

CHAPTER 214.

AFRICAN LABOURERS (EMPLOYMENT AT SEA).

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CHAPTER 214.

AFRICAN LABOURERS (EMPLOYMENT AT SEA).

An Ordinance to Regulate the Engagement of, and Payment of Wages to African Labourers Employed on Board Ocean-going Vessels on the West Coast of Africa. 23 of 1936.
16 of 1937.

[1ST JANUARY, 1937.]

1. This Ordinance may be cited as the African Labourers (Employment at Sea) Ordinance. Short title.

2. In this Ordinance the term "labourer" means every African employed or engaged for service in any capacity on board an ocean-going vessel for voyages along the West Coast of Africa only, but does not include an African who is a member of the crew of any such vessel. Interpreta-
tion.

3. All wages due to a labourer shall be paid to him personally by the master, owner or agent of the ocean-going vessel on which the wages were earned or the representative of such master, owner or agent being a person in the regular employment of such master, owner or agent without any deduction whatsoever, except as may be specifically authorised by the contract under which the wages are payable or as may be authorised by law: Payment of
wages to
labourers.

Provided that no contract under which a labourer has engaged to repay to the master, owner, agent or any other person the whole or any part of any payment which the master, owner or agent has made or has agreed to make in connection with the recruiting of such labourer shall be deemed to authorise the deduction of the whole or any part of any such payment from the labourer's wages or be enforceable against the labourer in any Court.

Mode of payment of wages.

4. The wages of a labourer shall be paid in money and under no circumstances shall wages be paid in kind:

Provided that, by special agreement, part payment may be made by means of a food ration.

Penalty for receiving remuneration from labourer for engagement.

5. (1) No person shall demand or accept directly or indirectly from a labourer, or from a person seeking employment as a labourer, or from any person on his behalf, any money, gift or other consideration whatever for providing him with employment other than any fee which may be authorised by this Ordinance.

(2) A master, mate or any other person in the employment of the owner shall not receive or accept to be entered on board any vessel any labourer or person seeking employment as such if such master, mate or other person knows that the labourer has been engaged or supplied in contravention of this section.

(3) Any person acting in contravention of this section shall for each offence be liable on summary conviction to a fine not exceeding twenty pounds, and in default of payment thereof to a period of imprisonment not exceeding three months.

Penalty for offering remuneration for engagement or employment.

6. Any labourer or person seeking employment as a labourer who offers or agrees to offer any money, gift or other consideration whatever to any person for the purpose of procuring or providing him with employment on board an ocean-going vessel shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding ten pounds, and in default of payment thereof to a period of imprisonment not exceeding two months.

Issue of tickets, etc.

7. No ticket or other document or thing entitling any person to be employed as a labourer on any ocean-going vessel shall be issued save to the person who is actually to be employed on board the said vessel. No such ticket or other document or thing shall be transferable and the person to whom the ticket or other document or thing shall have been issued must personally

perform the services agreed upon. Any person acting in contravention of this section shall be liable on summary conviction to a fine not exceeding ten pounds and in default of payment thereof to a period of imprisonment not exceeding two months.

8. The Governor in Council may make rules prescribing the fees to be paid by a labourer to his tribal headman for the benefit of the tribal fund and to the person appointed to be headman on an ocean-going vessel; and generally for carrying the purposes or provisions of this Ordinance into effect.

Power of Governor in Council to make rules.

9. Any person who commits an offence against this Ordinance or any rules made thereunder for which no special penalty is provided by this Ordinance or any rule made thereunder shall be liable on summary conviction to a fine not exceeding ten pounds and in default of payment thereof to imprisonment for a period not exceeding two months.

Penalty.

10. Where the person guilty of an offence against this Ordinance or any rules made thereunder is a Company every director, manager, secretary, agent and other officer of the Company who is knowingly a party to the offence shall also be guilty of the like offence, and be liable to the like punishment.

Company guilty of offence.