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Judgment
56/1964

IN THE PRIVY COUNCIL

No. 26 of 1963

O N A P P E A L
FROM THE FULL COURT OF HONG KONG

UNIVERSITY OF LONDON
INSTITUTE OF ADVANCED
LEGAL STUDIES
23 JUN 1965
25 RUSSELL SQUARE
LONDON, W.C.1.

B E T W E E N :

SIN POH AMALGAMATED (H.K.)
LIMITED (Plaintiffs)

Appellants

78721

- and -

THE HONOURABLE THE ATTORNEY
GENERAL (1st Defendant)

First Respondent

10 WILLIAM ALEXANDER BLAIR-
KERR (2nd Defendant)

Second Respondent

CASE FOR THE APPELLANTS

RECORD

1. This is an appeal, by leave of the
Supreme Court of Hong Kong dated the 11th
September 1963 from a judgment and order of the
Full Court of Hong Kong dated the 3rd April
1963. The appeal arises upon a special case
stated on the 27th March 1963 for the Opinion
of the Full Court whether or not His Excellency
the Governor in Council was empowered by
section 2 of the Commissioners Powers
Ordinance, Chapter 86 of the Revised Edition
of the Laws of Hong Kong, (originally Ordinance
No.27 of 1886) as amended by the Commissioners
Powers (Amendment) Ordinance No. 3 of 1959,
and the Commissioners Powers (Amendment) (No.2)
Ordinance No. 33 of 1959, to appoint the Second
Respondent as sole Commissioner, and as to
certain ancillary questions. By the Special
Case it was recorded that if the Court should

pp. 7-25

p. 5

p. 6, 1.34.

RECORD

answer the questions in the negative Judgment should be entered for the Appellants and if it should answer them in the affirmative Judgment should be entered for the Respondents. The Court answered the questions in the affirmative and dismissed the Appellants' claim with costs.

2. The only question for decision in this appeal is whether, upon the true construction of the Commissioners Powers Ordinance (as amended) there is power in the Governor General in Council to appoint under the said Ordinance one sole Commissioner or whether there is power only to appoint not less than two Commissioners thereunder. 10

3. The Commissioners Powers Ordinance is in the following terms, and was so originally enacted with the exception of the present section 2(d) thereof which was added (then as section 2(c)) by the Commissioners Powers (Amendment) Ordinance No. 3 of 1959, and with the exception of the present section 2(c) thereof which was added by the Commissioners Powers (Amendment) (No.2) Ordinance No. 33 of 1959 :- 20

" THE ORDINANCES OF HONG KONG

CHAPTER 86

COMMISSIONERS POWERS

Originally
27 of 1886.
Fraser
13 of 1886.

To enable the Governor to appoint commissioners for conducting inquiries. 30

(14th December, 1886.)

Short title

1. This Ordinance may be cited as the Commissioners Powers Ordinance.

Governor in
Council may
appoint
commissioners.
33 & 34 Vict.
c.105, s.5.

2. The Governor in Council shall have power -

(a) to nominate and appoint commissioners under the public seal for the purpose of instituting, making, and conducting any inquiry that may be deemed advisable, and for reporting thereon, and 40

- (b) to appoint a secretary or clerk to such commissioners, at such salary or remuneration as he may think fit, and
- (c) to appoint a legal adviser to such Commissioners, at such salary or remuneration as he may think fit, and
- (d) to fix the quorum at meetings of commissioners where more than two are appointed.

10 3. All commissioners so appointed shall, if the Governor in Council deems it expedient and provided that the commission under which they are appointed so directs, have all or any of the powers, rights, and privileges following -

Powers of
commissioners.
33 & 34 Vict.
c.105, s.6.

- (a) all such powers as are vested in the court or in any judge in the course of any action or suit in respect of the following matters -

20 (i) enforcing the attendance of witnesses and examining them upon oath, or otherwise;

 (ii) compelling the production of documents;

 (iii) punishing persons guilty of contempt; and

 (iv) ordering an inspection of any property,

30 and in such cases a summons under the hand of the chairman or presiding member of any such commission countersigned by the secretary or clerk, if any, to the commissioners may be substituted for and shall be equivalent to any form or process capable of being issued in any action or suit for enforcing the attendance of witnesses or compelling the production of documents; and any warrant of committal to prison issued for the purpose of
40 enforcing any such powers as aforesaid shall be under the hand of the chairman or presiding member of any such commission as aforesaid countersigned by the secretary or clerk as aforesaid, if

RECORD

any, and shall not authorize the imprisonment of any offender for a period exceeding three months;

(b) the power, for the purposes of their commission, to enter and view any premises; and

(c) the right to conduct every examination of witnesses either in public or private, as their commission may direct: Provided that if such examination is conducted in public, due notice shall be given of the time and place of holding the same, but with power to the commissioners to adjourn any meeting from time to time and from one place to another.

10

Proceedings arising from examination of witnesses.

4. (1) No action of any description other than criminal proceedings shall be maintained against any person examined at any inquiry authorized by this Ordinance, in respect of any statement made or document produced by him, merely by reason of his making the statement or producing the document at the inquiry.

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(2) No prosecution in respect of any statement made or document produced at any such inquiry shall be commenced without the sanction of the Attorney General.

Police, etc., to aid commissioners. 33 & 34 Vict. c.105, s.6.

5. The Commissioner of Police and all inspectors of police, officers, gaolers, and bailiffs shall and they are hereby required to give their aid and assistance to all commissioners so appointed as aforesaid in the execution of their office.

30

Appearance of counsel, etc.

6. Any person whose conduct is the subject of inquiry under this Ordinance, or who is in any way implicated or concerned in the matter under inquiry shall be entitled to be represented by counsel or a solicitor at the whole of the inquiry, and any other person who may consider it desirable that he should be so represented may, by leave of the commissioners, be represented in the manner aforesaid.

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Expenses of witness. 33 & 34 Vict. c.105, s.9.

7. On the recommendation of any commissioners so appointed as aforesaid, the Governor shall have power to order that the actual expenses for loss of time or travelling of any witness examined under this Ordinance shall be paid out of the Treasury.

8. In all cases, all commissioners appointed under this Ordinance shall have such and the like protection and privileges, in case of any action or suit brought against them for any act done or omitted to be done in the execution of their duty, as is by law given by any Ordinance to magistrates or justices acting in execution of their office.

Protection to commissioners. 33 & 34 Vict. c.105, s.10 (cf.Cap. 227.)

10 9. Service on any person of a summons under this Ordinance may be made by leaving the summons at his usual or last-known place of residence or business in the Colony.

Service of summons. 33 & 34 Vict. c.105, s.11.

10 10. No person shall be liable to any action, suit, indictment, or proceeding by reason of his publishing a true account of any evidence taken in public in pursuance of the powers conferred by this Ordinance or of any report of the commissioners made public by the authority of the Governor. "

Protection to person publishing true account of evidence. 33 & 34 Vict. c.105, s.12.

4. When the said Ordinance was originally enacted there was in force the Interpretation Ordinance No. 1 of 1867, the relevant provisions of which were re-enacted in the Interpretation Ordinance No. 1 of 1950 which came into operation under the Revised Edition of the Laws Ordinance No. 20 of 1948: such relevant provisions are as follows :-

30 "2. (1) Save where the contrary intention appears either from this Ordinance or from the context of any enactment or instrument the provisions of this Ordinance shall apply and shall apply only to this Ordinance and to all enactments now or hereafter in force made by competent authority in the Colony and to any instrument made or issued under or by virtue of any such enactment.

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(5) (a) Words importing the masculine gender include females.

(b) Words in the singular include the plural and vice versa."

RECORD

5. The marginal references to the sections of the Commissioners Powers Ordinance refer to 33 and 34 Vict. C. 105, which is the Truck Commission Act, 1870 (since repealed) which is headed :-

"An Act for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry."

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and the relevant sections of which are as follows :-

Appointment of Commissioners.

"3. Charles Synge Christopher Bowen, esquire, barrister-at-law, and Alexander Craig Sellar, esquire, advocate, shall be Commissioners for the purpose of inquiring into and reporting to one of Her Majesty's Principal Secretaries of State, upon the operation of the above-mentioned Act, and of all other Acts or provisions of Acts prohibiting the truck system, with power to investigate any offences against such Acts which have occurred within the period of two years immediately preceding the passing of this Act, and to make such report on the subject of the truck system, and of the existing laws in relation thereto, as they shall deem proper and useful.

20

Any report made in pursuance of this Act shall be laid before Parliament within one calendar month next after such report is made if Parliament be then sitting, or, if Parliament be not then sitting, then within one calendar month next after the then next meeting of Parliament.

30

Vacancy in offices of Commissioners.

4. As often as any vacancy occurs in the office of any Commissioner acting under this Act by reason of such Commissioner dying, resigning, declining, or becoming incapable to act, one of Her Majesty's Principal Secretaries of State may from time to time fill up such vacancy.

40

Payment of Commissioners.

5. There shall be paid to each of the said Commissioners out of moneys to be provided by Parliament such remuneration for their services under this Act as the Commissioners of the Treasury may direct, and the said

Commissioners may employ such secretary, clerks, and other officers at such salaries, to be paid out of moneys to be provided by Parliament, as may be approved of by the said Commissioners of the Treasury.

Powers of
Commissioners.

10 6. The Commissioners shall have for the purposes of this inquiry to be instituted by them in pursuance of this Act all such powers, rights, and privileges as are vested in any of Her Majesty's superior courts, or in any judge thereof, or in the Court of Session in Scotland, or any judge thereof, on the occasion of any action or suit, in respect of the following matters:

- 20 (a) The enforcing the attendance of witnesses, and examining them on oath, affirmation, or otherwise, as they or he may think fit:
- (b) The compelling the production of documents:
- (c) The punishing persons guilty of contempt:
- (d) The ordering an inspection of any real or personal property:

30 And a summons under the hand or hands of one or more of the Commissioners may be substituted for and shall be equivalent to any form of process capable of being issued at law in any action or suit for enforcing the attendance of witnesses, or compelling the production of documents.

40 Any warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall be under the hand of one or more of the Commissioners, and shall specify the prison to which the offender is to be committed, and shall not authorise the imprisonment of any offender for a period exceeding three months.

For the purposes of this Act the Commissioners or either of them shall have power to enter and view any premises.

All superintendents of police, chief

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constables, headboroughs, gaolers, constables, and bailiffs shall and they are required to give their aid and assistance to the said Commissioners in the execution of their office.

The gaoler or other chief officer of any prison refusing to receive into his prison any prisoner committed thereto in pursuance of this Act shall incur a penalty not exceeding five pounds, to be recovered summarily for every day during which such refusal continues. 10

Every examination of witnesses under this Act shall be conducted in public, and due notice shall be given of the time and place of holding the same, but with power to the Commissioners to adjourn any meeting from any one place or time to another as occasion may require.

Any one Commissioner may hold inquiries for the purpose of this Act sitting alone, and exercise singly all the powers which by this Act may, when the two Commissioners are sitting together, be exercised by both or either of them, except only the power of punishing persons guilty of contempt, which power shall not be exercised by one Commissioner sitting alone, unless by order of one of Her Majesty's Principal Secretaries of State. 20

Indemnity to witnesses.

7. Any person examined as a witness in an inquiry under this Act who in the opinion of the Commissioners makes a full and true disclosure touching all the matters in respect of which he is examined, shall receive a certificate under the hand of such Commissioners stating that the witness has upon his examination made a full and true disclosure as aforesaid; and if any civil or criminal proceeding be at any time thereafter instituted against such witness in respect of any matter touching which he has been so examined, the tribunal before which such proceeding is instituted shall, on the production and proof of the certificate, stay the proceeding, and may in its discretion award to such witness any costs he may have been put to by the institution of the proceeding; provided that no evidence taken under this Act shall be admissible against any person in any civil or criminal proceeding whatever, 30 40 50

except in the case of a witness who may be accused of having given false evidence before the Commissioners conducting the inquiry under this Act.

8. Every person who, upon examination upon oath or affirmation in any inquiry under this Act, wilfully gives false evidence, shall be liable to the penalties of perjury. Penalty for false swearing, &c.

10 9. The reasonable expenses incurred by any person who may be summoned to appear to give evidence in any inquiry under this Act, according to a scale to be approved by the Commissioners of Her Majesty's Treasury, may be allowed and paid to such person upon a certificate under the hands or hand of both or one of the Commissioners conducting the inquiry under this Act, and shall be deemed to be expenses incurred by the Commissioners for the purposes of their Commission, and, together with all incidental expenses of the inquiry directed by this Act, shall be paid by the said Commissioners of the Treasury out of moneys provided by Parliament. Expenses.

30 10. The Commissioners in conducting an inquiry under this Act shall have such and the like protection and privileges, in case of any action brought against them for any act done or omitted to be done in the execution of their duty, as is now by law given by any Act or Acts now or hereafter to be in force to justices acting in execution of their office. Protection to persons appointed to conduct inquiries.

11. Service upon any person of a summons under this Act may be made by leaving the summons at his usual or last known place of abode or of business. Service of a summons.

40 12. No person shall be liable to any suit, action, indictment or proceeding by reason of his publishing a true account of any evidence taken by the Commissioners or of any report of the Commissioners. Protection to persons publishing true accounts of evidence.

13. No action shall be brought against any of the Commissioners appointed to conduct an inquiry under this Act, or any Limitation of actions.

RECORD

other person whomsoever, for anything done in the execution of his duty under this Act, unless such action be brought within six calendar months next after the doing of such thing."

- p.6, 1.6 6. On the 12th day of February 1963 His Excellency the Governor in Council in purported exercise of the powers conferred upon him by Section 2 of the Commissioners Powers Ordinance appointed the Second Respondent as Commissioner for the purpose of instituting making and conducting an enquiry into the circumstances in which certain articles or reports were published in the Hong Kong Tiger Standard Newspaper dated 7th February 1963 and the Sing Tao Jih Pao newspaper dated 7th February 1963 and into allegations that one Chan Kin Kin had been ill-treated at the time of and subsequent to his arrest on or about the 9th day of January 1963. The Terms of Reference of the Commissioner are set out in the Exhibit to the Affidavit of Peter John Griffiths filed on the 22nd day of March 1963. 10
- p.2, 1.17
- pp. 29, 30. 7. On the 19th day of February 1963 the Second Respondent commenced an enquiry pursuant to the said appointment and such enquiry was at the date of the Special Case still continuing, but has since after sitting for more than three weeks been concluded on or about the 25th day of July 1963. 20
- p. 6, 1.12. 8. The Appellants are the Proprietors and Publishers of the Hong Kong Tiger Standard newspaper and the Sing Tao Jih Pao newspaper, and in the course of the said enquiry witnesses were summoned to give evidence from the Appellants' newspapers and some were cross-examined by Counsel on behalf of the Commissioner of Police. Serious interference with normal working and substantial expenses resulted. 30
- p. 1 9. The Appellants issued a Writ of Summons on p. 2 21st March 1963 and in their Statement of Claim claimed, inter alia, a declaration that the Commissioner purported to have been appointed as hereinbefore set out was illegal ultra vires null and void; a declaration that the Appellants by themselves their Directors servants employees or otherwise were not bound to attend the said enquiry or give evidence or produce documents thereat; and an injunction to restrain the Second Respondent 40

from proceeding further with the said Enquiry.

10. The Appellants by summons inter partes dated 22nd March 1963 and served on each of the Respondents applied for an injunction to restrain the enquiry from proceeding further, both Respondents appeared thereto, and a Special Case for the Opinion of the Full Court was agreed between Counsel for all parties on the 27th day of March 1963, and was tried before the Full Court of Hong Kong (Sir Michael Hogan, C.J., President, Mr. Justice Rigby, and Mr. Justice Huggins) on the 28th and 29th days of March 1963.
11. On the 3rd April 1963 the Full Court delivered unanimous judgments answering the questions in the affirmative and dismissing the Appellants' claim with costs.
12. The Honourable President in reaching a decision adverse to the Appellants, acted and applied Section 3 (5)(b) of the Interpretation Ordinance which provides that the singular shall include the plural and vice versa. He pointed out that it is in the nature of statutory interpretation provisions to distort normal meaning; that the Appellants had failed to discharge the burden of showing that the terms of the Commissioners Powers Ordinance contained an intention to exclude the operation of Section 3(5)(b) of the Interpretation Order for purposes of construing the word "Commissioners" in the former Ordinance; that accordingly Section 3(5) of the Interpretation Ordinance was applicable to the word in issue which should thus be read as meaning "a Commissioner or Commissioners". He was not persuaded that the use in the ancillary provisions of the Commissioners Powers Ordinance of words implying plurality of commissioners (such as "meeting") pointed to the exclusion of a single commissioner, because he considered that the legislature had merely adopted appropriate words to stand subservient to the governing plural description of the personnel of the commission, thus preserving consistency of language: and he considered the legislature had used the plural rather than the more customary singular because it contemplated that the appointment of a sole commissioner would be more unusual than usual. He laid stress upon
- p. 4
- pp. 4, 5
p. 5, 1.9.
- p.8, 1.31.
- p.9, 1.40
- p.10, 1.1
p.11, 1.30
- p.13, 1.1
- p.10, 1.20
- p.10, 1.25 to
p.10, 1.38
- p.11, 1.20
- p.10, 1.32

RECORD

	the value of the Interpretation Ordinance for eliminating prolixity in legislation. And he found support for his views in cases decided in other Commonwealth territories upon similar wording in comparable legislation: and he considered that whilst the appearance in comparable legislation of other such territories later in point of time than the Hong Kong Commissioners Powers Ordinance of specific provision for a single commissioner caused him to pause, it did not persuade him to accede to the Appellant's contention particularly bearing in mind that strictly legislation elsewhere was not a guide to the intention of the Hong Kong legislature. He drew some support from the fact that in 1950 the Legislature re-enacted the Hong Kong Ordinance in its original form with knowledge that in 1941 a single commissioner had been appointed.	
p.8, 1.6 p.8, 1.1		
p.12, 11.15 to 42		10
p.12, 1.13		
p.12, 1.37		
pp. 13-15	13. The Honourable Mr. Justice Rigby reached the same conclusion for substantially the same reason.	20
p.18, 1.16	14. The Honourable Mr. Justice Huggins held, as was conceded by the Respondents, that it would suffice for the Appellants to show on a balance of probabilities that the intention was to exclude the Interpretation Ordinance; that prima facie the use of the word "chairman" supposed a plurality of commissioners; that although the word "meeting" (and other words) were apt only where there was a plurality of commissioners, this was inconclusive of the matter because the draftsman had adopted the plural form throughout. He further held that to ascertain the intention of the legislature it was necessary to have regard not only to actual words used but to other matters outside the language of the statute, (such as social conditions) which showed what the intention was, and he was finally persuaded that the strict view was not the correct one by the reference which had been made to the English Tribunals of Inquiry (Evidence) Act, 1921 including particularly to the fact that that Act had been applied to one-man tribunals. He was also for dismissing the claim.	30
p.19, 1.9		
p.20, 1.11		
p.22, 11.45-47		
p.25, 1.3		40
p.25, 1.16		
	15. Final leave to appeal to the Privy Council was granted to the Appellants by the Hong Kong Supreme Court on the 11th September 1963.	
	16. The Appellants respectfully submit that the	50

judgment of the Full Court of the Supreme Court of Hong Kong was wrong and should be reversed.

17. The Appellants contend that no attention ought to be paid to, nor can any assistance be derived from (i) similar legislation of other British Territories (ii) the Tribunals of Inquiry (Evidence) Act 1921 (iii) the facts that single commissioners have been appointed under the 1921 Act, or (iv) the fact that a single Commissioner appears to have been appointed (but never to have sat) under the Hong Kong Ordinance. It is incorrect to pay any attention whatever thereto because :-

(i) The partially similar legislation of other British Territories was with the exception of that of Gibraltar later in date than the Commissioners Powers Ordinance, the Gibraltar Interpretation Ordinance in regard to singular and plural makes no provision as to contrary intent, and the other Ordinances specify explicitly that one or more Commissioners might be appointed.

p.12, 1.16
p.9, 1.17
p.8, 1.4

(ii) The Tribunals of Inquiry (Evidence) Act 1921 besides being later in date than the Ordinance in issue, is an enactment of entirely different character. The 1921 Act only becomes applicable when a Commissioner has been appointed by resolution of Parliament: it provides the machinery for the due functioning of the Commission but does not grant the power of appointment. By contrast the material part of the Ordinance in issue empowers the appointment. It follows that the 1921 Act cannot contain the code for determining the eligible number of commissioners, for Parliament is the appointing authority and is unfettered in the matter: the 1921 Act comes into play subsequent upon an appointment and must necessarily have application to such commissioner or commissioners as Parliament might in its absolute discretion have appointed. There is no part of the 1921 Act equivalent to the vital part of the Ordinance in issue which calls for construction in this case.

(iii) Number of Commissioners in fact appointed by resolution of Parliament which invokes the 1921 Act cannot be relevant to interpretation of powers of appointment in this 1886 Ordinance.

(iv) The only occasion on which a single Commissioner was appointed under this Ordinance is admittedly one upon which such Commissioner never sat, so there has never been any opportunity or cause to raise the question now raised in this appeal before. In any case number of Commissioners in fact appointed on previous occasions is not a proper factor to be considered in interpretation of this Ordinance. 10

18. The Appellants further contend that attention ought to have been paid (as it was not) to, and assistance is to be derived (as it was not) from, the marginal references in the Commissioners Powers Ordinance which are included in the context of the Ordinance, and which show clearly the model for that Ordinance to be "33 and 34 Vict. C. 105", the Truck Commission Act 1870, with which detailed comparison is desirable. The 1870 Act expressly applies by section 3 thereof only to a plurality of Commissioners, but nevertheless distinguishes expressly between the powers of the Commission and the powers of a single member of the Commission. This firmly supports the view that the Commissioners Powers Ordinance was intended to authorise the appointment of a plurality of Commissioners only and not a single Commissioner. 20 30

19. On the wording of the Commissioners Powers Ordinance itself the Appellants contend that the following show that appointment of a plurality of Commissioners was being provided for and not of one Commissioner only :-

(i) The use of the words "Chairman or presiding member of any such Commission" in Section 3(a)(iv) and the use of those words in contrast to "all commissioners" at the beginning of that Section. 40

(ii) The use of the word "Commissioners" always in the plural throughout the Ordinance.

(iii) The references to "any inquiry",

"secretary", "clerk", "legal adviser" in the singular as contrasted with "Commissioners" in the plural in Section 2(a)(b)(c) and (d).

- 10 (iv) The phrase "more than two" in Section 2(d), which, if the Full Court were right, would leave unprovided for the question of quorum where precisely two Commissioners were appointed.
- (v) The word "meetings" in Section 2(d).
- 20 (vi) The marginal references of the Ordinance show that the Truck Commission Act 1870 was the "model" upon which it was based. The 1870 Act appointed two commissioners and Sections 4, 5, 6 and 10 thereof carefully distinguished between what should be applicable to the "Commissioners" and what should be applicable to a single Commissioner. By the first paragraph of Section 6 extensive powers were given to "the Commissioners" and it is clear from the context that such powers were exercisable by the two Commissioners as a body; whereas special provision was made later in the Section for empowering a single Commissioner to view premises and enabling a single Commissioner to hold inquiry and for empowering a single Commissioner to exercise most of the powers which the two Commissioners were enabled to exercise. By contrast the Ordinance drew no corresponding distinction and contained no reference to a single Commissioner sitting or exercising powers alone.
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- 40

20. The Appellants accordingly contend that the effect of the considerations hereinbefore set out is that the Ordinance, upon its proper interpretation only empowers the Governor in Council to appoint not less than two Commissioners, and if necessary further or alternatively that since the Ordinance is, as was accepted by the Honourable Mr. Justice Huggins, "an invasion of liberty" and penal

RECORD

in nature, the principle should be applied which is set out in Rex. v. Chapman (1931) 2 K.B. 606, 609 "Where an equivocal word or ambiguous sentence leave a reasonable doubt of its meaning which the canons of interpretation fail to solve, the benefit of the doubt should be given to the subject and against the Legislature which has failed to explain itself".

21. The Appellants respectfully submit that this appeal should be allowed with costs here and below and the judgment of the Full Court reversed for the following (amongst other)

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R E A S O N S

- (1) BECAUSE the Commissioners Powers Ordinance empowers the Governor in Council to appoint two or more Commissioners, but not one only.
- (2) BECAUSE the Full Court of the Supreme Court were wrong in arriving at a contrary conclusion and took into account matters which they should not have taken into account and failed to take into account matters which they should have taken into account.

20

MATHEW A.L. CRIPPS

NORMAN C. TAPP.

No. 26 of 1963

IN THE PRIVY COUNCIL

O N A P P E A L
FROM THE FULL COURT OF HONG
KONG

B E T W E E N :

SIN POH AMALGAMATED
(H.K.) LIMITED
(Plaintiffs)

... .. Appellants

- and -

THE HONOURABLE THE
ATTORNEY GENERAL
(1st Defendant)

... .. First Respondent

- and -

WILLIAM ALEXANDER
BLAIR-KERR
(2nd Defendant)

... .. Second Respondent

CASE FOR THE APPELLANTS

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