



SECRET

Foreign and Commonwealth Office

London SW1A 2AH

26 July 1982

Dear Sir,

Future of Hong Kong

/
/ In preparation for the Prime Minister's meeting on 28 July, I attach a background note on the future of Hong Kong [and one on the handling of press enquiries in the run-up to the Prime Minister's visit.]

to be handled separately
by David byham.
A.J.C. 27/7

Yours ever,

J.P.F.

(B J P Fall)
Private Secretary

A J Coles Esq
10 Downing Street


SECRET

FUTURE OF HONG KONG

CHINESE ATTITUDE

1. Chinese in the past reluctant to tackle problem. To be solved peacefully when the time was right. Mr Atkins' visit in January 1982 revealed Chinese leaders much more aware of urgency. Chinese Premier Zhao Ziyang said would study and consult local Hong Kong opinion. Emphasised:

- a) safeguarding Chinese Sovereignty over whole Territory; and
- b) importance of Hong Kong's continuance as free port and commercial centre and maintenance of prosperity and stability. He also pointed to relevance of proposals on Taiwan and their new specific^{al} economic zones in South China.

2. More recent opinion *  * (eg Deng Xiaoping to Mr Heath in April, and Chinese Ambassador to Prime Minister on 12 July) indicates Chinese thinking increasingly of Hong Kong as autonomous zone - 'a special administrative region' - as a part of China under the new Constitution. They apparently envisage that some existing institutions could continue, primarily locally manned, though with some expatriate

* ~ * Passage deleted and retained under Section 3(4). /participation
 O'Wayland. 9 October 2012

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participation. But control from London as it is now would probably cease. The Chinese have either not grasped or find it impossible to admit that British administration is essential to confidence. Chinese are currently sounding out selected Hong Kong Chinese on possible solutions to this problem: about a dozen leading personalities have been received by Deng or the Premier. They are also sounding opinion in London to get some clue to initial British reaction to Chinese ideas.

BRITISH INTERESTS

3. UK receives no revenue from Hong Kong (contrary to Chinese belief). Overall economic balance about even. But Hong Kong important:

- a) as commercial and financial centre for UK (and the West) in the Far East;
- b) as positive factor in UK relations with US and China;
- c) as communications, intelligence and air services centre;
- d) as inexpensive training ground for elements of British forces, especially Gurkhas.

4. Unilateral withdrawal by UK from Hong Kong (or failure to reach settlement with China) would create following serious problems for HMG:

- a) abandonment of 5 million people after 140 years of responsibility and HMG's repeated statements of commitment;

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/ b)

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- b) possible large scale exodus, including demands for admission to UK; pensions and compensation commitment to Hong Kong Civil Servants;
- c) loss of British and other Western investment (US, FRG, Australian, Japanese, etc) (Hong Kong is world's third largest financial centre);
- d) the difficulty of governing Hong Kong during an interim period of rapid decline.

CONSTITUTIONAL POSITION

5. Hong Kong Island and Kowloon Peninsula ceded to HMG in perpetuity by Treaties in 1842 and 1860. New Territories leased to HMG for 99 years in 1898. Expires 1997 when the Governor's right to administer the New Territories ceases under terms of Order in Council of 1898 (copies of Treaties and Order in Council attached).

6. Successive Chinese governments have consistently regarded these Treaties as unequal (ie forced upon a weak China in the 19th Century) and whole of Hong Kong as Chinese territory.


CHINA'S INTERESTS

7. China draws economic advantage from status quo as follows:

- a) 35-40% of foreign exchange (estimated US\$6,000 million in 1981);
- b) investment;
- c) use of port, air and financial facilities;

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/ d)


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d) training and import of technology.

CHINESE OBJECTIVES

8. Chinese will be seeking acknowledgement of their sovereignty over whole Territory. They may, however, be prepared to agree that serious talks on the future should now commence on the basis of a formula which makes no reference to sovereignty, but provides that the positions of both sides would be discussed.

HONG KONG'S POSITION

9. Increasing concern as end of New Territories lease drawing near. Slide in confidence could happen suddenly and lead to withdrawal of capital and rapid decline. Intense interest in and great expectations from Prime Minister's visit.

10. 98% of Hong Kong's population Chinese, many recent immigrants from China or their children. No wish to be ruled by Chinese communists. But in the main do not have emotional or other ties to British sovereignty. Welcome British administration as protection for private enterprise economy. The Unofficial Members of the Executive and Legislative Councils have expressed a strong interest in being kept informed ^{and} ~~or~~ consulted on the future.

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HONG KONG AS AN ENTITY


11. British have sovereignty over Hong Kong Island and Kowloon Peninsula. But these are not viable on their own. New Territories account for more than half the population and seven eighths of land. Airport, which is on reclaimed land, would be outside ceded area; city of Kowloon would be divided. Much of industry and generating capacity, all major reservoirs, container port and New Towns are in New Territories. Moreover, all Chinese statements show they regard Territory as a whole and would not agree to separation. Kowloon and Hong Kong militarily indefensible but in any case China could throttle economically. Experiences of 1962 and 1967 show how vulnerable Hong Kong is to hostile action from over the border.

CONFIDENCE IN HONG KONG

12. Confidence is holding now but could be fragile. There is a general belief that some agreement with China must be reached in next year or two. As seen from Hong Kong, the choice will appear to be one between our reaching some acceptable arrangement enabling us to administer the whole Territory and to uphold the interests of all the population; or finding ourselves left with an unviable part of the Territory and facing the problems outlined in paragraph 4 above.

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13. The Prime Minister's visit to China will be regarded in Hong Kong as a unique opportunity to begin search for such an agreement - although, given the Chinese attitude, it will be recognised that this will be extremely difficult. It will be hoped that the form of the arrangement will provide for as much as possible of the existing political, economic and social system as at present: some changes of nomenclature (eg title of Governor) and other face-saving concessions to China might be possible, but confidence in Hong Kong would demand that governing authority over domestic and external affairs should remain in London.

14. The public presentation of the results of the Prime Minister's visit will also be important in this context. To maintain confidence, we should seek:

- a) to avoid any public impression of a clash with the Chinese;
- b) to emphasise that we and the Chinese share a common objective in maintaining the prosperity and stability of Hong Kong;
- c) to provide evidence of a step forward (eg serious talks will now begin).

/ACTION IN SHORT TERM

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ACTION IN SHORT TERM

15. Preparations for the Prime Minister's visit will now become more active. We need to decide:

- a) what HM Ambassador should say to the Chinese Government on his return to Peking;
- b) what should be said to the Unofficial Members in Hong Kong before the Prime Minister's visit.

Foreign and Commonwealth Office

26 July 1982

S E C R E T

ARTICLE I.

There shall henceforward be Peace and Friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, and between their respective Subjects, who shall enjoy full security and protection for their persons and property within the Dominions of the other.

一嗣後
大清
大皇帝
大英
君主永存平和所屬
華人民彼此友
睦各住他國者
必受該國保祐
身家全安

ARTICLE II.

His Majesty the Emperor of China agrees, that British Subjects, with their families and establishments, shall be allowed to reside, for the purpose of carrying on their Mercantile pursuits, without molestation or restraint at the Cities and Towns of Canton, Amoy, Foochow-fu, Ningpo, and Shanghai, and Her Majesty the Queen of Great Britain, etc., will appoint Superintendents or Consular Officers, to reside at each of the above-named Cities or Towns, to be the medium of communication between the Chinese Authorities and the said Merchants, and to see that the just Duties and other Dues of the Chinese Government as hereafter provided for, are duly discharged by Her Britannic Majesty's Subjects.

一自今以後
大皇帝恩准大英國人民帶同所屬
家眷寄居
大清沿海之廣州福州廈門甯波上
海等五處港口貿易通商無礙
且
大英
君主派設領事管事等官住該五處
城邑專理商賈事宜與各該地
方官公文往來令英人按照下
條開敘之例清楚交納貨稅鈔
餉等費

ARTICLE III.

It being obviously necessary and desirable, that British Subjects should have some Port whereat they may careen and refit their Ships, when required, and keep Stores for that purpose, His Majesty the Emperor of China cedes to Her Majesty the Queen of Great Britain, etc., the Island of Hongkong, to be possessed in perpetuity by Her Britannic Majesty, Her Heirs and Successors, and to be governed by such Laws and Regulations as Her Majesty the Queen of Great Britain, etc., shall see fit to direct.

一因
大英商船遠路涉洋往
往有損壞須修補者
自應給予沿海一處
以便修船及存守所
用物料今
大皇帝准將香港一島給
予
大英
君主暨嗣後世襲主位者
常遠據守主掌任便
立法治理

ARTICLE IV.

The Emperor of China agrees to pay the sum of Six Millions of Dollars as the value of Opium which was delivered up at Canton in the month of March 1839, as a Ransom for the lives of Her Britannic Majesty's Superintendent and Subjects, who had been imprisoned and threatened with death by the Chinese High Officers.

一因
大清
欽差大憲等於道光十九年二月間經將
大英國領事官及民人等強留粵省嚇以死罪索出鴉片以為贖命今
大皇帝准以洋銀六百萬員償補原價

ARTICLE V.

The Government of China having compelled the British Merchants trading at Canton to deal exclusively with certain Chinese Merchants called Hong Merchants (or Cohong) who had been licensed by the Chinese Government for that purpose, the Emperor of China agrees to abolish that practice in future at all Ports where British Merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they please, and His Imperial Majesty further agrees to pay to the British Government the sum of Three Millions of Dollars, on account of Debts due to British Subjects by some of the said Hong Merchants (or Cohong), who have become insolvent, and who owe very large sums of money to Subjects of Her Britannic Majesty.

一凡
大英商民在粵貿易向例全歸額設行商亦稱公行者承辦今
大皇帝准以嗣後不必仍照向例乃凡有英商等赴各該口貿易者勿論與何商交易均聽其便且向例額設行商等內有累欠英商甚多無措清還者今酌定洋銀三百萬員作為商欠之數准由中國官為償還

ARTICLE VI.

The Government of Her Britannic Majesty having been obliged to send out an Expedition to demand and obtain redress for the violent and unjust Proceedings of the Chinese High Authorities towards Her Britannic Majesty's Officer and Subjects, the Emperor of China agrees to pay the sum of Twelve Millions of Dollars on account of the Expenses incurred, and Her Britannic Majesty's Plenipotentiary voluntarily agrees, on behalf of Her Majesty, to deduct from the said amount of Twelve Millions of Dollars, any sums which may have been received by Her Majesty's combined Forces as Ransom for Cities and Towns in China, subsequent to the 1st day of August 1841.

一因
大清
欽命大臣等向
大英官民人等不公強辦致須撥發軍士討求仲理今酌定
水陸軍費洋銀壹千貳百萬員
大皇帝准為償補惟自道光二十一年六月十五日後英國因贖各城收過銀兩之數
大英全權公使大臣為
君主准可按數扣除

ARTICLE VII.

It is agreed that the Total amount of Twenty-one Millions of Dollars, described in the three preceding Articles, shall be paid as follows:—

Six Millions immediately.

Six Millions in 1843. That is:—Three Millions on or before the 30th of the month of June, and Three Millions on or before the 31st of December.

Five Millions in 1844. That is:—Two Millions and a Half on or before the 30th of June, and Two Millions and a Half on or before the 31st of December.

Four Millions in 1845. That is:—Two Millions on or before the 30th of June, and Two Millions on or before the 31st of December; and it is further stipulated, that Interest at the rate of 5 per cent. per annum, shall be paid by the Government of China on any portions of the above sums that are not punctually discharged at the periods fixed.

一以上三條酌定銀數共貳千壹百萬員應如何分期交清開列於左
此時交銀六百萬員
癸卯年六月間交銀三百萬元十二月間交銀三百萬員共銀六百萬員
甲辰年六月間交銀二百五十萬員十二月間交銀二百五十萬員共銀五百萬員
乙巳年六月間交銀二百萬員十二月間交銀二百萬員共銀四百萬員
自壬寅年起至乙巳年止四年共交銀二千一百萬員倘有按期未能交足之數則酌定每年每百員加息五員

ARTICLE VIII.

The Emperor of China agrees to release unconditionally all Subjects of Her Britannic Majesty (whether Natives of Europe or India) who may be in confinement at this moment, in any part of the Chinese Empire.

一凡係大英國人無論本國屬國軍民等今在中國所管轄各地方被禁者大清大皇帝准即釋放

ARTICLE IX.

The Emperor of China agrees to publish and promulgate, under His Imperial Sign Manual and Seal, a full and entire amnesty and act of indemnity, to all Subjects of China on account of their having resided under, or having had dealings and intercourse with, or having entered the Service of Her Britannic Majesty, or of Her Majesty's Officers, and His Imperial Majesty further engages to release all Chinese Subjects who may be at this moment in confinement for similar reasons.

一凡係中國人前在英人所據之邑居住者或與英人有來往者或有跟隨及俟候英國官人者均由大皇帝俯降御旨謄錄天下恩准全然免罪且凡係中國人為英國事被拿監禁受難者亦加恩釋放

ARTICLE X.

His Majesty the Emperor of China agrees to establish at all the Ports which are by the 2nd Article of this Treaty to be thrown open for the resort of British Merchants, a fair and regular Tariff of Export and Import Customs and other Dues, which Tariff shall be publicly notified and promulgated for general information, and the Emperor further engages, that when British Merchandise shall have once paid at any of the said Ports the regulated Customs and Dues agreeable to the Tariff, to be hereafter fixed, such Merchandise may be conveyed by Chinese Merchants, to any Province or City in the interior of the Empire of China on paying a further amount as Transit Duties which shall not exceed per cent. on the tariff value of such goods.

一前第二條內言明開關俾英國商民居住通商之廣州等五處應納進口出口貨稅餉費均宜秉公議定則例由部頒發曉示以便英商按例交納今又議定英國貨物自在某港按例納稅後即准由中國商人遍運天下而路所經過稅關不得加重稅例只可按估價則例若干每兩加稅不過分

ARTICLE XI.

It is agreed that Her Britannic Majesty's Chief High Officer in China shall correspond with the Chinese High Officers, both at the Capital and in the Provinces, under the term "Communication" 照會. The Subordinate British Officers and Chinese High Officers in the Provinces under the terms "Statement" 申陳 on the part of the former, and on the part of the latter "Declaration" 劄行, and the Subordinates of both Countries on a footing of perfect equality. Merchants and others not holding official situations and, therefore, not included in the above, on both sides, to use the term "Representation" 稟明 in all Papers addressed to, or intended for the notice of the respective Governments.

一議定英國在中國之總管大員與大清大臣無論京內京外者有文書來往用照會字樣英國屬員用申陳字樣大臣批覆用劄行字樣兩國屬員往來必當平行照會若兩國商賈上達官憲不在議內仍用稟明字樣為著

ARTICLE XII.

On the assent of the Emperor of China to this Treaty being received and the discharge of the first instalment of money, Her Britannic Majesty's Forces will retire from Nanking and the Grand Canal, and will no longer molest or stop the Trade of China. The Military Post at Chinghai will also be withdrawn, but the Islands of Koolangsoo and that of Chusan will continue to be held by Her Majesty's Forces until the money payments, and the arrangements for opening the Ports to British Merchants be completed.

大清一俟奉大皇帝准和約各條施行並以此時准交之六百萬員大英陸軍士當即退出江甯京口等處江面不再行攔阻中國各省商賈貿易至鎮江之海關亦將退讓惟定海縣之舟山島仍歸英兵暫為駐守及所議英兵全數交清而前議各海口均已開關俾英人通商後即不復佔據軍士退出

CONVENTION OF PEKING (1860).

PREAMBLE OF CONVENTION.

Her Majesty the Queen of Great Britain and Ireland, and His Imperial Majesty the Emperor of China, being alike desirous to bring to an end the misunderstanding at present existing between their respective Governments, and to secure their relations against further interruption, have for this purpose appointed Plenipotentiaries; that is to say, Her Majesty the Queen of Great Britain and Ireland, the Earl of ELGIN AND KINCARDINE, and His Imperial Majesty the Emperor of China, His Imperial Highness the Prince of KUXU, who having met, and communicated to each other their full powers, and finding these to be in proper form, have agreed upon the following Convention in Nine Articles:--

續增條約

茲以兩國有所不愜

大清大皇帝與

大英大君主合意修好保其嗣後不至失和為此

大清大皇帝特派和碩恭親王奕訢

大英大君主特派

內廷建儲坊賜似帶頭等寶星
會議政世職上堂內世襲額爾金
羅金並金略爾田二郡伯爵

公同會議各將本國恭奉

欽差全權大臣便宜行事之

上諭等件互相較閱均臻妥善現將商定續增條

約開列於左

第一款

一前於戊午年五月

在天津所定原約本

為兩國敦睦之設後

於己未年五月

大英欽差大臣進京換約

行抵大沽砲臺該處

守弁阻塞前路以致

有隙

大清大皇帝視此失好甚

為惋惜

ARTICLE 1.

A breach of friendly relations having been occasioned by the act of the garrison of Taku, which obstructed Her Britannic Majesty's Representative when on his way to Peking for the purpose of exchanging the Ratifications of the Treaty of Peace concluded at Tientsin in the month of June, one thousand eight hundred and fifty-eight, His Imperial Majesty the Emperor of China expresses his deep regret at the misunderstanding so occasioned.

ARTICLE II.

It is further expressly declared, that the arrangement entered into at Shanghai, in the month of October, one thousand eight hundred and fifty-eight, between Her Britannic Majesty's Ambassador the Earl of ELOIX AND KINCARDINE, and His Imperial Majesty's Commissioners KWEILIANG and Hwashana, regarding the residence of Her Britannic Majesty's Representative in China is hereby cancelled, and that, in accordance with Article III of the Treaty of one thousand eight hundred and fifty-eight, Her Britannic Majesty's Representative will henceforward reside permanently, or occasionally, at Peking, as Her Britannic Majesty shall be pleased to decide.

第二款
一再前於戊午年九月
大清欽差大臣 桂 花 沙 納 將
大英欽差大臣 額 爾 金 將
大英欽差駐華大臣嗣在何處居
住一節在滬會商所定之議
茲特申明作為罷論將來
大英欽差大員應否在京長住抑
或隨時往來仍照原約第三
款明文總候本國
諭旨遵行

ARTICLE III.

It is agreed that the Separate Article of the Treaty of one thousand eight hundred and fifty-eight is hereby annulled, and that in lieu of the amount of Indemnity therein specified, His Imperial Majesty the Emperor of China shall pay the sum of Eight Millions of Taels, in the following proportions, or instalments, namely:—At Tientsin on or before the thirtieth day of November the sum of five hundred thousand Taels; at Canton, and on or before the first day of December one thousand eight hundred and sixty, three hundred and thirty-three Taels, less the sum which shall have been advanced by the Canton authorities towards the completion of the British Factory Site at Shameen; and the remainder at the ports open to Foreign trade, in quarterly payments, which shall consist of one-fifth of the gross revenue from Customs there collected. The first of the said payments being due on the thirty-first day of December, one thousand eight hundred and sixty, for the quarter terminating on that day.

第三款
一戊午年原約後附專條作為廢紙所賠
價各項
大清大皇帝允以八百萬兩相易其應如何分繳
即於十月十九日在於津郡先將銀伍拾萬
兩繳楚以本年十月二十日即英國十二月
初二日以前應在於粵省分繳三十三萬三
千三百三十三兩內將查明該日以前粵省
大吏經支填築沙面地方英商行基之費若
干扣除入算其餘銀兩應於通商各關所納
總數內分結扣繳二成以英月三個月為一
結即行算清自本年英十月初一日即庚申
年八月十七日至英十二月三十一日即庚
申年十一月二十日為第一結如此陸續扣

It is further agreed that these moneys shall be paid into the hands of an officer whom Her Britannic Majesty's Representative shall specially appoint to receive them, and that the accuracy of the amounts shall, before payment, be duly ascertained by British and Chinese officers appointed to discharge this duty.

In order to prevent future discussion, it is moreover declared, that of the Eight Millions of Taels herein guaranteed, Two Millions will be appropriated to the indemnification of the British Mercantile community at Canton for losses sustained by them, and the remaining Six Millions to the liquidation of war expenses.

ARTICLE IV.

It is agreed that on the day on which this Convention is signed, His Imperial Majesty the Emperor of China shall open the port of Tientsin to trade, and that it shall be thereafter competent to British subjects to reside, and trade, there under the same conditions as at any other port of China by Treaty open to trade.

ARTICLE V.

As soon as the Ratifications of the Treaty of one thousand eight hundred and fifty-eight shall have been exchanged, His Imperial Majesty the Emperor of China, will, by decree, command the high authorities of every province to proclaim throughout their jurisdictions, that Chinese, choosing to take service in the British Colonies or other parts beyond sea, are at perfect liberty to enter into engagements with British Subjects for that purpose, and to ship themselves and their families on board any British vessel at any of the open ports of China. Also that the high authorities aforesaid, shall, in concert with Her Britannic Majesty's Representative in China, frame such regulations for the protection of Chinese emigrating as above, as the circumstances of the different open ports may demand.

繳八百萬總數完結均當隨
結清交

大英欽差大臣專派委員監收外

兩國彼此各應先期添派數

員稽查數目清單等件以昭

慎重再今所定取價八百萬

兩內二百萬兩仍為住粵英

商補虧之款其六百萬兩少

裨軍需之費載此明文庶免

禁糾

第四款

一續增條約畫

押之日

大清大皇帝允以天

津那城海口作

為通商之埠凡

有英民人等至

此居住貿易均

照經准各條所

開各口章程比

例畫一無別

第五款

一戊午年定約互換以後

大清大皇帝允於即日除諭各省督撫

大吏以凡有華民情甘出口或在

英國所屬各處或在海外別地承

工俱准與英民立約為憑無論單

身或願攜帶家屬一并赴通商各

口下英國船隻等無禁阻該省大

吏亦宜時與

大英欽差大臣查照各口地方情形會
定章程為保全前項華工之意

ARTICLE VI.

With a view to the maintenance of law and order in and about the harbour of Hongkong, His Imperial Majesty the Emperor of China agrees to cede to Her Majesty the Queen of Great Britain and Ireland, and to Her Heirs and Successors, to have and to hold as a dependency of Her Britannic Majesty's Colony of Hongkong, that portion of the township of Cowloon, in the province of Kwangtung, of which a lease was granted in perpetuity to HARRY SMITH PARKES, Esquire, Companion of the Bath, a Member of the Allied Commission at Canton, on behalf of Her Britannic Majesty's Government, by LAU TSUNG KWANG, Governor General of the Two Kwang.

It is further declared that the lease in question is hereby cancelled, that the claims of any Chinese to property on the said portion of Cowloon shall be duly investigated by a mixed Commission of British and Chinese Officers and that compensation shall be awarded by the British Government to any Chinese whose claim shall be by the said Commission established, should his removal be deemed necessary by the British Government.

ARTICLE VII.

It is agreed that the provisions of the Treaty of one thousand eight hundred and fifty-eight, except in so far as these are modified by the present Convention, shall, without delay, come into operation as soon as the Ratifications of the Treaty aforesaid shall have been exchanged. It is further agreed that no separate Ratification of the present Convention shall be necessary, but that it shall take effect from the date of its Signature, and be equally binding with the Treaty above mentioned on the High Contracting Powers.

ARTICLE VIII.

It is agreed that, as soon as the Ratifications of the Treaty of the year one thousand eight hundred and fifty-eight shall have been exchanged, His Imperial Majesty the Emperor of China shall, by decree, command the high authorities in the Capital and in the provinces to print and publish the aforesaid Treaty and the present Convention for general information.

第六款

一前據本年二月二十八日

大清兩廣總督勞崇光將粵東九龍司地方一區交與

大英駐紮粵省暫充英法總局正使功賜三等寶星巴夏

禮代國立批承租在案茲

大清大皇帝定即將該地界付與

大英大君主並歷後嗣并歸英屬香港界內以期該港

埠面管轄所及庶保無事其批作為廢紙外其有

該地華民自稱業戶應由彼此兩國各派委員會

勘查明果為該戶本業嗣後倘遇勢必令遷別地

大英國無不公當賠補

第七款

一戊午年所定原約

除現定續約或有更

張外其餘各節俟互

換之後無不尅日盡

行毫無出入今定續

約均應自書押之日

為始即行照辦兩國

毋須另行

御筆批准惟當視與原約

無異一體遵守

第八款

一戊午年原約

在京互換之日

大清大皇帝允於即

日降諭京外各

省督撫大吏將

此原約及續約

各條發鈔給閱

并令刊刻懸布

通衢咸使知悉

ARTICLE IX.

It is agreed that as soon as this Convention shall have been signed, the Ratifications of the Treaty of the year one thousand eight hundred and fifty-eight shall have been exchanged, and an Imperial Decree respecting the publication of the said Convention and Treaty shall have been promulgated, as provided for by Article VIII of this Convention, Chusan shall be evacuated by Her Britannic Majesty's troops there stationed, and Her Britannic Majesty's force now before Peking, shall commence its march towards the city of Tientsin, the forts of Taku, the north coast of Shantung, and the city of Canton, at each and all of which places it shall be at the option of Her Majesty the Queen of Great Britain and Ireland to retain a force until the indemnity of Eight Millions of Taels guaranteed in Article III shall have been paid.

Done at Peking in the Court of the Board of Ceremonies on the twenty-fourth day of October in the year of Our Lord one thousand eight hundred and sixty.

(L.S.) (Signed) ELGIN AND KINCARDINE.

Chinese Signature.



第九款
 一續增條約一經蓋印畫押戊午年和約亦
 已互換須俟續約第八款內載
 大清大皇帝允降諭旨奉到業皆宣布所有英國
 舟由屯兵立當出境京外大軍即應啟程前
 赴津城並大沽砲臺登州北海廣東省城等
 處俟續約第三款所載賠項八百萬兩總數
 交完方能回國抑或早退總候
 大英大君主諭旨施行
 以上各條又續增條約現下
 大清各大臣同在京都禮部衙門蓋印畫押以昭
 信守
 大清咸豐十年九月十一日
 大英一千八百六十年十月二十四日

(L.S.) (Signed) ELGIN AND KINCARDINE.

Chinese Signature.



CONVENTION FOR THE EXTENSION OF HONGKONG, 1898.

(Signed at Peking, 9th June 1898.)

WHEREAS it has for many years past been recognised that an extension of Hongkong territory is necessary for the proper defence and protection of the Colony:

It has now been agreed between the Governments of Great Britain and China that the limits of British territory shall be enlarged under lease to the extent indicated generally on the annexed map. The exact boundaries shall be hereafter fixed when proper surveys have been made by officials appointed by the two Governments. The term of this lease shall be ninety-nine years. It is at the same time agreed that within the city of Kowloon the Chinese officials now stationed there shall continue to exercise jurisdiction except so far as may be inconsistent with the military requirements for the defence of Hongkong. Within the remainder of the newly-leased territory Great Britain shall have sole jurisdiction. Chinese officials and people shall be allowed as heretofore to use the road from Kowloon to Hsinan.

It is further agreed that the existing landing place near Kowloon city shall be reserved for the convenience of Chinese men-of-war, merchant and passenger vessels, which may come and go and lie there at their pleasure; and for the convenience of movement of the officials and people within the city.

When hereafter China constructs a railway to the boundary of the Kowloon territory under British control, arrangements shall be discussed.

It is further understood that there will be no expropriation or expulsion of the inhabitants of the district included within the extension, and that if land is required for public offices, fortifications, or the like official purposes, it shall be bought at a fair price.

If cases of extradition of criminals occur, they shall be dealt with in accordance with the existing Treaties between Great Britain and China and the Hongkong Regulations.

展拓香港界址專條
 溯查多年以來素悉香港一處非展拓界址不足以資保衛今中英兩國政府議定大畧
 按照粘附地圖展擴英界作為新租之地其所定詳細界線應俟兩國派員勘明後再行
 畫定以九十九年為限期又議定所有現在九龍城內駐紮之中國官員仍可在城內各
 司其事惟不得與保衛香港之武備有所妨礙其餘新租之地專歸英國管轄至九龍向
 通新安陸路中國官民照常行走又議定仍留附近九龍城原舊馬頭一區以便中國兵
 商各船渡艇任便往來停泊且便城內官民任便行走將來中國建造鐵路至九龍英國
 管轄之界臨時商辦又議定在所展界內不可將居民迫令遷移產業入官若因修建衙
 署築造礮台等官工需用地段皆應從公給價自開辦後遇有兩國交犯之事仍照中英

Changed under the Republic
 to 寶安縣。

The area leased to Great Britain as shown on the annexed map includes the waters of Mirs Bay and Deep Bay, but it is agreed that Chinese vessels of war, whether neutral or otherwise, shall retain the right to use those waters.

This Convention shall come into force on the first day of July, eighteen hundred and ninety-eight, being the thirteenth day of the fifth moon of the twenty-fourth year of KUANG Hsü. It shall be ratified by the Sovereigns of the two countries, and the ratifications shall be exchanged in London as soon as possible.

In witness whereof the undersigned, duly authorized thereto by their respective Governments, have signed the present Agreement.

Done at Peking in quadruplicate (four copies in English and four in Chinese) the ninth day of June in the year of Our Lord eighteen hundred and ninety-eight, being the twenty-first day of the fourth moon of the twenty-fourth year of KUANG Hsü.

(Signed)

CLAUDE M. MACDONALD.

LI HUNG-CHANG.

HSÜ TING-K'UEI.

L.S.

L.S.

大清國
太子太傅文華殿大學士一等肅毅伯李
經筵講官禮部尚書許
大英國欽差駐劄中華便宜行事大臣寶

光緒二十四年四月二十一日
西歷一千八百九十八年六月初九日

四分英文四分共八分

批准文據應在英國京城速行互換爲此兩國大臣將此專條
畫押蓋印以昭信守此專條在中國京城繕立漢文

原約香港章程辦理查按照粘附地圖所租與英國之地
內有大鵬灣深圳灣水面惟議定該兩灣中國兵船無論
在局內局外仍可享用此約應於畫押後自中國五月十
三日即西歷七月初一號開辦施行其

Oct. 20, 1898.]

GREAT BRITAIN.

[No. 141.]

[Jurisdiction. Hong Kong Extension.]

(No. 141.) *ORDER IN COUNCIL* providing for the Government of the Territories adjacent to Hong Kong leased under the Convention of June 9, 1898. Balmoral, October 20, 1898.

At the Court at Balmoral, the 20th day of October, 1898.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by a Convention dated the 9th day of June, 1898 (No. 24), between Her Majesty and His Imperial Majesty the Emperor of China, it is provided that the limits of British territory in the regions adjacent to the Colony of Hong Kong shall be enlarged under lease to Her Majesty in the manner described in the said Convention;

And whereas it is expedient to make provision for the government of the territories acquired by Her Majesty under the said Convention, during the continuance of the said lease:

It is hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of Her Majesty's Privy Council, as follows:—

1. The territories within the limits and for the term described in the said Convention shall be, and the same are hereby declared to be, part and parcel of Her Majesty's Colony of Hong Kong in like manner and for all intents and purposes as if they had originally formed part of the said Colony.

2. It shall be competent for the Governor of Hong Kong, by and with the advice and consent of the Legislative Council of the said Colony, to make laws for the peace, order, and good government of said territories as part of the Colony.

3. From a date to be fixed by Proclamation of the Governor of Hong Kong, all laws and ordinances which shall at such date be in force in the Colony of Hong Kong shall take effect in the said territories and shall remain in force therein until the same shall have been altered or repealed by Her Majesty or by the Governor of Hong Kong, by and with the advice and consent of the Legislative Council.

4.* Notwithstanding anything herein contained, the Chinese officials now stationed within the city of Kowloon shall continue to exercise jurisdiction therein except in so far as may be inconsistent with the military requirements for the defence of Hong Kong.

And the Right Honourable Joseph Chamberlain, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

A. W. FITZROY.

* This Article revoked by Order in Council of 27th December, 1899 (No. 144).