793
 1794

United States of America (Application of 5 and 6 Geo. 6 c. 31 to Colonies, etc.) Order, 1942 43/625

United States of America, Order applying a Method of Summoning Witnesses in relation to Naval Service Courts of the, in substitution for the Method provided in the Naval Discipline Act 43/624

United States of America (Visiting Forces) Order, 1942 43/615 43/619

Order in Council amending the United States of America (Visiting Forces) Order, 1942 43/619

United States of America (Visiting Forces) (Colonies, etc.) Order, 1942... 43/620

ARBITRATION CLAUSES PROTOCOL ACT, 1924.

(14 and 15 Geo. 5. c. 39)

An Act to give effect to a protocol on arbitration clauses signed on behalf of His Majesty at a meeting of the Assembly of the League of Nations held on the twenty fourth day of September, nineteen hundred and twenty-three.

Dr.2449 Dr.2451

See: Arbitration (Foreign Awards) Act, 1930.

ARBITRATION (FOREIGN AWARDS) ACT, 1930.

(20 Geo. 5. c. 15)

An Act to give effect to a certain convention on the execution of Arbitral Awards and to amend subsection 1 of section one of the Arbitration Clauses (Protocol) Act, 1924.

Dr.2451

Arbitration (Foreign Awards) No. 2

Order, 1931 Dr.2457

Convention on the Execution of Foreign

Arbitral Awards Dr.2455

ARMY ACT.

44 & 45 Vict. c. 58.

An Act to consolidate the Army Discipline and Regulation Act, 1879, and the subsequent Acts amending the same.
 British Forces in Palestine subject to the Army Act, declaration 47/593
 713

BRITISH LAW ASCERTAINMENT ACT, 1859.

22 and 23 Vict., c. 63

An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Court of another Part thereof.
 Dr.2459

See: Art. 35 of the Palestine Order in Council, 1922.

CARRIAGE BY AIR ACT, 1932.

22 and 23 Geo. 5. c. 36.

An Act to give effect to a Convention for the unification of certain rules relating to international carriage by air, to make provision for applying the rules contained in the said Convention, subject to exceptions, adaptations and modifications, to carriage by air which is not international carriage within the meaning of the Convention, and for purposes connected with the purposes aforesaid.

Carriage by Air (Colonies, Protected and Mandated Territories) Order, 1934 35/425

Carriage by Air, International, Convention for the Unification of Certain Rules relating to 35/427

Carriage by Air (Colonies, Protectorates and Mandated Territories) (Date of Coming into Force of Convention) Order, 1935 35/445

Carriage by Air (Parties to Convention) (No. 2) Order, 1938 38/1193

COLONIAL COURTS OF ADMIRALTY ACT, 1890.

53 and 54 Vict., c. 27.

An Act to amend the Law respecting the exercise of Admiralty Jurisdiction in Her Majesty's Dominions and elsewhere out of the United Kingdom.

Palestine Admiralty Jurisdiction
 Order, 1937 37/231
 Marshal of the Supreme Court of Pales-
 tine sitting in Admiralty appointed... 47/439
 Registrar of the Supreme Court
 sitting in Admiralty appointed ... 47/471
 See: Admiralty Offences (Colonial) Acts.

COLONIAL PRISONERS REMOVAL ACT, 1884.
 47 and 48 Vict., c. 31.

An act to make further provision respecting the removal of Pri-
 soners and Criminal Lunatics from Her Majesty's possessions
 out of the United Kingdom. Dr.2462

COLONIAL PROBATES ACT, 1892.
 55 Vict. c. 6.

An Act to provide for the Recognition in the United Kingdom
 of Probates and Letters of Administration granted in British
 Possessions. Dr.2470

Order in Council applying the Colonial
 Probates Act, 1892 (55 and 56 Vict.
 c. 6) to Palestine Dr.2472

**CONVEYANCING AND LAND TRANSFER (SCOTLAND)
 ACT, 1874.**

37 and 38 Vict., c. 94.

(Section 51) Dr.2474

See: Art. 35 of the Palestine Order in Council, 1922.

COPYRIGHT ACT, 1911.

1 and 2 Geo. 5, c. 46

An Act to Amend and consolidate the Law relating to Copyright.
 Dr.2475

Copyright Act, 1911 (Extension to
 Palestine) Order, 1924 Dr.2499

Copyright (Federated Malay States)
 Order, 1931 Dr.2499

Copyright (Rome Convention)
 Order, 1933 Dr.2501

Copyright (Rome Convention) (Latvia)
 Order, 1937 37/855

Alphabetical list of short titles:

Copyright (Rome Convention) (Morocco) (Spanish Zone) Order, 1935	... 35/423
Copyright (Rome Convention) (North Borneo) Order, 1937	... 37/1179
Copyright (Rome Convention) (Sarawak) Order, 1937	... 38/78
Copyright (Rome Convention) (Vatican City) Order, 1935	... 36/367
Order in Council under the Copyright Act, 1911 (1 & 2 Geo. 5, c. 46), regulating Copyright Relations with the United States of America	... Dr.2509
Copyright (United States of America) Order, 1915 (Extension to Palestine)	
Order, 1933	... Dr.2511
Copyright (United States of America) Order, 1942	... 47/379
Proclamation by the President of the United States of America regarding Copyright Relations between the United States and Palestine	... 33/881

**EMERGENCY LAWS (TRANSITIONAL PROVISIONS)
 ACT, 1946.**

Chapter 26

An Act to provide for the continuation of certain Defence Regulations during a limited period notwithstanding the expiry of the Emergency Powers (Defence) Acts, 1939 to 1945, and for the extension and amendment of certain enactments the duration or operation of which depends on the duration of the said Acts or of the war, for the permanent enactment of provisions contained in certain Defence Regulations; for establishing the ownership of the Crown of goods requisitioned under Emergency Powers; for empowering local authorities to remove war works and restore land; for the repeal of certain emergency enactments; and for purposes connected with the matters aforesaid.

46/573

Emergency Laws (Transitional Provisions) (Colonies, etc.) Order in Council, 1946	... 46/591
--	------------

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Emergency Laws (Continuation of Certain Defence Legislation) Order, 1946 46/345 46/1225

EMERGENCY POWERS (DEFENCE) ACT, 1939.
39/649

EMERGENCY POWERS (DEFENCE) ACT, 1940.
40/1297

EMERGENCY POWERS (DEFENCE) (No. 2) ACT, 1940.
40/1427

EMERGENCY POWERS (DEFENCE) ACT, 1945.
45/775

Note: The Emergency Powers (Defence) Acts 1939 to 1945 expired on 24.2.1946.

Note: Notwithstanding the expiry of the Emergency Powers (Defence) Acts, 1939 to 1945, certain Defence Regulations made thereunder are continued in force and given effect to by virtue of the Emergency Powers Laws (Continuation of Certain Defence Legislation) Order, 1946 (Gaz. : 23.2.46, p. 345) and the Supplies and Services (Transitional Powers) Order, 1946, (Gaz. : 23.2.46, p. 348).

Emergency Powers (Colonial Defence)

Order in Council, 1939 39/656 39/718
40/1298

Emergency Powers (Colonial Defence)

(Explanation) Order in Council 42/1428

Defence Regulations made under Article 3 of the
Emergency Powers (Colonial Defence) Order in Council
1939, and the Emergency Powers (Defence) Act, 1939

Defence Regulations, 1939.

39/659

LIST OF DEFENCE REGULATIONS, 1939,
WHICH ARE STILL IN FORCE.

Note:

E. = Emergency Laws (Continuation of Certain Defence Legisla-
tion) Order, 1946.

S. = Supplies and Services (Transitional Powers) Order, 1946.

<u>Regul. No.</u>	<u>In force by E. until</u>	<u>In force by S. until</u>	<u>Enacted by</u>	<u>Amended by</u>	<u>Repealed by</u>
1	31.12.47	10.12.50			
2	31.12.47	10.12.50		42/1478 44/701 752 46/348	
2A	31.12.47	10.12.50	44/701	45/557 46/345 959	
2B	31.12.47	10.12.50	44/701	46/345 959	
3	31.12.47	10.12.50			
4		10.12.50		40/1463 43/155 46/279 341 348	
15	31.12.47			40/423 46/345	
15A		10.12.50	42/1633	46/348	
24	31.12.47			40/1215 40/733	
25	31.12.47			41/1761 40/1099	
29	31.12.47			46/345	

<u>Regul. No.</u>	<u>In force by E. until</u>	<u>In force by S. until</u>	<u>Enacted by</u>	<u>Amended by</u>	<u>Repealed by</u>
30	31.12.47			40/1099 46/345 41/535	
31	31.12.47			1122 42/1912 43/764 46/345	
33	31.12.47				
34		10.12.50			
35		10.12.50			
35A	31.12.47		40/1055	46/345	
36		10.12.50		43/187 46/348	
38		10.12.50		40/1405 44/787	47/440
38A		10.12.50	43/470		47/440
38B		10.12.50	44/787		47/440
38C		10.12.50	44/787		47/440
42		10.12.50		46/348	
43		10.12.50			
44	31.12.47				
46		10.12.50		39/917 40/1643 41/508 1122 42/44 537 540 1022 1655 44/569 46/348	
46A		10.12.50	42/44		
46B		10.12.50	42/1023	43/804 1109 44/166 1434 47/165	
46D		10.12.50			46/1265

<i>Repeal No.</i>	<i>In force by E. until</i>	<i>In force by S. until</i>	<i>Enacted by</i>	<i>Amended by</i>	<i>Repealed by</i>
47		10.12.50		46/348	
48		10.12.50		44/981	
				45/161	
				46/348	
48A		10.12.50	39/917	42/385	
				1872	
				1968	
49	31.12.47				
50	31.12.47	10.12.50		46/345	
				348	
51		10.12.50		42/275	
				1835	
				46/348	
52		10.12.50		41/1685	
				42/1459	
				43/18	
				46/348	
53		10.12.50			
54	31.12.47				
62		10.12.50			
62A		10.12.50			
67	31.12.47			42/1028	
68	31.12.47				
69	31.12.47			46/348	
70	31.12.47	10.12.50			
				44/1433	
				46/279	
				345	
71	31.12.47	10.12.50		41/76	
				42/1338	
72	31.12.47				
72A	31.12.47				
			42/1232	43/303	
72B		10.12.50		47/1138	
			42/1285	43/303	
				47/1139	
73		10.12.50		46/348	
74	31.12.47				
75	31.12.47				
76	31.12.47				
77	31.12.47				
		10.12.50		42/1285	
				41/356	
				46/348	

<i>Regul. No.</i>	<i>In force by E. until</i>	<i>In force by S. until</i>	<i>Enacted by</i>	<i>Amended by</i>	<i>Repealed by</i>
				46/348	
				41/508	
79	31.12.47	10.12.50			
80	31.12.47	10.12.50			
81	31.12.47	10.12.50			
82	31.12.47	10.12.50			
83	31.12.47	10.12.50			
84	31.12.47	10.12.50			
85	31.12.47	10.12.50			
86	31.12.47	10.12.50			

*Drayton, or Amended Repealed
Year/page Year/page Year/page*

Alphabetical list of short titles:

**Orders, Notices, Proclamations, Licences, etc. made under
the Defence Regulations, 1939.**

- Books, Registers or other Records-Producers, Consumers of, or Traders in, Articles which are subject to and Order of the Competent Authority under Regulation 46 required to keep Books relating to all Purchases, Sales, Movements and Transfers of any such Article 41/1842
- Boring of wells or any work of reconstruction, alteration, or repair, of an existing well-Licence for 47/73
- Buildings, Constructions, Reconstruction, Alteration or Repair of, authorised 46/1329
- Billeting or business accommodation notice — delegation of Powers by the High Commissioner 47/95,96
- Commissioner of Commerce and Industry appointed 46/1127
- Commissioner of Commerce and Industry, Assistant, to be competent authority 47/933
- Controller and Deputy Controller of Heavy Industries, cancellation of appointment 47/294

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Controller of Fuel Oil Supplies, cancellation of appointment	47/373		
Controller of Supplies, appointment of, to be a competent authority cancelled	47/763		
Defence (Authorisation of Use of Land) Order	43/945		
Defence (Benzine and Kerosene) (Maximum Prices) Order	46/728		47/631
Defence (Benzine and Kerosene) (Maximum Prices) Order	47/631	47/1003	
Defence (Billeting and Accommodation Committees) Rules	43/304	43/504	
Defence (Calves Maws) Order	43/722		47/332
Defence (Change of Authority) Order...	47/53		
<i>Note: Orders, etc., made by Controller of Light Industries are deemed to have been made, etc., by the Com- missioner for Commerce and In- dustry</i>			
Defence (Control of Alteration of Ships) Order	44/1427		
Defence (Control of Bicycles) Order ...	43/494		47/331
Defence (Control of Bicycles) (Exten- sion of Validity of Retailer's Licences to deal in Tyres and Tubes) General Licence	46/1535		47/331
Defence (Control of Bicycles) (Max- imum Prices of Schedule Spare Parts) Notice	44/89		47/331
Defence (Control of Books) Order ...	42/1877		47/331
Defence (Control of Books) (Manner of Sale and Maximum Price of Im- ported Books) Notice (No. 2)	43/928		47/331
Defence (Control of Books) (Marking of Imported Books) Direction, 1943...	43/117		47/331
Defence (Control of Cattle Hides and Leather) Order	42/662		47/52

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Maximum Prices (Leather) Notice (No. 2) 1942	42/1831		
Defence (Control of Diamonds) Order	44/775	44/968	
		46/648	
		1405	
Defence (Control of D.D.T. Insecticide) Order	46/1028		
Defence (Control of Grey and White Sheetings) Order	46/1053		47/1095
Defence (Control of Ice) Order	44/645	44/854	
		46/902	
		47/948	
		1155	
Defence (Control of Imported Cotton Yarn) Order	47/1095		
Defence (Control of Macaroni) Order	45/1154	45/1193	
		46/334	
		936	
Defence (Control of Matches) Order...	42/1664		47/52
Defence (Control of Matches) (Manner of Sale and Maximum Prices) Notice	43/1140	45/615	47/52
Defence (Control of Medical Supplies) Order	43/766		
Defence (Control of Mills and Produc- tion and Sale of Palestine Standard Flour) Order	42/263	42/1245	
		1306	
		1425	
		1855	
		43/693	
		793	
		835	
		45/287	
		47/862	
Defence (Control of Motor Vehicles) Order	43/349	43/1142	
		45/1336	
		47/530	
Defence (Control of Paraffin Wax) Order	44/1374	47/372	

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Defence (Control of Shops) (Lydda	...	43/321	
District) Rules ... ..	...	47/1122	
Defence (Control of Soda) Order	...		
Defence (Control of Tyres and	...	44/229	47/1107
Tubes) Order ... ..	...	
Defence (Control of Tyres and	...	47/1107	
Tubes) Order ... ..	...	
Defence (Control of User of Land)	...	43/765	44/144
(Gaza District) Rules ... ..	...	42/1378	47/1095
Defence (Control of Yarn) Order	...		
Defence (Cream) (Prohibition of	...	42/1309	42/1931
Manufacture and Sale) Order ...	...		46/535
Defence (Departure of Motor Vehicles)			
Order (No. 2) ... ..	...	42/1487	
Defence (Fertilizers) Order ... ..	...	43/941	
Defence (Food Control) (Returns) Order	...	43/48	
Defence (Information Regarding			
Olive Presses) Order ... ..	...	41/1633	
Defence (Licences to Use and Treat			
Controlled Diamonds) (Fees) Order ...	...	44/781	
Defence (Limitation of Planting, etc.)			
(Haifa) Order ... ..	...	42/1466	
Defence (Maximum Prices for Certain			
Solid Fuels) Order ... ..	...	42/1725	42/1856
			44/643
			1027
			46/616
Defence (Maximum Prices for Seed			
Potatoes) Order ... ..	...	43/1122	
Defence (Maximum Prices of Motor			
Vehicles) Order ... ..	...	46/487	46/645
Defence (Miscellaneous Maximum			
Prices) Order ... ..	...	46/1112	46/1257
			47/30
			461
			494
Defence (Movement of Motor Vehicles			
in Coastal Areas) Order ... ..	...	42/1642	
Defence (Navigation) Order ... ..	...	42/769	42/859

Alphabetical list of short titles: —

*Drayton, or Amended Repealed
Year/page Year/page Year/page*

Defence (Navigation) Order (No. 2)...	42/775	42/859	
		45/119	
Defence (Photography and Measure- ment of Persons in Custody) Rules...	42/1036	43/752	
		807	
Defence (Printing and Publication of Newspapers) Order	41/1979		
Defence (Protected Area) Order	41/1575	42/161	
Defence (Protected Areas) Order (No. 2)	43/699		
Defence (Protected Places) Orders ...	43/795		
	44/284		
	409	44/551	
	551		
	681		
	790		
	973		
	974		
	977		
	1162		
Defence (Registration of Bottlers of Beverages) Order	43/47		47/332
Defence (Restriction of Right of Way) Order	43/258		
Defence (Retail Dealing in Benzine) Order	44/1213		47/371
Defence (Retail Dealing in Benzine) Order	47/371		
Defence (Tyre Dealer's Licences) (Fees) Order	44/242		47/1106
Defence (Vegetable Oils, Oil Seeds and Nuts) (Returns) Order	42/1062		
Defence (Utility Goods) Order	42/1597		47/52
Defence (Yarn) (Limitation of Prices) Order	42/1390		47/1095
Firearms — Persons holding Firearm Licences required to notify the Police Authorities of Changes in Places of their Residence	39/1135		
	1136		

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Gaza District (Control of Shops) Order	41/534		
Importers and Manufacturers of Articles containing Foodstuffs required to register their Names, Addresses and Occupations at the Headquarters Office of the Food Controller	42/569		
Port Managers, Haifa and Jaffa, and Harbour Master Haifa, authorised to act	43/471		
Protected Places Orders	40/147	40/341	776
			547
			41/616
			627

Protected Places — Carrying of Matches, Automatic Lighters and other Appliances designed for producing Ignition in Premises declared to be Protected Places by Paragraph 2(a), (c) and (e) of the Protected Places Order, 1940, prohibited	42/85		
Protected Places (Airfields) Order ...	42/1086		
Representative of the High Commissioner for the Purpose of Regulation 72A(5), within the Municipal Area of Tel Aviv, appointed	45/1349		
Wireless Operators and Watches (Merchant Ships) Order	42/435		
Wireless Receivers (Ships) Order ...	42/438		
Wireless Receivers (Ships) Order (No. 2)	42/439		
Wireless Telegraphy Apparatus and Watches (Merchant Ships) Order ...	42/441		

Miscellaneous Defence Regulations.

Note:

E. = Emergency Laws (Continuation of Certain Defence Legislation) Order, 1946.
 S. = Supplies and Services (Transitional Powers) Order, 1946.

<i>Gaz.</i>	<i>Regulations</i>	<i>Kept in force until</i>	<i>by</i>	<i>Amended by</i>
1.6.41 p. 975	The Defence (Amendment of Food and Essential Commodities) (Control) Ordinance, 1939) Regulations, 1941.	10.12.50	S	
10.7.41 p. 1068	— do — (No. 2), 1941	10.12.50	S	
11.9.41 p. 1502	— do — (No. 3), 1941	10.12.50	S	
11.6.42 p. 999	The Defence (Amendment of Food Control Ordinance, 1942) Regulations, 1942.	10.12.50	S	
8.4.43 p. 333	— do — 1943	10.12.50	S	
13.1.44 p. 17	— do — 1944	10.12.50	S	
29.10.42 p. 1652	The Defence (Amendment of the Import, Export and Customs Powers (Defence) Ordinance, 1939) Regulations (No. 2), 1942.	10.12.50	S	

<i>Gas.</i>	<i>Regulations</i>	<i>Kept in until</i>	<i>foras by</i>	<i>Amended by</i>
24.12.42 p. 1945	— do —	(No. 3), 1942	10.12.50	S
8.1.45 p. 17	— do —	1945	10.12.50	S
27.8.42 p. 1397	The Defence (Amendment of Road Transport Ordinance) Regulations, 1942.		10.12.50	S
19.2.42 p. 317	The Defence (Amendment of War Risks Insurance Ordinance) Regulations, 1942.		31.12.47	E
18.6.42 p. 1007	— do —	(No. 2), 1942	31.12.47	E
3.9.42 p. 1421	— do —	(No. 3), 1942	31.12.47	E
22.10.42 p. 1647	— do —	(No. 4), 1942	31.12.47	E
7.1.43 p. 11	— do —	1943	31.12.47	E
22.7.43 p. 674	— do —	(No. 2), 1943	31.12.47	E

Note: Section 15 of the War Risks Insurance Ordinance, 1941, provides that that Ordinance

<i>Gaz.</i>	<i>Regulations</i>	<i>Kept in force until</i>	<i>by</i>	<i>Amended by</i>
20.7.44 p. 684	The Defence (Control of Establishments) Regulations, 1944.	10.12.50	S	44/701 983 1355 45/182 1353
30.12.43 p. 1194	The Defence (Control of Motor Vehicles) (Miscellaneous Provisions) Regulations, 1943.	10.12.50	S	44/717 45/846
22.8.42 p. 1345	The Defence (Control of Private Motor Vehicles) Regulations, 1942.	10.12.50	S	44/701 45/716 46/341
1.7.43 p. 573	The Defence (Coroner's Inquests) Regulations 1943	31.12.47	E	44/701 46/345
14.9.44 p. 897	The Defence (Courts Applications) Regulations (No. 2) 1944	31.12.47	E	
	<i>Note:</i> Repealed by Emergency Laws (Continuation of Certain Defence Legislation) (Amendment) Order, 1946, (Gaz: 17.10.46, p. 1225).			
30.12.40 p. 1829	The Defence (Electricity Concessions), Regulations, 1940.	10.12.50	S	44/701
29.7.43 p. 707	Defence (Electricity Concessions) Order 40/1830 The Defence (Exemptions from Rates) Regulations, 1943.	10.12.50	S	44/701

<i>Gaz.</i>	<i>Regulations</i>	<i>Kept in force until</i>	<i>by</i>	<i>Amended by</i>
6.11.41 p. 1647	The Defence (Finance) Regulations, 1941	10.1.2.50	S	42/349 405 1250 1363 1790 43/85 223 348 573 839 1250 44/701 860 1189 45/540 553 856 969 46/137 348 493 47/559

Alphabetical list of short titles:

Orders, Notices, Directions etc., made under the Defence (Finance) Regulations

Capital Issues Exemption Order	43/675	45/1261
Controller of Foreign Exchange appointed	47/586	
Defence (Finance) (Blocked Accounts) (Authorised Investments) Order	44/167	44/1193 45/539
Defence (Finance) (Currency Restrictions) (Moslem Pilgrims Exceptions) Order	46/1025	
Defence (Finance) (Definition of Sterling Area) Order	46/1207	47/1062
Defence (Finance) (Definition of Sterling Area) Order	47/1062	
Defence (Finance) (Designated Foreign Currency) Notices	46/1023	1208
Defence (Finance) (Designated Foreign Currency) Directions, 1942	42/1815	
Defence (Finance) (Importation of Bank Notes) Order	45/540	45/772 969
Defence (Finance) (Regulation of Payments) (Consolidation) Order	46/877	46/1155 1226 47/982
Defence (Finance) (Regulation of Payments) (Export of Diamonds) Order...	43/85	
Defence (Finance) (Securities) (Restrictions and Returns) Order	45/1053	
Foreign Currency — Barclay's Bank, Anglo-Palestine Bank and Ottoman Bank authorised to deal in any foreign currency; Arab Bank only in Syrian and Lebanese currency	46/733	
Payments for Exports (Exemption) Order	40/1396	

Alphabetical list of short titles:

Drayton, or Amended Repeated
Year/page Year/page Year/page

Personal Representatives or Heirs of a Deceased Person resident in the Sterling Area to be treated as being resident in the Sterling Area so far as relates to Transactions in which they are concerned solely in their Capacity as Personal Representatives or Heirs	42/203		
Powers — Registrar of Companies authorised to exercise the Powers vested in the High Commissioner by Regulation 4(b)	40/1161		
Securities (Exemption) Order	42/132	43/1111	
Securities (Restrictions and Returns) Orders	39/1096	40/1376	
	40/1375	41/538	

<i>Gaz.</i>	<i>Regulations</i>	<i>Capit. in force until</i>	<i>by</i>	<i>Amended by</i>
29.3.43 p. 576	Defence (Food Control) Regulations, 1942	10.12.50	S	42/695 1019 1452 43/879 953 1139 45/1024 46/348 44/437 701 45/925
9.3.44 p. 243	Defence (Lease/Lend Capital Goods) Regulations, 1944	10.12.50	S	
12.7.45 p. 750	Defence (Letting of Private Vehicles on Hire) Regulations, 1945	10.12.50	S	
28.6.45 p. 716	Defence (Motor Vehicles) (Log Books) Regulations, 1945	10.12.50	S	
	<i>Note</i> : Repealed by Supplies and Services(Transitional Powers) order (No. 3), (Gaz. : 25.7.46, p. 960).			
28.1.43 p. 99	Defence (Movements of Goods) (Restriction) Regulations, 1944	10.12.50	S	
	<i>Note</i> : Repealed by Supplies and Services (Tran-			

<i>Gaz.</i>	<i>Regulations</i>	<i>Kept in force until</i>	<i>by</i>	<i>Amended by</i>
	sitional Powers) (Amendment) Order, 1946, (Gaz. : 10.10.46, p. 1221).			
23.11.44 p. 1192	Defence (Petroleum Rules, 1934) (Exemption) Regulations, 1944	10.12.50	S	
14.9.44 p. 939	Defence (Prevention of Profiteering) Regulations, 1944	10.12.50	S	45/49 1193 46/348
31.5.45 p. 597	Defence (Refund of Vehicle Licensing Fees) Regulations, 1945	10.12.50	S	46/341
16.11.44 p. 1157	Defence (Water Distribution) Regulations, 1944	10.12.50	S	

Alphabetical list of short titles:

Defence (Water Distribution) (Declaration of Controlled Area) Orders ... 45/301
 498

Water Commissioner for the Purposes of the Regulations appointed ... 45/419
 Ein Es Sultan, The Regulation and Distribution of the Water of the, in the Jericho Controlled Area, Officers to Superintend appointed ... 47/684

EVIDENCE AND POWERS OF ATTORNEY ACT, 1940.

3 and 4 Geo. 6, c. 28.

An Act to empower certain officers and other persons to administer oaths and take affidavits, to facilitate the proof in criminal proceedings of documents intercepted in the post, and to make further provision as respects powers of attorney.
 41/1008

The Evidence and Powers of Attorney Order in Council, 1941 ... 41/1006
 Order in Council under Section 2(2) specifying the Persons who are Competent Officers for the Purpose of signing Certificates ... 41/1067

EVIDENCE BY COMMISSION ACT, 1859.

22 Vict. c. 20

An Act to provide for taking Evidence in Suits and Proceedings pending before Tribunals in Her Majesty's Dominions in Places out of the Jurisdiction of such Tribunals.

Dr.2515

EVIDENCE BY COMMISSION ACT, 1885.

48 and 49 Vict. c. 74

An Act to amend the Law relating to taking Evidence by Commission in India and the Colonies, and elsewhere in Her Majesty's Dominions.

Dr.2516

EXTRADITION ACTS, 1870 to 1935.

33 and 34 Vict. c. 52; 22 and 23 Geo. 5. 39; 25 and 26 Geo. 5. c. 25.

Alphabetical list of short titles:

Austria (Extradition) Order in Council	36/176
Denmark (Extradition) Order in Council	... 36/780
Hungary (Extradition) Order in Council	... 37/1049
Iceland (Extradition) Order in Council	... 39/1308
Switzerland (Extradition) Order in Council	... 36/172

FOREIGN JURISDICTION ACT, 1890.

53 and 54 Vict. c. 37

An Act to consolidate the Foreign Jurisdiction Acts.
Dr.2519

Orders in Council and Orders, Notices, Regulations etc, made under the Foreign Jurisdiction Act, 1830.

Palestine Order in Council, 1922.

Dr.2569	Dr.2590
	Dr.2593
	35/195
	39/459
	41/666

Orders, Notices, Regulations etc. made under the Palestine Order in Council, 1922

Administrative Divisions Proclamation	Dr.2594	39/1529
Administrative Divisions Proclamation	39/1529	41/1089
		47/125
Establishment of Courts Order ...	Dr.2602	39/1496
Establishment of Courts Order ...	39/1496	41/1113
Land transfers Regulations ...	40/327	
Lands in Zone 'A', General Order per-		
mitting the Transfer of certain ...	40/327	41/453
		804
		977
		44/169
		790
		45/225

Alphabetical list of short titles:

Magistrate's Courts, Order prescribing the Places where the, shall sit ...	40/23	41/1113	
Palestine Advisory Council Order ...	Dr.2607	38/1573	47/824
Palestine Advisory Council Order ...	47/824		
Palestine Legislative Council Election Order	Dr.2627		39/462
Palestine Order in Council (Boundaries) Order	Dr.2607		
Personal Status (Consular Powers) Regulations	Dr.2604		
Port Managers, Haifa and Jaffa, and Harbour Master, Haifa, appointed to be Officers by, to or before whom there may be done anything authorised to be done under the <i>Merchant Shipping Act, 1894.</i>	44/785		
Palestine (Appeal to Privy Council) Order in Council, 1924	Dr.2608		
Palestine Citizenship Order, 1925-1941, Consolidated.	44/755		

See: 42/1193

Regulations made thereunder:

Palestinian Citizenship (Naturalization of Alien Women) Regulations	42/940		
Palestinian Citizenship Regulations ...	Dr.2649	34/929	
		35/29	
		36/373	
		42/841	
		1817	
		44/861	
Palestinian Citizenship Regulations, 1940	40/365	40/669	
Palestinian Citizenship Regulations, 1942	42/445	42/1022	
		1817	
		45/985	

Palestine Currency Order, 1927.

Dr.2615

Palestine Currency (Legal Tender) Proclamation (Made under Article 3(1) of the Palestine Currency Order, 1927)...

Dr.2618

Palestine (Defence) Order in Council, 1931.

Dr.2619

34/143

37/268

See: Art. 9 of Palestine (Defence) Order in Council, 1937

Palestine (Defence) Order in Council, 1937.

37/268

Part II of the Palestine (Defence)

Order in Council, 1937, proclaimed 37/273

DEFENCE REGULATIONS MADE UNDER THE PALESTINE (DEFENCE) ORDER IN COUNCIL, 1931, (SEE ARTICLE 9 OF 37/268) AND THE PALESTINE (DEFENCE) ORDER IN COUNCIL, 1937.

Defence (Emergency) Regulations

... 45/1055 45/1195 •

1269

1346

46/148

617

1015

1302

1367

1470

47/79

161

433

525

581

632

663

763

869

1159

Alphabetical list of short titles:

Orders, notices etc. made under the Emergency Regulations, 1936, (see regulation 7 of the Defence (Emergency) Regulations, 1945), and the Defence (Emergency) Regulations, 1945.

Application — Part VI of the Regulations applied to all Municipal Areas	45/1267	
Arms, Parts of Arms or Ammunition in any Shop or other Premises in which the same are sold or dealt with to be removed to Places directed by the Inspector General of Police	38/1218	
Arms and Ammunition-Dealing in ...	36/709	
Curfew-Imposition by District Commissioners	37/179	
Defence (Application of the Public Health Ordinance) Order, 1947	47/436	
Defence (Emergency) (Imprisonment for Debt) Order, 1947	47/435	
Defence (Emergency) (Unofficial Uniforms) Order	46/344	
Defence (Statutory Martial Law (No. 1)) Order	47/349	47/467
Defence (Statutory Martial Law) (No. 2)) Order	47/345	47/467
Defence (Statutory Martial Law) (No. 3) Order	47/1063	47/1127
Explosives-restriction of sale	46/1204	
Flags — Use of — on Motor Vehicles prohibited, except by Accredited Consular Officers or Members of their Staff	39/62	
Identity cards, Persons in Possession of — who come from Villages in the Immediate Vicinity of the Frontier only will be permitted to pass through the Frontier Fence	39/325	
Identity cards, Persons in Possession of Valid Palestinian Identity Cards or Valid Border Passes issued under the Terms of the Bon Voisinage Agree-		

Alphabetical list of short titles:

ment between Palestine and Syria only will be permitted to pass through the Frontier Fence	39/21	
Martial Law (Extension of Time) Order	47/515	
Photographs or Sketches — of any Mi- litary Post or Military Operation, within the Jerusalem District, by Civi- lians, prohibited	39/119	
Defence (Emergency) (Finances of Certain Enemy Aliens) Regulations	46/354	16/620
Defence (Moslem Awqaf) Regulations	37/973	
Defence (Nomination of Municipal Councillors) Regulations	38/83	
Defence (Re-Importation of Exported Tobacco) Regulations	39/132	
Defence (Sharia Officials) Regulations	38/301	
Defence (Supreme Moslem Council) Regulations	37/913	
	38/381	
	662	
	733	
Palestine (Holy Places) Order in Council.		
	Dr.2625	
Palestine (Validation of Ordinances) Order in Council, 1932		
	Dr.2633	
Palestine (Western or Wailing Wall) Order in Council, 1931		
	Dr.2635	
Royal Commission for the Executing the Office of Lord High Admiral of the United Kingdom	39/958	
Royal Instructions. (re High Commissioner, Executive Council, Ordinances, Legislative Coun- cil, Survey, and Blue Book)	Dr.2659	40/1673
Civil Service Commissioner appointed Official Member of the Executive Council of Palestine	47/709	

FOREIGN TRIBUNALS EVIDENCE ACT, 1856

19 and 20 Vict. c. 113
An Act to provide for Taking Evidence in Her Majesty's Dom-
inions in relation to Civil and Commercial Matters pending before
Foreign Tribunals. Dr.2530

FUGITIVE OFFENDERS ACT, 1881.

44 and 45 Vict. c. 69.
An Act to amend the Law with respect to Fugitive Offenders in
Her Majesty's Dominions, and for other Purposes connected with
the Trial of Offenders. Dr.2532
The Pudukkottai State (Fugitive Of-
fenders) Order in Council, 1937 ... 37/1269

GENEVA CONVENTION ACT, 1911.

1 and 2 Geo. 5, c. 20.
An Act to make such amendments in the Law as are necessary to
enable certain reserved provisions of the Second Geneva Conven-
tion to be carried into effect.
The Geneva Conventions, 1906 and 1929
(Mandated Territories) Order in
Council 38/447

MERCHANT SHIPPING ACT, 1894.

57 and 58 Vict. c. 60.
Part XIII.- Legal Proceedings Dr.2556
See: Art. 35 of the Palestine Order in Council, 1922.
Port Managers, Haifa and Jaffa, and
Harbour Master, Haifa, appointed to
be Officers by, to, or before whom
there may be done anything authorised
to be done under the Merchant Ship-
ping Act, 1894 44/785

OTTOMAN ORDER IN COUNCIL, 1910.

See: Sec. 3 of Cap. 146. Dr.2568

PALESTINE AND EAST AFRICA LOANS ACT, 1926.

16 and 17 Geo. 5, c. 62.
An Act to Authorise the Treasury to guarantee certain loans to

Alphabetical list of short titles:

be raised respectively by the Government of Palestine and by the Governments of certain territories in East Africa.

Dr.2553 Dr.2555

PRIZE ACT, 1939.

2 and 3 Geo. c. 65.

An Act to apply prize law to aircraft; to amend and explain the enactments relating to prize; and to provide for purposes connected with the matters aforesaid.

39/1103

PRIZE COURTS ACT, 1894.

57 and 58 Vict. c. 39.

Attorney General for Palestine Authorised to conduct Prize Proceedings on behalf of the Crown, falling within the Jurisdiction of the Supreme Court of Palestine

39/1080

Marshal to the Prize Court in Palestine appointed

39/1211

Order in Council dated September 2nd, 1939, made under Section 3 of the Prize Courts Act, 1894

39/960

Prize Court Rules 1939

39/962

Supreme Court of Palestine authorised to act as a Prize Court

39/807

Warrant by the Commissioners for the Executing the Office of Lord High Admiral for the United Kingdom, etc., authorising the Supreme Court of Palestine and the Chief Justice and all Judges of the said Court and any Person executing the Duties of the Office of Judge of the said Court to proceed upon all Matters of Prize falling within the Jurisdiction of the said Court

39/957

War — proclamation that war has broken out between H.M. and

Germany

39/807

Italy

40/793

Roumania

41/1867

Alphabetical list of short titles:

Finland ... ..	... ..	41/1867
Hungary ... ..	... ..	41/1867
Japan ... ..	... ..	41/1869
Bulgaria ... ..	... ..	42/83
Thailand ... ..	... ..	42/317

See: Gaz.: 1476, p. 179.

PRIZE SALVAGE ACT, 1944

An Act to prevent claims for Prize Salvage being made or relied upon with without the consent of the Admiralty or the Secretary of State (1st March, 1944).

Chapter 7	44/427
------------------	--------	--------

For Statutory Rules and Orders,
Reprisals Restricting the Com-
merce of Enemy Countries, see:

..	40/1340
	1342
	1343
	1344
	42/597
	598
	711

SHIPS AND AIRCRAFT (TRANSFER RESTRICTIONS) ACT, 1939.

2 and 3 Geo. 6, c. 70.

An Act to impose restrictions on certain transactions in respect of ships and aircraft and parts of aircraft; and for purposes connected with the matter aforesaid. 39/741

SUPPLIES AND SERVICES (TRANSITIONAL POWERS) ACT, 1945.

9 Geo. 6, c. 10.

An Act to provide for the application of certain Defence Regulations for purposes connected with the maintenance control and regulation of supplies and services, for enabling Defence Regulations to be made for the control of prices and charges, for the continuation of Defence Regulations so applied or made during a limited period notwithstanding the expiry of the Emergency Powers (Defence) Acts, 1939 to 1945, and for the amendment of other enactments in consequence of such continuation; to make

provision for securing more effective Parliamentary control over Defence Regulations and orders and other instruments made thereunder; to provide for applying during a limited period certain powers of the Ministry of Supply for purposes similar to those for which Defence Regulations may be applied and otherwise for amending those powers; and for purposes connected with the matters aforesaid. 46/228

Supplies and Services (Transitional Powers) (Colonies, etc.) Order in Council, 1946 46/234

Supplies and Services (Transitional Powers) Order, 1946 46/348 46/493

1221

1265

Supplies and Services (Transitional Powers) Order, 1947 47/165

Supplies and Services (Transitional Powers) Order (No. 2), 1947 47/559

UNLED STATES (VISITING FORCES) ACT, 1942.

5 and 6 Geo. 6 c. 31.

The United States of America (Application of 5 and 6 Geo. 6 c.31 to Colonies, etc.) 43/625

VISITING FORCES (BRITISH COMMONWEALTH) ACT, 1933.

23 Geo. 5, c. 6.

An Act to make with respect to Forces of His Majesty from other parts of the British Commonwealth when visiting the United Kingdom or a colony; with respect to the exercise of command and discipline when forces of His Majesty from different parts of the Commonwealth are serving together; with respect to the attachment of members of one such force to another such force, and with respect to deserters from such forces.

Provision for the Trial of Members of the Forces of His Majesty from other parts of the British Commonwealth and of Members of an Allied and Free French Forces in Palestine 43/513

Alphabetical list of short titles:

Members of the Free French Forces if sentenced by a French Service Court and Members of the Allied Forces if sentenced by the Service Court of the Allied Power to which the Force belongs, may be temporarily detained in a Prison or Detention Barracks in Palestine	41/1793 1794
Military Police of the Home Forces ordered to Arrest Members of the Allied Forces alleged to have been guilty of Offences against the Law of the Allied Power to which the Member belongs and to hand over any Persons so arrested to the appropriate Authorities of the Allied Force	42/599
Military Police of the Home Forces ordered to arrest Members of the Free French Forces alleged to have been guilty of Offences against the French Service Code and to hand over any Person so arrested to the appropriate Authorities of the Free French Force	42/600
Visiting forces (British Commonwealth) (Application to the Colonies, etc.) Order in Council, 1940	40/1351
Visiting Forces Order (No. 3) 1940 (re deserters and absentees without leave)	40/1356
WAR	
Proclamation that War has broken out between His Majesty and	
Bulgaria	42/83
Finland	41/1867
Germany	39/807
Hungary	41/1867
Italy	40/793
Japan	41/1869
Roumania	41/1867
Tahiland	42/317

AGREEMENTS, TREA

I N D E X

OF THE PART DEALING WITH "IMPERIAL STATUTES
AND ORDERS IN COUNCIL AND PROCLAMATIONS,
etc., MADE THEREUNDER AND ROYAL INSTRUCTIONS".

<i>Title</i>	<i>Page</i>
Administration of Justice Act, 1920.	498
Administration of Justice Act, 1920, extended to Palestine, Order in Council.	498
Administrative Divisions, Proclamations.	524
Admiralty Offences (Colonial) Act, 1849.	498
Admiralty Offences (Colonial) Act, 1860.	498
Aircraft, Navigation of	499
Air Navigation Act, 1920.	498
Air Navigation (Aden) Order, 1938	498
Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927	498
Air Navigation (Fees) Regulations	499
Air Navigation (Restriction on Flying by Civil Aircraft) Order	499
Allied Forces Act, 1940	499
Allied Forces (Application of Acts to Colonies, etc.) Orders	499
Allied Forces (Application of 23 Geo.5.c.6.) Orders	499
Allied Forces, Detention of	499
Allied Forces (Greece and Yugoslavia) Order	499
Ammunition	527
Arbitral Awards, foreign, Convention on the execution of,	500
Arbitration Clauses Protocol Act, 1924	500
Arbitration (Foreign Awards) Act, 1930	500
Arbitration (Foreign Awards) No. 2 Order, 1931	500
Arms	527
Army Act	501
British Forces in Palestine, subject to the Army Act	501
British Law Ascertainment Act, 1859	501
Capital Issues Exemption Order	519
Carriage By Air Act, 1932	501
Carriage By Air (Colonies, Protected and Mandated Terri- tories) Order, 1934	501
Carriage By Air (Colonies, Protected and Mandated Terri- tories) Date of coming into force of convention... ..	501
Carriage By Air, International, Convention re, Rules, etc.	501

<i>Title</i>	<i>Page</i>
Carriage By Air (Parties to Convention) (No. 2) Order, 1938	501
Certificates, Persons Competent to sign	523
Civil Service Commissioner	528
Colonial Air Navigation (Application of Acts) Order, 1937	499
Colonial Police and Fire Brigades Long Service Medal Regulations	529
Colonial Courts of Admiralty Act, 1890	501
Colonial Prisoners Removal Act, 1884	502
Colonial Probates Act, 1892	502
Colonial Probates Act, applied to Palestine	502
Controller of Foreign Exchange appointed	519
Conveyancing and Land Transfer (Scotland) Act, 1874 ...	502
Copyright Act, 1911	502
Copyright Orders	502
Curfew	527
Customs Aerodromes Regulations	499
Customs (Air Navigation) Regulations	499
Defence Regulations, 1939	505
Defence Orders, Notices, etc. under the Defence Regu- lations, 1939	508
Defence (Amendment of Food and Essential Commodities) (Control Ordinance, 1939), Regulations, 1941	514
Defence (Amendment of Food Control Ordinance, 1942) Regulations	514
Defence (Amendment of the Import, Export and Customs Power (Defence) Ordinance, 1939, Regulations (No. 2) 1942	514
Defence (Amendment of Road Transport Ordinance) Regu- lations, 1942	515
Defence (Amendment of War Risks Insurance Ordinance) Regulations, 1942	515
Defence (Application of Food Control Ordinance, 1942) Regulations, 1942	516
Defence (Application of the Public Health Ordinance) Order, 1947	527
Defence (Change of Authority) Regulations, 1945	516
Defence (Change of Title) Regulations, 1942	516
Defence (Control of Citrus Marketing) Regulations, 1945	516
Defence (Control of Engineering, Building and Hardware Material) (Miscellaneous Provisions) Regulations, 1944 ...	516
Defence (Control of Establishments) Regulations, 1944 ...	517

<u>Title</u>	<u>Page</u>
Defence (Control of Motor Vehicles) (Miscellaneous Provisions) Regulations, 1943	517
Defence (Control of Private Motor Vehicles) Regulations, 1942	517
Defence (Coroner's Inquests) Regulations, 1943	517
Defence (Courts Applications) Regulations (No. 2), 1944.	517
Defence (Electricity Concessions) Regulations, 1940	517
Defence (Electricity) Concessions Order	526
Defence (Emergency) Regulations, 1945.	527
Defence (Emergency) Orders, Notices, etc.	528
Defence (Emergency) (Finances of Certain Enemy Aliens) Regulations	528
Defence (Emergency) (Imprisonment for Debt) Order, 1947.	527
Defence (Emergency) (Unofficial Uniforms) Order	527
Defence (Exemptions from Rates) Regulations, 1943	517
Defence (Finance) Regulations, 1941.	518
Defence (Finance) Orders, Notices, etc. thereunder.	519
Defence (Food Control) Regulations, 1942.	521
Defence (Lease/Lend Capital Goods) Regulations, 1945....	521
Defence (Letting of Private Vehicles on Hire) Regulations, 1945.	521
Defence (Moslem Awqaf) Regulations	528
Defence (Motor Vehicles) (Log Books) Regulations, 1945	521
Defence (Movement of Goods) (Restriction) Regulations, 1944	521
Defence (Nomination of Municipal Councillors) Regulations.	528
Defence (Petroleum Rules, 1934) (Exemption) Regulations,	522
Defence (Prevention of Profiteering) Regulations, 1944.	522
Defence (Refund of Vehicle Licensing Fees) Regulations, 1945.	522
Defence (Re-Importation of Exported Tobacco) Regulations.	528
Defence (Sharia Officials) Regulations	528
Defence (Statutory Martial Law) Orders	527
Defence (Supreme Moslem Council) Regulations.	528
Defence (Water Distribution) Regulations, 1944	522
Defence (Water Distribution) (Declaration of Controlled Area) Orders.	523

<u>Title</u>	<u>Page</u>
Ein Es Sultan	523
Emergency Laws (Transitional Provisions) Act, 1946	503
Emergency Laws (Transitional Provisions) (Colonies, etc.)	503
Order in Council	504
Emergency Laws (Continuation of Certain Defence Legislation) Order, 1946.	504
Emergency Powers (Colonial Defence) Order in Council.	504
Emergency Powers (Colonial Defence) (Explanation) Order in Council	504
Emergency Powers (Defence) Acts.	524
Establishment of Courts Orders	523
Evidence and Powers of Attorney Act, 1940	523
Evidence and Powers of Attorney Order in Council, 1941....	523
Evidence by Commission Acts	527
Explosives.	523
Extradition Acts 1870 to 1935.	524
Extradition Orders in Council	519
Foreign Currency, authorisation to deal with.	527
Flags.	524
Foreign Jurisdiction Act, 1890.	529
Foreign Law Ascertainment Act, 1861.	530
Foreign Tribunals Evidence Act, 1856.	534
Free-French Forces, detention of	500 530
Fugitive Offenders Act, 1881.	530
Geneva Convention Act, 1911.	530
Geneva Conventions Order in Council	527
Identity Cards.	524
Lands in Zone 'A', certain permitted to transfer.	524
Land Transfer Regulations.	528
Lord High Admiral	531
Magistrate's Courts.	525
Marshall of the Supreme Court of Palestine sitting in Admiralty, appointed	542
Martial Law (Extension of Time) Order.	528
Merchant Shipping Act, 1894.	530
Ottoman Order in Council, 1910.	530
Palestine Admiralty Jurisdiction Order, 1937.	502
Palestine Advisory Council Order.	525
Palestine and East Africa Loans Act, 1926.	530
Palestine (Appeal to Privy Council) Order in Council, 1924.	525

<i>Title</i>	<i>Page</i>
Palestinian Citizenship (Naturalization of Alien Women) Regulations, 1942.	525
Palestinian Citizenship Order, 1925 to 1941, Consolidated.	525
Palestinian Citizenship Regulations.	525
Palestine Currency Order, 1927.	526
Palestine Currency (Legal Tender Proclamation)	526
Palestine (Defence) Order in Council.	526
Palestine (Holy Places) Order in Council.	528
Palestine Legislative Council Election Order	525
Palestine Order in Council, 1922.	524
Palestine Order in Council (Boundaries) Order.	525
Palestine (Validation of Ordinances) Order in Council, 1932.	528
Palestine (Western or Wailing Wall) Order in Council, 1931.	528
Payments for Exports (Exemption) Order.	519
Personal Representatives or Heirs of a Deceased Person Resident in the Sterling Area.	520
Personal Status (Consular Powers) Regulations.	525
Photographs.	528
Port Managers.	525
Prize.	529
Prize Act, 1939.	531
Prize Courts Act, 1894.	531
Prize Court, Marshal appointed.	531
Prize Court proceedings — conduct of.	531
Prize Court Rules, 1939.	531
Prize Court, Supreme Court authorised to act as	531
Prize Proceedings, Attorney General authorised to conduct.	531
Prize Salvage Act, 1944.	532
Pudukkottai State.	530
Registrar of the Supreme Court sitting in Admiralty, appointed	502
Royal Commission, re Office of Lord High Admiral.	528
Royal Instructions.	528
Royal Naval Reserve Volunteers.	529
Royal Warrant.	529
Royal Warrant and Regulations.	529
Securities (Exemption) Order.	520
Securities (Restrictions and Returns) Orders.	520
Ships and Aircraft (Transfer Restrictions) Act, 1939.	532
Sketches	528

<u>Title</u>	<u>Page</u>
Sterling Area, Personal Representatives or Heirs of a Deceased Person resident in the.	520
Supplies and Services (Transitional Powers) Act, 1945.	532
Supplies and Services Orders etc.	533
Trans-Jordan Frontier Force (Long Service and Good Conduct Medal) Regulations.	529
U.S.A. (Application of 5 and 6 Geo.c.31 to Colonies, etc.) Order, 1942.	500
U.S.A. Summoning Witnesses, method of.	500
U.S.A. (Visiting Forces) Order, 1942.	533
U.S.A. (Visiting Forces) (Colonies, etc.) Order, 1942.	500
U.S.A. (Visiting Forces) Order, 1942.	500
Visiting Forces (British Commonwealth) Act, 1933.	533
Visiting Forces Orders etc.	533
Volunteers	529
War Proclamations.	531
Water Commissioner, appointed.	523

**INTERNATIONAL CONVENTIONS, AGREEMENTS,
TREATIES, ETC.**

Copyright under Copyright Act.

Extradition Proclamations in chapter dealing with Statutory
Rules, etc.

te: This brings the law up to date as on 1st August, 1947.
Please contact Publishers for subsequent amendments.

INTERNATIONAL CONVENTIONS, AGREEMENTS, TREATIES ETC.

Alphabetical list of short titles:

Drawn, or Amended Repealed
Year/page Year/page Year/page

Australia

Reciprocal agreement as to British and German visas extended to Palestine 30/486

Austria

Anglo-Norwegian Convention regarding Legal Proceedings in Civil and Commercial Matters extended to Palestine 32/279

Claims by Victims of Nazi Oppression PG 46/903

1165

Claims for Property in Austria ... PG 47/86

Investigation of Enquiries regarding

Real Property in Austria owned by

British Subjects, British Protected Persons and Palestinian Citizens PG 46/593

Reciprocal arrangements for protection of Trade Marks between Palestine and Austria 28/145

Travellers to Destinations on the Continent, Transit Permits PG 47/615

Bahamas

Entry Permits for British Subjects PG 47/825

Belgium

Convention between the United Kingdom and Belgium regarding Legal Proceedings in Civil and Commercial Matters 35/761

35/761

Bermuda

Entry Permits for British Subjects PG 47/825

Bulgaria

Claims for Restoration, or Compensation for Loss or Damage, of Property PG 46/1024

PG 47/353

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Companies incorporated in Bulgaria,	
Shareholders in, Bulgarian Legisla-	
tion affecting Position of	PG 46/593
Property Tax in Bulgaria	PG 47/825
<i>Civil Air Mail</i>	
Civil Air Mail Services Agreement ...	28/042
<i>Concession</i>	
Concession for the Drainage of Lake	
Huleh and the Adjacent Marshes ...	31/507
<i>Conventions</i>	
Anglo-Iranian Oil Convention	No.34/38
Bills of Lading, Unification of Rules	
relating to	31/83
Carriage by Air, International, Unifi-	
cation of certain Rules relating to...	35/427
Cheques Stamp Law in connection	
with	38/319
Communications and Transit, the	
second International Conference on,	
adhesion of Palestine to	26/605
Copyright, Berne Convention	24/909
Customs Formalities, Simplification of	25/95
Execution of Foreign Arbitral	
Awards	No.17/34
International Exhibitions	31/145
Literary and Artistic Works,	
Protection of	31/581
Motor Traffic, Paris Convention ...	37/187
Motor Vehicles, International	
Circulation of	30/30
Motor Vehicles, Taxation of Foreign,	
(Geneva Convention, 1931)	37/207
Nationality Laws, certain questions re-	
lating to the Conflict of	38/222
Obscene Publications	28/68
Opium	24/874
Postal, Madrid Convention	23/432
Postal and Telegraph Conventions ...	25/419

Alphabetical list of short titles:

Drayton, or Amended Repealed
 Year/page Year/page Year/page

Posts, Insured Letters and Boxes ...	31/326		
Prisoners of War, Treatment of ...	31/504		
Radio-Telegraph	31/54		
Sanitary Convention	29/30		
Stamp Law in Connection with Cheques	38/319		
Transit of Mineral Oil of I.P.C. through Palestine	31/23		
Universal Postal Convention. Cairo, 1934 — Agreement concerning Insur- ed Letters and Boxes	PG 39/1270		
White Phosphorus	25/575		
White Slave Traffic	32/143		
Women and Children, Suppression of the Traffic in	32/143		
Workmen's Compensation	29/170		
Wounded and Sick in Armies in the Field, Amelioration of the Condition of the	31/504		
<i>Czechoslovakia</i>			
Anglo-Czechoslovak agreement for the reciprocal abolition of visas	30/267		
	486		
Claims for Compensation of British and Palestinian Owners of Property in Czechoslovakia	PG 46/1189	PG 47/648	
	PG 47/353		
Commercial Treaty with	27/87		
<i>Denmark</i>			
Travelling Facilities	PG 47/521		
<i>Egypt</i>			
Anglo-Egyptian commercial modus vivendi	30/481		
	31/302		
	32/423		
	33/230		
	35/481		
	37/490		
	41/607		
See: PG 30/592			
PG 31//521			

Alphabetical list of short titles:

Commercial Agreement between Egypt and Palestine	28/192		31/20
Exchange of Notes between His Majesty's Government in the United Kingdom and the Egyptian Government in order to facilitate further Commercial Relations between Egypt and Palestine	36/1210		
Reciprocal Enforcement of Judgments	29/8		
<i>Estonia</i>			
Anglo-Estonian Convention regarding Legal Proceedings in Civil and Commercial Matters, extended to Palestine	34/10		
<i>Finland</i>			
Claims for Restoration, or Compensation for Loss or Damage, of Property	PG 46/1024		
	PG 47/353		
Convention between the United Kingdom and Finland regarding Legal Proceedings in Civil and Commercial Matters	35/825		
<i>France</i>			
Anglo-French Convention respecting legal proceedings in Civil and Commercial Matters applied to Palestine	24/840		
Anglo-French Civil Procedure Convention extended to Palestine	33/745		
Anglo-French agreement for the abolition of visas	30/339		
	522		
	31/302		
	32/207		
Anglo-French convention respecting Legal Proceedings in Civil and Commercial Matters, applicable as between Palestine and Syria and the Lebanon	28/158		
	181		
	195		

British Subjects in possession of Valid
 British Passports may travel to
 France and Algeria without a French
 Visa PG 47/86
 Property, War Damage to ... PG 47/409

Germany

Anglo-German Commercial Treaty,
 1924, applied to Palestine 27/107
 Anglo-German convention re Legal Pro-
 ceedings in Civil and Commercial mat-
 ters extended to Palestine 30/26
 Claims by Victims of Nazi Oppres-
 sion PG 46/903
 Claims for Property in Germany PG 47/86
 259
 Demands for Certified Statements of
 Accounts from German Banks ... PG 46/433
 878
 926

Investigation of Enquiries regarding
 Real Property in Germany owned by
 British Subjects, British Protected
 Persons and Palestinian Citizens PG 46/593
 Powers of Attorney, Despatch of, to
 Germany PG 47/301
 Reciprocal Agreement as to British
 and German Visas 29/71
 476

Requests, Addressing of, for State-
 ments of Accounts with Banks ... PG 47/495

Gibraltar

Entry Permits for British Subjects PG 47/825

Greece

Convention regarding Legal Proceedings
 in Civil and Commercial Matters
 between the United Kingdom and
 Greece extended to Palestine 39/212

Treaty of Commerce and Navigation between the United Kingdom and Greece	27/243
<i>Hayti</i>	
Entry to Hayti of Immigrants from Mandated Territories in the Near East prohibited	31/411
<i>Hejaz and Nejd</i>	
Regulations of the Government of Hejaz and Nejd regarding the Im- portation of Goods	31/489
<i>Hungary</i>	
Anglo-Hungarian Treaty of Commerce	30/26
Anglo-Hungarian Treaty of Commerce, extended to Palestine	29/491
Claims for Restoration, or Compensa- tion for Loss or Damage, of Pro- perty	PG 46/1024 PG 47/353
<i>Iraq</i>	
Customs, Special Agreement between His Majesty's Government in the United Kingdom and the Government of Iraq with a view to facilitating Trade between Palestine and Iraq ...	37/87
Execution of Foreign Judgments, ap- plication to Palestine of the Iraq Law re	29/470
Legal Proceedings in Civil and Com- mercial Matters, Convention regarding, between the United Kingdom and Iraq, extended to Palestine	39/527
Warning to Women from Europe and the United States travelling to Iraq	33/88
<i>Italy</i>	
Anglo-Italian Convention regarding Legal Proceedings in Civil and Com- mercial Matters extended to Palestine	33/28

Anglo-Italian agreement for the reciprocal recognition of passenger ship certificates and emigrant ship regulations ... 30/462

Return of Properties sequestrated in Italy during the War ... PG 46/943
 PG 47/521

Travelling Facilities to Italy for British and British Protected Subjects PG 46/667

Japan

Anglo-Japanese Treaty of Commerce and Navigation extended to Palestine 30/304
 357

Protection of British and Palestinian Property Interests in Japan ... PG 46/1079

Kenya

Entry Permits for British Subjects PG 47/825

Latvia

Treaty of Commerce and Navigation 24/826

Lebanon

Anglo-French Convention respecting legal proceedings in Civil and Commercial Matters, applicable as between Palestine and Syria and the Lebanon 28/158
 181
 195

Importation and Exportation of Goods between Palestine and the Lebanon... 39/1367

Importation and Exportation of Goods between Palestine and the Lebanon ... No.16/40

Visas, Agreement for the Reciprocal grant of, between the Governments of Syria and Lebanon and Palestine and Transjordan ... 32/446

Lithuania

Commercial Agreement between the United Kingdom and Lithuania extended to Palestine ... 23/392

Luxembourg

Travelling Facilities for British Subjects ... PG 47/451

Malta

Entry Permits for British Subjects PG 47/825

Netherlands

Anglo-Netherlands agreement for the abolition of visas ... 30/34
 Claims to Property in the Netherlands, Registration of ... PG 46/179
 Exchange of Notes between the Government of the United Kingdom and the Netherlands Government regarding Trade between the Netherlands and Newfoundland, British Colonies and Protectorates and United Kingdom Mandated Territories ... 36/168
 Property, War Damage to ... PG 47/432
 Travelling Facilities ... PG 47/521

Norway

Anglo-Norwegian Convention regarding Legal Proceedings in Civil and Commercial Matters extended to Palestine ... 32/19
 Travelling Facilities ... PG 47/521

Palestine

British Subjects required to obtain Special Endorsements on their Passports for entry to Palestine ... PG 47/405

Panama

Anglo-Panamanian Treaty of Commerce and Navigation extended to Palestine 32/526
 Emigration to Panama ... 32/251

Poland

Anglo-Polish Convention regarding Legal Proceedings in Civil and Commercial Matters extended to Palestine ... 32/533

Alphabetical list of short titles:

Claims for Compensation of British
 and Palestinian Owners of Property
 in Poland PG 46/1190 PG 47/648
 PG 47/353

Commerce and Navigation, Treaty of,
 between the United Kingdom and Po-
 land, extended to Palestine 25/95
 Visas for Poland on Palestine pass-
 ports 29/465

Powers of Attorney
 Powers of Attorney to be used in
 foreign countries 28/85

Portugal

Anglo-Portuguese Convention regarding
 Legal Proceedings in Civil and Com-
 mercial Matters extended to Palestine 33/474

Protocols

Arbitration Clauses No.17/34
 International Protocol relating to Mili-
 tary Obligations in Certain Cases of
 Double Nationality 38/71
 Protocol relating to a Certain Case
 of Statelessness 38/215

Roumania

Claims for Restoration or Compensa-
 tion for Loss or Damage of Property
 in Roumania PG 46/1024
 PG 47/353

National Bank of Roumania, deposit
 of Shares in PG 47/764

San Salvador

Notice re Emigration to 33/951

Spain

Anglo-Spanish Agreement for the
 abolition of visas 30/522

Anglo-Spanish Convention regarding
 Legal Proceedings in Civil and Com-
 mercial Matters extended to Palestine 32/167

Alphabetical list of short titles:

Anglo-Spanish Treaty of Commerce and Navigation, extended to Palestine ...	29/55		
Anglo-Spanish Agreement Regulating the Treatment of Companies extended to Palestine	31/518		
<i>South America</i>			
Conditions of immigration to	31/295		
Travelling Facilities	PG 47/521		
<i>Switzerland</i>			
Convention between the United Kingdom and Switzerland regarding Legal Proceedings in Civil and Commercial Matters	PG 40/1255		
<i>Syria</i>			
Admission of foreigners into Syria ...	29/459		
Animals, Agreement between Syria and Palestine to facilitate the Movement of certain Animals from one Territory into the other for purposes of grazing and watering	34/57		
	35/823		
	36/1049		
	37/949		
	PG 39/1238		
Animal Tax, Agreement to Provide for the Distribution between the Palestine and Syrian Governments of certain Receipts from Animal Tax	26/133		
Antiquities, Agreement with Syria as to Importation of	26/95		
Customs Agreement, Palestine-Syria...	29/188	35/1095	No.16/40
	PG 39/1080		
Frontier, Bon Voisinage Agreement...	24/662		
Frontier Matters, Bon Voisinage Agreement to Regulate certain administrative matters in Connection with the Frontier between Palestine and Syria	26/57	27/151	169
		38/1429	

Legal Proceedings in Civil and Commercial Matters applicable as between Palestine and Syria and the Lebanon	28/158		
	181		
	195		
Importation and Exportation of Goods between Palestine and Syria...	No.16/40		
Importation and Exportation of Goods between Palestine and Syria	39/1339		
Motor Vehicles, Circulation of, between Palestine and Syria	29/187		35/954
Motor Vehicles, Circulation of, between Palestine and Syria	35/954	35/1283	
Transit, Foreign Goods in, to Syria via Palestine and to Palestine via Syria, Agreement between the Governments of Palestine and Syria in respect of Customs Regulations	No.52 of 1921		29/188
(See Customs Agreement)			
Visas, Agreement for the Reciprocal Grant of Visas between the Governments of Syria and the Lebanon and Palestine and Trans-Jordan	32/446		
Trans-Arabian Pipe Line Company Convention	No.21/46		
<i>Tanganyika</i>			
Entry Permits for British Subjects	PG 47/825		
<i>Trans-Jordan</i>			
Judicial Documents, Service of, between Palestine and Trans-Jordan	35/2	38/567	
Motor Vehicles, Circulation of	29/56		38/665
Motor Vehicles, Circulation of	38/665		
Taking of Evidence on Commission	28/182		29/56
Taking of Evidence on Commission...	29/56		
Transit Agreement with Trans-Jordan	28/166	28/255	
		34/660	
		40/1163	
Visas, Agreement for the Reciprocal Grant of, between the Governments of			

Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Syria and the Lebanon and Palestine and Trans-Jordan	32/446
Visas for British Subject	PG 47/709
<i>Turkey</i>	
Powers of Attorney and Documents for use in Turkish Courts	27/191
Treaty of Peace	Dr.1501
<i>Uganda</i>	
Entry Permits for British Subjects	PG 47/825
<i>Union of South Africa</i>	
Commercial Agreement between His Majesty's Government in the United Kingdom and His Majesty's Govern- ment in the Union of South Africa...	36/369
Commercial Agreement (Supplemen- tary) between His Majesty's Govern- ment in the United Kingdom and His Majesty's Government in the Union of South Africa	36/370
Immigration to the	30/203
<i>U.S.A.</i>	
U.S.A. rights, Convention between His Britannic Majesty and the President of the United States of America with respect to the rights of the Government and Nationals of the United States in Palestine	26/19
<i>U.S.S.R.</i>	
Claims based on Losses suffered in Territories u n d e r Control of U.S.S.R.	PG 47/763
<i>Yugoslavia</i>	
Claims to Property nationalized in Yugoslavia	PG 47/324
	616
	797
Commerce and Navigation Treaty with	28/156

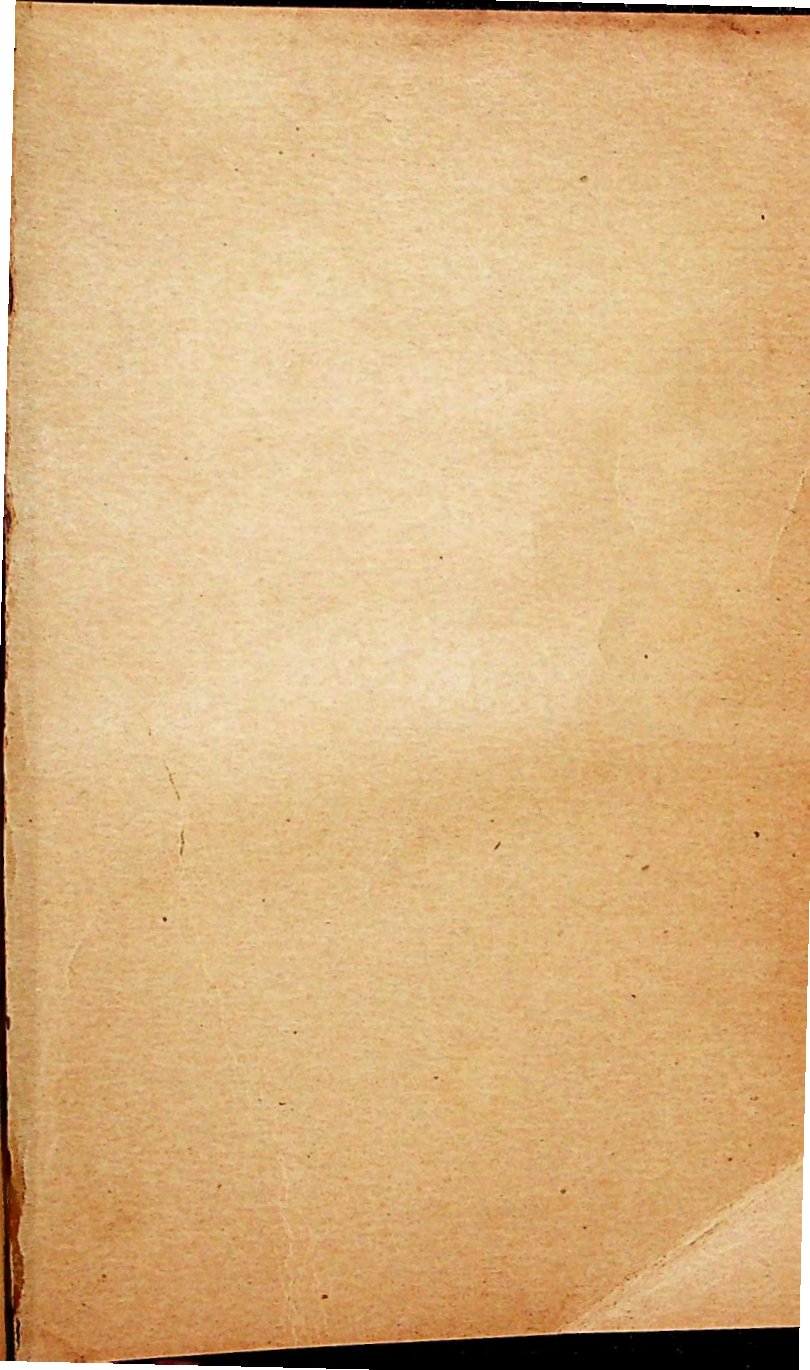
Alphabetical list of short titles:

Drayton, or Amended Repealed
Year/page Year/page Year/page

Legal Proceedings in Civil and
Commercial Matters 38/1584

Zanzibar

Entry Permits for British Subjects PG 47/825





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