

(Reproduced from Tsang, Steve (ed.) (1995) *Government and Politics*, Hong Kong University Press)

Letters Patent (The Hong Kong Charter) 1843 (source: CO129/2)

Victoria, by the GRACE of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, — GREETING KNOW YE — that We, of our Special Grace, certain knowledge, and mere motion, have thought fit to erect and do hereby erect our Island of Hong Kong and its Dependencies, situate between twenty-two degrees nine minutes, and twenty-two degrees twenty-one minutes North Latitude, and the one hundred and fourteenth degree eighteen minutes East Longitude from the Meridian of Greenwich, into a Colony, and the said Island and its Dependencies is hereby erected into a separate Colony accordingly, to be known and designated at 'the Colony of Hong Kong'.

AND WE DO hereby further grant, appoint, and ordain, that the Governor, for the time being, of the said Colony, and such other Persons as are hereinafter designated, shall constitute, and be a Legislative Council for the said Colony: And We do hereby direct and appoint, that in addition to the said Governor, the said Legislative Council shall be composed of such Public Officers within the said Colony, or of such other Persons within the same, as shall from time to time be named or designated for that purpose, by Us, by any Instruction of Instructions, or Warrant, or Warrants, to be by Us for that purpose issued under Our Signet and Sign Manual, and with the advice of Our Privy Councillor, shall hold their places in the said Council, at our pleasure: And we do hereby grant and ordain, that the Governor for the time being, of the said Colony, with the advice of the said Legislative Council, shall have full power and authority to make and enact all such laws and Ordinances as may from time to time be required for the Peace, Order, and good Government of the said Colony of Hong-Kong: And that, in making all such laws and Ordinances, the said Governor shall exercise all such powers and authorities; and that the said Legislative Council shall conform to, and observe all such rules and regulations as We, with the advice of Our Privy Council, shall from time to time, make for his and their guidance therein: Provided, nevertheless, and We do hereby reserve to Ourselves, our Heirs and Successors, our and their right and authority to disallow any such Ordinances in the whole or in part, and to make and establish from time to time, with the advice and consent of Parliament, or with the advice of our or their Privy Council, all such Laws as may to Us, to them, appear necessary, for the Order, Peace, and good Government of our said Island and its Dependencies, as full as if these Presents had not been made: And, whereas, it is expedient, that an Executive Council should be appointed to advise and assist the Governor of our said Colony of Hong-Kong, for the time being, in the administration of the Government thereof — We do therefore, by these, our Letters Patent, authorizing the Governor of said Colony, for the time being, to summon as an Executive Council, such Persons as may from time to time be named or designated by Us, in any Instructions under Our Signet and Sign Manual, addressed to him in that behalf: And We, do hereby authorize and empower the Governor of Our said Colony of Hong Kong, for the time being, to keep and use the Public Seal appointed for the Sealing of all things whatsoever that shall pass the Seal of our said Colony: And we do hereby give and grant to the Governor of our said Colony of Hong-Kong, for the time being, full power and authority in our name and on

our behalf, but subject, nevertheless, to such provisions as may be, in that respect contained in any instructions which may from time to time be addressed to him by Us, for that purpose, to make and execute in our name, and on our behalf, under the Public Seal of our said Colony, Grants of Land to us belonging within the same, to Private Persons for their own use and benefit, or to any Persons, Bodies Politic or Corporate, in trust for the Public uses of our Subjects there resident, or of any of them: And We do hereby authorize and empower the Governor of our said Colony of Hong Kong, for the time being, to constitute and appoint Judges, and in cases requisite, Commissioners of Oyer and Terminer, Justices of the Peace, and other necessary Officers and Ministers in our said Colony, for the due and impartial administration of justice, and for putting the Laws into execution, and to administer, or cause to be administered unto them, such Oath, or Oaths as are usually given for the due execution and performance of officers and places, and for the clearing of truth in judicial matters: And we do hereby give and grant unto the Governor of our said Colony of Hong-Kong, for the time being, full power and authority, as he shall see occasion, in our name, and on our behalf, to remit any fines, penalties, or forfeitures which may accrue, or become payable to us, provided the same do not exceed Fifty Pounds Sterling, in any one case, and to respite and suspend the payment of any such Fine, Penalty or Forfeiture, exceeding the said sum of Fifty Pounds, until our pleasure thereon shall be made known and signified to such Governor: And we do hereby give and grant unto the Governor of our said Colony of Hong Kong, for the time being, full power and authority, as he shall see occasion, in our name, and on our behalf, to grant to any offender convicted of any crime, in any Court, or before any Judge, Justice or Magistrate within our said Colony, a free and unconditional pardon, or a pardon subject to such conditions, as by any Law or Ordinance hereafter to be in force in our said Colony, may be there unto annexed, or any respite of the execution of the sentence of any such offender, for such period as to such Governor may seem fit: And we do hereby give and grant unto the Governor of our said Colony of Hong Kong, for the time being, full power and authority, upon sufficient cause to him appearing, to suspend from the exercise of his Office, within our said Colony, any person exercising any office or Warrant granted, or which may be granted by us, or in our name, or under our authority which suspension shall continue and have effect, only until our pleasure therein shall be made known and signified to such Governor: And we do hereby strictly require and enjoin the Governor of our said Colony of Hong Kong, for the time being, in proceeding to any such suspension, to observe the directions in that behalf, given to him by our instructions, under our Signet and Sign Manual, accompanying his Commission of appointment as Governor of the said Colony: And, in the event of the death or absence out of our said Colony of Hong-Kong, of such person as may be commissioned and appointed by us, to be the Governor thereof We do hereby provide and declare our pleasure to be, that all, and every, the powers and authorities herein granted to the Governor of our said Colony of Hong Kong, for the time being, shall be, and the same are, hereby vested in such person as may be appointed by us, by Warrant, under our Signet and Sign Manual, to be the Lieutenant-Governor of our said Colony; or, in the event of there being no Person upon the place, Commissioned and appointed by use to be Lieutenant-Governor thereof, then our pleasure is, and we do hereby provide and declare, that in any such contingency, all the powers and authorities herein granted to the Governor, or Lieutenant-Governor of our said Colony shall be, and the same

are hereby granted, to the Colonial Secretary of our said Colony of Hong Kong, for the time being, and such Lieutenant-Governor, or such Colonial Secretary, as the case may be, shall execute all, and every, the powers and authorities herein granted, until our further pleasure shall be signified therein: And we do hereby require and command all our Officers and Ministers, Civil and Military, and all other, the Inhabitants of our said Colony of Hong-Kong, to be obedient in aiding and assisting to such person as may be Commissioned and appointed by us to be Governor of Hong-Kong, or, in the event of his death or absence, to such person as may, under the provision of these, our Letters Patent, assume and exercise the functions of such: And we do hereby reserve to us, our heirs and successors, full power and authority from time to time, to revoke, alter, or amend, these our Letters Patent, as to us or them shall seem meet: *IN WITNESS WHEREOF*, we have caused these, our Letters, to be made Patent.

WITNESS Ourselves, at Westminster, the fifth day of April, in the sixth year of our Reign.

*BY THE QUEEN HERSELF*

EDMUNDS.