

## Native Labour Regulations (General).<sup>(a)</sup>

### *Repeal.*

1. All regulations heretofore made under the provisions of the *Native Labour Ordinance*, 1911, and now existing, are cancelled.

### *Sunday work.*

2.<sup>(b)</sup> A native labourer shall not be compelled to work on Sunday except for the purpose of—

- (1) attending to domestic duties ;
- (2) attending to animals ;
- (3) bailing out mining shafts or doing such work as may be necessary for the safety of a mine ;
- (4) attending to machinery, the stoppage of which would cause grave loss to his employer ;
- (5) meeting a sudden emergency ;
- (6) the preservation of life or property ;
- (7) rubber tapping and factory work, subject to the provisions of Regulation 2A next following.

This regulation shall not apply to native labourers serving under contract of service as crew of a boat or vessel.

2A.<sup>(b)</sup> When the nature of the occupation at which a native is to be employed appears by the contract of service to include rubber tapping and rubber factory work only, the native may, by the contract, agree to work on a Sunday, and thereupon the

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(a) These are the regulations made on 23rd January, 1914, under the *Native Labour Ordinance*, 1911-1912, as amended by regulations made on 8th July, 1915, and 1st October, 1915, and Statutory Rules No. 10 (2nd October) of 1916 made under the *Native Labour Ordinance*, 1911-1913; and by Statutory Rules No. 14 (29th July) of 1919 made under the *Native Labour Ordinance*, 1911-1916; and by Statutory Rules No. 14 (15th November) of 1921 made under the *Native Labour Ordinance*, 1911-1918; and by Statutory Rules No. 10 (26th October) of 1927 made under the *Native Labour Ordinance*, 1911-1920; and by Statutory Rules No. 19 (17th July) of 1929 made under the *Native Labour Ordinance*, 1911-1927.

b) Paragraph 2 is as amended and 2A as inserted by regulations made on 8th July, 1915, and gazetted 4th August, 1915.

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native concerned may be compelled to perform rubber tapping and rubber factory work on a Sunday, subject to the following conditions to be observed by the employer:—

- (a) The Sunday's work shall not exceed five hours nor continue later than 1 o'clock p.m.;
- (b) It shall count as a full five hours' work under the next succeeding regulation; and
- (c) the native shall be entitled to and shall be allowed at least three half-days off during the same week after 1 o'clock p.m., in addition to a half-day on Saturday.

This regulation shall not apply to any Christian native.

### *Hours of work.*

3. The hours of work for native labourers, other than household servants, shall be fifty hours in the week, counting from Monday to Saturday, inclusive; but, except in cases of emergency, a native labourer, other than a household servant, shall not work for more than ten hours in any one day. The hours shall always be estimated exclusive of the time allowed for meals. A native who has completed fifty hours of time work in any one week shall, except in cases of emergency, be at liberty to absent himself from work for the remainder of the week.

### *Absence from work, etc.*

4. A native who, except on account of ill-health or other lawful excuse, absents himself from the work of his employer when he ought lawfully to be at such work, or fails to show ordinary diligence in the performance of any work assigned to him, or neglects or refuses to perform or complete any work allotted to him or amend any work previously assigned to him which has been carelessly or improperly performed shall be guilty of an offence against these regulations.

### *Ill-using cattle, etc.*

5. A native who maims, wounds or ill-uses any horse, cattle or other live stock belonging to his employer when the act is due to negligence and not to intention, or is otherwise not such as would subject the offender to a criminal prosecution, shall be guilty of an offence against these regulations.

### *Smoking and fires on plantations.*

6. It shall not be lawful for any native to smoke or carry fire or use any fire in any part of a plantation other than the lines or dwelling house of such native, contrary to the orders of the manager, overseer or other person in authority.

### *Nuisances, etc.*

7. A native who keeps his dwelling in such a filthy or unwholesome state as to be a nuisance, or to be injurious to health, or who refuses or neglects within a reasonable time, after being required by the employer to do so, to remove any nuisance which may have accumulated or may have been placed in the immediate neighbourhood of his dwelling, or who commits any nuisance within sixty yards of any freshwater or non-tidal river or stream, or any reservoir, dwelling or common thoroughfare shall be guilty of an offence.

### *Daily inspection.*

8. It shall be the duty of every employer of more than ten natives by himself or by a European in his employ, to daily inspect the houses of all natives employed by him in order to ensure the preservation of cleanliness and due care of the sick.

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### *Latrines.*

9. Every employer shall provide and maintain on a site convenient to the dwelling house of the natives employed by him one suitable latrine for every thirty or less natives, and shall cause the same to be kept in a proper sanitary condition.

### *Accommodation for sick natives.*

10. Where the number of natives employed exceeds fifty there shall be a building, duly certified as sufficient by an officer of the Department of Native Affairs, or a magistrate, set apart for the reception of natives who may require medical aid or treatment.

### *Suitable dwellings.*

11. The employer of a native shall, where the native sleeps on the premises, assign to such native a suitable dwelling, and shall at all times keep it in sufficient repair, and shall keep the yard or ground around such dwelling well drained and free from weeds and from rubbish and refuse of every description.

### *Unfit and overcrowded dwellings.*

12. No dwelling which, in the opinion of the Commissioner for Native Affairs, a magistrate or an inspector, is unfit for habitation shall be assigned to any native, and no greater number of natives shall be assigned to any dwelling or separate apartment than the Commissioner, magistrate or inspector approves.

13. The following conditions shall be observed by any employer in regard to the dwellings assigned by him to native labourers:—

- (a) No such dwelling shall be assigned to, or contain more than, forty natives.
- (b) A minimum of 300 cubic feet of air space in closed buildings, or 150 cubic feet of air space in buildings through which there is a free passage of air, shall be provided for each native therein.
- (c) A sleeping space of seven feet by three feet superficial shall be provided for each native therein.
- (d) Sleeping platforms shall be of suitable timber of even surface, and close fitted so as to prevent draughts, and shall be placed at least eighteen inches above the floor.

### *Natives' neglect and persuading to leave work, etc.*

14. Any native who, through neglect or careless or other improper conduct, causes damage to or loss of any property of his employer, or persuades or attempts to persuade any native under contract of service unlawfully to absent himself from or to desist from work, shall be guilty of an offence.

### *Employer to provide certain articles.*

15. Every native shall be provided by his employer, free of cost, with one new blanket (or, in the case of natives signed on as carriers only, two yards of double-width calico in addition to swag slings) and four loin cloths (one every three months) in every twelve months. Curtains or other protection against mosquitoes shall also be provided when the Commissioner for Native Affairs or magistrate directs. This regulation shall apply only to natives under contract of service.

15A.<sup>(a)</sup> The blanket referred to in the last preceding regulation shall be a good and sufficient blanket for the purpose of bedding. Such blanket, or, in the case of carriers, the double-width calico referred to in the last preceding regulation, shall be

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(a) Paragraph 15A was inserted by regulations made 8th July, 1915, and gazetted 4th August, 1915.

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supplied new at the time the contract of service is entered into, and thereafter at the commencement of each twelve months or part of twelve months covered by the contract of service.

### *Admission to hospital, and fees.*

16. Any native shall be admitted to any native hospital for medical treatment under the order of any officer of the Department of Native Affairs, magistrate or inspector, such admission being subject to the examination by the medical officer.

17. The employer of a native shall, on the order of any officer of the Department of Native Affairs, magistrate or inspector, immediately remove the native to a native hospital for medical examination and treatment, if any such hospital is within ten miles of such native. The employer or his agent shall pay to the Government the ordinary hospital fees.

18. (a) \* \* \* \* \*

19. (b) (1) The employer of a native who is admitted into a Government native hospital for the purpose of treatment, other than for venereal disease or sickness contracted during the time he was a deserter from his employer's service, shall pay hospital fees at the following rates :—

- (a) If the native is an in-patient of the hospital, two shillings a day or portion of a day from the time of his admission ;
- (b) If the native is an out-patient of the hospital, one shilling for each day of attendance.

(2) The fees shall be payable to the Treasurer not later than fourteen days after the discharge of the native if an in-patient or after the last attendance upon him if an out-patient.

(3) This regulation shall commence and take effect on the 1st day of January, 1922.

20. Should any native be in hospital on the expiration of his agreement his employer shall not be required to pay hospital fees for any period subsequent to the expiration of the contract of service or engagement of such native, but the employer shall still be responsible for returning such native to his home after he leaves hospital.

21. When a magistrate, inspector or qualified officer has refused, on the grounds of sickness or other physical disability of a native, to sanction his engagement, no hospital fees shall be payable by the person seeking to engage him in respect of such native, if he is admitted to a hospital by reason of such sickness or physical disability, whether or not the native shall be after his discharge from hospital signed on to such person. But in any case such person shall be responsible for returning the native to his home after he leaves hospital.

### *Stock of drugs, etc., to be kept.*

22. (c) Employers of natives are required to keep a sufficient stock of the following drugs, etc., on hand for use as occasion may require :—

#### *For more than ten natives—*

Epsom Salts	Sulphur Ointment
Castor Oil	Bluestone

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(a) Paragraph 18 was repealed by Statutory Rules No. 10 of 1916.

(b) Paragraph 19 was substituted by Statutory Rules No. 14 of 1921.

(c) Paragraph 22 is as amended by regulations made 1st October, 1915, gazetted 3rd November, 1915, and by Statutory Rules No. 18 of 1920.

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Lint	Boric or Zinc Ointment
Bandages	Quinine
Lysol or Carbolic Acid	Permanganate of Potash

*For more than thirty natives—*

In addition to the above—

Thermometer	Crude Carbolic Acid for disinfection
Chlorate of Potash Tabloids	Adhesive Plaster
Tinct. Camphor Compound (Paregoric)	Book of Instructions
Easton's Syrup	

### *Rations.*

23. An employer shall issue in respect to every native the rations specified in these regulations.

#### *Minimum Rations.*

24.<sup>(a)</sup> The following is the minimum ration that is to be supplied to each native under contract of service:—

#### DAILY.

- (a) Any one or some combination of two or more of the following:—  
Rice, dried sago, white flour, white bread, biscuits and maize meal, 1 lb.
- (b) Peas or beans, or pea flour, or wheatmeal, or brown bread made from wheatmeal,  $\frac{1}{2}$  lb.
- (c) Any of the above may be replaced by four times the quantity of fresh edible roots or bananas.

#### WEEKLY.

- (a) Meat (without bone) or fish, 1 lb.; and
- (b) Any one or some combination of two or more of the following:—  
Fresh coconut kernel, desiccated coconut and sugar, 1 lb.; and
- (c) Cod-liver oil, 1 tablespoonful; and
- (d) Salt, 1 oz.; and
- (e) Soap, 2 oz.; and
- (f) Tobacco (29 sticks to the pound),  $1\frac{1}{2}$  sticks.

#### MONTHLY.

- (a) Oranges (full sized), 4; or  
Lemons ( „ „ ), 4; or  
Limes ( „ „ ), 8; or  
Sprouted peas, 2 lb.; or  
Onions, 2 lb.; or  
Pawpaws, 2 lb.; or  
Tomatoes, 2 lb.; and
- (b) Fresh edible roots or bananas, 8 lb.; and
- (c) Peas or beans, 2 lb.

Fresh edible roots shall include all kinds of edible roots commonly used as food by natives of Papua, European potatoes and any other article of food sanctioned by the Commissioner for Native Affairs.

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(a) Paragraph 24 was substituted by Statutory Rules No. 10 of 1927.

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The above scale does not apply to household servants who shall be supplied with sufficient good food as required.

### *Beriberi.*

If Beriberi or any sign of incipient Beriberi occurs or is suspected of occurring on any centre where native labour is employed, the Commissioner for Native Affairs may order that half a pound of peas, or half a pound of beans, or half a pound of pea flour, or two pounds of fresh vegetable roots be supplied as part of the daily ration. Unless the order specifically forbids it the Manager of such centre may substitute the above alternatives one for the other.

### *Scurvy.*

If Scurvy or Sore Mouth Disease occurs or is suspected of occurring on any centre where native labour is employed, the Commissioner for Native Affairs may order that one orange, or one lemon, or two limes, or one quarter-pound of onions shall be supplied daily in place of monthly ration (a), or may order that half a pound of germinated peas be supplied as part of the daily ration. Unless the order specifically forbids it the Manager of such centre may substitute the above alternatives one for the other.

### *Vitamin "A."*

If in the opinion of the Commissioner for Native Affairs the health of the native labourers at any centre of employment is unsatisfactory and would be benefited by a ration containing Vitamin "A" he may order that the native labourers be supplied with two pounds of fresh coconut kernel, or eight ounces of cod-liver oil per month. Unless the order specifically forbids it the Manager of such centre may substitute the above alternatives one for the other.

### *Food to be cooked.*

All food shall be supplied to the native labourer suitably cooked, prepared and served ready for consumption.

### *Penalties.*

25. If an employer or his agent neglects or refuses to provide a native with the rations, articles or accommodation stipulated for in these regulations, or supplies articles or rations of an inferior quality, he shall upon conviction be liable to a penalty not exceeding Twenty-five pounds or in default of payment to imprisonment not exceeding three months with hard labour.

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## CARRYING.

### *Maximum loads for carriers.*

26. It shall be unlawful of an employer, or the agent of an employer, to compel, or to knowingly permit, a native regularly employed as a carrier under a contract of service—

- (i) to carry a load exceeding 50 lb., exclusive of blanket or calico and the carrier's own food for the journey ;
- (ii) to carry a load exceeding 30 lb. gross a greater distance than twelve miles in one day, or from one rest house to the next.

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### NATIVES EMPLOYED IN TOWNS.

#### *Native quarters to be outside limits of Port Moresby.*

27. The employer of a native (other than a domestic servant) shall provide such native who may for the time being be engaged at work within, or be for any purpose detained within, the town of Port Moresby, with good and sufficient sleeping quarters in a convenient site situated outside the limits of the said town.

#### *Sanitary requirements.*

28. Every such employer shall keep and maintain the said sleeping quarters for such natives in a good state of repair and clean, and the yard or grounds around the same free from weeds and rubbish of every description and well drained, and shall provide the same with a suitable latrine always kept in a sanitary condition.

#### *Natives to be outside of town at night.*

29. No such native (other than a domestic servant) shall, without lawful excuse enter, remain or be within or upon, or be permitted without lawful excuse by his employer to enter, remain or be within or upon the limits of the town of Port Moresby, or any wharf or jetty erected on the shores thereof, after the hour of seven o'clock in the evening without the written consent of a magistrate or an inspector, and any person who permits, aids or induces any native to commit a breach of this regulation shall be guilty of an offence against these regulations.

#### *Application to other towns.*

30. The Lieutenant-Governor may by Proclamation in the *Gazette* extend the provisions of the three last preceding regulations to any other town or place to be specified in such Proclamation.

### CENTRES OF EPIDEMIC DISEASE.

#### *Centres of epidemic may be notified.*

31. Any place in the Territory may be declared by the Lieutenant-Governor, by notification in the *Gazette*, to be a centre of epidemic disease, and such place (hereinafter called a "centre of epidemic") shall be deemed a centre of epidemic disease for the purpose of these regulations until declared otherwise by notification in the *Gazette*.

#### *Natives to be taken to certain ports.*

32. All time-expired and other native labourers returning home or proceeding to any other part of the Territory from a centre of epidemic shall be first taken to Port Moresby or Samarai, whichever of those places is (1) the nearer port to the centre of epidemic, or (2) the nearer port from the centre of epidemic in the direction of the destination of such native labourers.

#### *Duties of masters of certain vessels.*

33. (1) The Master of any vessel—

- (a) on which are native labourers and on which a case of dysentery occurs; or
  - (b) on which are native labourers returning home from a centre of epidemic, or proceeding to any other part of the Territory from a centre of epidemic,
- shall proceed at once with the vessel without landing or taking on board any native direct to Port Moresby or Samarai, whichever of such places is in case (a) the nearer port to the place where the case of dysentery occurred, or in case (b) is the nearer port

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to the centre of epidemic, whence such natives are returning or proceeding as aforesaid, or the nearer port from that centre of epidemic in the direction of the destination of such natives.

(2) If both Port Moresby and the port of Samarai lie between the centre of epidemic and the place or places of destination of natives returning home therefrom, or proceeding to any other part of the Territory therefrom, the Master of the vessel upon which are any such natives shall proceed to both such ports in turn, and shall not take on board any native, and shall not, without the consent of a Government Medical Officer, land any native between the first and second of such ports.

### *Master to report arrival to medical officer.*

34. The Master of any vessel referred to in the last preceding regulation shall at once report the arrival of his vessel to the Government Medical Officer at the port or the respective ports whereto he is directed by these regulations to proceed, and no natives shall be allowed to land without the permission of such Government Medical Officer. And such Master shall also on arrival follow all reasonable directions he shall receive from such Government Medical Officer for cleaning and disinfecting the vessel.

### *Detention and isolation.*

35. If such medical officer shall so direct, the natives on board such vessel shall be taken by the Master of the vessel to some place to be set aside for the purpose where they may be detained until discharged by the order of such Government Medical Officer.

### *Liability of owners and charterers of vessels.*

36. The owner or charterer of the vessel shall be liable in like manner as the Master for any breach by the Master of a vessel of any of the provisions of the three last preceding regulations.

### *Liability of employer during detention.*

37. The employer of such natives shall, during any such detention, continue liable to provide them with rations, but an employer may discharge this liability by a money payment, to be made fortnightly in advance, at the rate of Sixpence a day for each labourer. A refusal or failure on the part of an employer to provide rations or make such payments shall be sufficient reason for refusing in future to sanction the engagement or hiring of a native labourer by the employer or the transfer of a native to him.

### *Natives to be sent to hospital, if any.*

38. If there shall be a hospital in a centre of epidemic employers shall send all sick natives to such hospital without delay, provided that such hospital is within ten miles of such sick natives. Employers shall pay to the Government the ordinary hospital fees for such sick natives.

### *Native refusing to obey instructions, etc.*

39. Any native who refuses to proceed to or who leaves any place set aside as aforesaid before he is discharged, or who refuses or neglects to obey the instructions of a Government Medical Officer during his detention, shall be liable to six months' imprisonment with hard labour.



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CONTROL OF REMOVAL OF NATIVES FROM PORT MORESBY AREA.

*Removal from Port Moresby district.*

40. No employer shall remove or permit any time-expired or other native labourer to be removed from any place within a radius of fifteen miles of the Post Office at Port Moresby to any other part of the Territory outside such radius without the written permission of a Government Medical Officer stationed at Port Moresby.

*Notification to be given to Government Medical Officer before removal.*

41. Any employer desirous of removing any such native from such last-mentioned radius shall notify such desire to the Government Medical Officer at Port Moresby, and, if required by such Government Medical Officer, shall truthfully fill in and sign the schedule hereto and deliver the same to such Government Medical Officer.

SCHEDULE.<sup>(a)</sup>

NOTICE OF INTENTION TO REMOVE NATIVES FROM PORT MORESBY DISTRICT.  
(Native Labour Regulation No. 41.)

I, \_\_\_\_\_, hereby give notice that, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, I intend to remove the under-mentioned natives from the Port Moresby District:—

(a) to their homes in the \_\_\_\_\_ Division :  
(b) to work at \_\_\_\_\_, in the \_\_\_\_\_ Division

by the vessel \_\_\_\_\_ leaving Port Moresby on the afore-mentioned date.

The natives mentioned herein are at present sleeping at \_\_\_\_\_

During the past two months the said natives have been working and living only at \_\_\_\_\_, in the \_\_\_\_\_ Division.

There are no cases of sickness amongst them as far as I can see; no case of dysentery or other infectious disease has occurred amongst them during the last two months as far as I can ascertain, and no case of dysentery or other infectious disease has occurred amongst natives living at the same plantation, encampment or quarters within the last four weeks as far as I can ascertain, except—

Signature (Employer or Agent) :

Port Moresby, \_\_\_\_\_, 19\_\_\_\_.

Name of Native.	Number of Contract. of Service.	Place Contract Entered Into.

*Written permission may be given for removal.*

42. The Government Medical Officer who receives such schedule may grant permission, in writing, to remove such natives either unconditionally or subject to the observance of any reasonable instructions and precautions he may think fit to give, which instructions and precautions the employer shall carry out and observe.

(a) This schedule was substituted by Statutory Rules No. 14 of 1919.

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### *Permit to be kept and produced.*

43. Such written permission shall be kept by the employer with the natives during the whole period of their removal, and shall be handed by him for inspection to any Government Medical Officer, magistrate or labour inspector on demand.

### *Natives from Port Moresby to be reported at Samarai in passing.*

44. (1) The Master of any vessel upon which are native labourers returning home from or leaving Port Moresby for transport to any other part of the Territory, and passing Samarai on the way, shall call in at Samarai and report the arrival of the vessel there with the natives to the Government Medical Officer at that place, and shall permit him to examine the natives, and shall carry out his reasonable instructions.

(2) The default of the Master of a vessel in the observance of this regulation shall be deemed also to be the default of the owner or charterer of the vessel.

(3) The provisions of Regulations 34, 35, 37 and 39 shall apply to Masters of vessels and natives referred to in this regulation and to the employers of such natives.

### *Other localities may be subjected to five last preceding regulations.*

45. The name of any other locality in the Territory may be added by the Lieutenant-Governor, by a notice published in the *Gazette*, to the name of Port Moresby in the foregoing regulation numbered 40 of these regulations, in which case all the provisions of the five last preceding regulations shall apply to the removal of native labourers from that locality.

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## PREVENTION OF DYSENTERY.

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46. When an employer of native labourers engaged upon a plantation has reasonable grounds for believing that such native labourers would otherwise be liable to contract dysentery, he may verbally order such native labourers or any of them—

- (a) not to visit any infected centre to be named in the order; or
- (b) not to leave the boundaries of such plantation during any period to be specified in the order, but not exceeding four (4) weeks from the date thereof, without the permission of the employer or of a magistrate. The employer shall forthwith report in writing to the nearest magistrate particulars of the order so given and of his grounds for giving it. The magistrate may, in his discretion, confirm, cancel or vary the order, and shall inform the employer of his decision. If the order is cancelled or varied, the employer shall at once inform the native labourers concerned that it is no longer in force, or that it has been varied, and of the extent of such variance, as the case may require. A magistrate may cancel or vary any such order at any time during its currency, whether it has been previously confirmed or not. A native labourer who disobeys any such order or varied order shall be liable to a fine of Three pounds and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

47. An employer of native labourers upon any infected centre may forbid any native who is not in his employ to enter or remain upon any such infected centre. If any native forbidden so to do shall enter or remain upon such infected centre he shall be guilty of a breach of this regulation.

INFECTED CENTRES.

*Certain areas deemed "Infected Centres."*

48. Any area included in any agricultural, pastoral or mining lease, or granted application therefor respectively, and any plantation, mining tenement, miner's camp or native labourers' quarters, in or upon which a case of dysentery occurs, shall immediately upon such occurrence be and be deemed to be an "infected centre" for the purpose of these regulations, and shall continue to be so until the expiration of two months from the date when the last case of dysentery existed thereon.

*Labourers from infected centres to be examined.*

49. All time-expired and other native labourers returning home or proceeding to any other part of the Territory from an infected centre shall be first taken for examination to a Government Medical Officer who is nearest to the infected centre, or nearest to the infected centre along the route usually travelled in the direction of the destination of such native labourers.

*Route to be travelled.*

50. The employer shall take or cause such natives to be taken immediately to such Government Medical Officer along the usual route, and shall not permit any such natives to come into personal communication or into contact or to mix with other natives.

*Detention.*

51. If the Government Medical Officer shall so direct, such native labourers shall be taken by the employer or his agent to some place to be set aside for the purpose, and to be indicated to him by the Government Medical Officer, where they may be detained until discharged by the order of a Government Medical Officer.

*Continued liability of employer.*

52. The employer of such native labourers shall, during any such detention, continue liable to provide them with rations, but an employer may, with the consent of the Government, discharge this liability by a money payment to the Government, to be made fortnightly in advance, at the rate of Sixpence per day for each labourer. A refusal or failure on the part of the employer to provide rations or make such payments shall be sufficient reason for refusing to sanction the engagement or hiring of a native labourer by the employer or the transfer of a native labourer to him.

*Dysentery convalescents.*

53. No native labourer or time-expired native labourer who has had dysentery shall before the expiration of two months from the date of his recovery therefrom be taken or sent to any other part of the Territory where dysentery is non-existent without the written consent of a Government Medical Officer.

*Dysentery cases to be reported.*

54. Every employer shall immediately notify any case of dysentery which occurs among his native labourers to the nearest magistrate.

*When dysentery cases to be isolated or removed to hospital.*

55. (1) If there is no hospital or Government dysentery camp hospital within fifty miles of any native labourer suffering from dysentery the employer shall cause such native labourer to be isolated in a separate building from the natives who are

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apparently free from dysentery, and shall provide a special attendant to look after him. Neither the native labourer so isolated nor the attendant shall communicate or mix with other natives.

(2) If there is a hospital or Government dysentery camp hospital more than ten but not more than fifty miles from any native labourer suffering from dysentery the employer shall either—

- (a) cause the native labourer to be isolated and attended as provided in Paragraph (1) of this regulation; or
- (b) remove the native labourer to such hospital or Government dysentery camp hospital.

(3) If there is a hospital or camp hospital not more than ten miles from any native labourer suffering from dysentery the employer shall remove the native to such hospital or camp hospital.

(4) When a native labourer is being removed to any hospital or camp hospital in pursuance of this regulation the employer shall cause him to be placed in the charge of a European or of some reliable native, whom he shall provide with proper medicines, disinfectants and means of transport. The employer shall also cause the medicines and disinfectants to be properly and efficiently used, and cause the native labourer to be removed along the usual route to such hospital or camp hospital, and without coming into personal communication or contact with other persons than those in attendance upon him.

(5) The employer shall pay ordinary hospital fees in respect of any native in his employ during his treatment at a hospital or camp hospital.

### *Penalty for native refusing detention, etc.*

56. Any native labourer who refuses to proceed to or who leaves any place set aside as aforesaid or any such place of isolation without permission of a Government Medical Officer or person in charge thereof shall be liable to imprisonment for any period not exceeding six months.

### DISINFECTION OF CLOTHING.

57. An employer of native labourers shall on the first Saturday of each calendar month cause the whole of the clothing, blankets, curtains and bedding of his native labourers to be thoroughly boiled and cleansed.

58. The employer of time-expired or other native labourers who are—

- (a) about to leave any centre of epidemic or infected centre; or
- (b) about to embark on any vessel for transport from one part of the Territory to another during the period of the contract of service or after the expiration thereof,

shall cause all the ramis, blankets and clothing of such natives to be thoroughly boiled before the natives so leave or embark, or shall cause the said ramis, blankets and clothing to be burned and replaced with similar new articles.

### INTERPRETATION.

59. In these regulations, unless the context otherwise indicates:—

The term "Employer" in the regulations includes the agent of the employer and any person who expressly or by implication has the charge or care of any native labourer or of a time-expired native labourer.

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### PENALTIES.

60. The penalty for the breach of or offence against any of the foregoing regulations for which no penalty is otherwise provided shall be a fine of not exceeding Fifty pounds and in default of payment imprisonment with hard labour for any period not exceeding six months.

### SUSPENSION OF REGULATIONS.

61. The Lieutenant-Governor, by notice in the *Gazette*, may suspend the operation of any of the foregoing regulations indefinitely or till further notice, or for a specified period, and either in relation to the whole Territory or any part thereof, and may, by a like notice, revive the same or any of them.

### **Native Labour Regulations (Plantation Registers).<sup>(a)</sup>**

1. Every person who employs natives under contract of service upon a plantation shall keep on the plantation a register of such natives in the form and containing the particulars set out in the schedule hereto.

2. If any person mentioned in the preceding paragraph of these regulations employs natives under a contract of service upon more than one plantation he shall also keep a duplicate of the aforesaid register in respect of each plantation at his residence or principal place of business in the Territory. In the case of an incorporated company carrying on business in the Territory the duplicate registers shall be kept at the registered office of the company in the Territory.

3. Every such register and duplicate shall be produced at all reasonable times and at his request to the Commissioner for Native Affairs and Control, or to any officer of his Department, or to any officer appointed under the provisions of the *Native Labour Ordinance, 1911-1913*.

4. These regulations shall commence and come into force on the first day of July, One thousand nine hundred and fifteen.

### SCHEDULE.

REGISTER OF NATIVE LABOURERS EMPLOYED BY					AT	PLANTATION.
Contract of Service No.	Place of Engagement.	Native's Name.	Village and Division.	Date of Arrival and where from.	Date of Departure and Destination.	Remarks.

NOTE.—If a native labourer returns after having left a plantation, his name and all other particulars concerning him required by this schedule must be inserted afresh.

(a) Made under the *Native Labour Ordinance, 1911-1913*, on 3rd February, 1915; Gazetted 3rd March, 1915.

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**Native Labour Regulations (Guarantees).**

STATUTORY RULES No. 5 of 1917 (a)

*The use of Guarantee in the Form 2 of Schedule G.*

1. The following provisions shall apply to a guarantee in the Form 2 of Schedule G to the *Native Labour Ordinance, 1911-1916* :—

- (a) The guarantee may be used in respect of natives intended to be recruited, but not recruited at the date of the guarantee ;
- (b) The guarantee shall be signed by the principal and surety before a magistrate, and shall contain a reference to the name of the office of the magistrate before whom it is signed in which it is lodged and a distinguishing number ;
- (c) The guarantee shall, upon signature, be lodged in the office of the magistrate witnessing the same ;
- (d) Such magistrate shall—
  - (i) forward the guarantee to the Commissioner for Native Affairs and Control ;
  - (ii) issue to the person named in the guarantee as the recruiter a Certificate of Lodgement of Guarantee in the following form :—

*Certificate of Lodgement of Guarantee.*

I certify that a guarantee in Form 2 of Schedule G of the *Native Labour Ordinance, 1911-1916*, has been lodged with me this day from which the following particulars are taken :—

Office where guarantee lodged :  
Distinguishing number of guarantee :  
Name of intended recruiter :  
Name of intended employer :  
Name of surety :  
Number of natives stated in guarantee :  
Rate of wages per month of natives :

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Magistrate.

- (e) The person named in the certificate as the recruiter shall produce the certificate to the magistrate, inspector or qualified officer whom he asks to sanction the engagement of any natives in respect of the guarantee therein referred to ;
- (f) Every magistrate, inspector or qualified officer to whom the certificate is produced shall—
  - (i) endorse thereon the number of the natives whose engagement he sanctions under the guarantee in respect of which the certificate was issued, not being more in the aggregate than the numbers stated in the certificate, and the date when the natives entered into a contract of service before him ;

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(a) Made under the *Native Labour Ordinance, 1911-1916*, on 7th March, 1917 ; Gazetted 7th March, 1917.

## *Native Labour Regulations.*

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- (ii) insert in the contract of service of each native the name of the office of the magistrate where the guarantee was lodged and the distinguishing number of the guarantee as stated in the certificate ;
- (g) When the aggregate number of natives endorsed on the certificate as being those whose engagement is sanctioned equals the number expressed in the certificate to be the numbers stated in the guarantee, the magistrate, inspector or qualified officer who makes the last endorsement thereon shall retain and transmit the certificate to the said Commissioner ;
- (h) Until such aggregate number is endorsed on the certificate the person named therein as recruiter may retain the certificate : Provided that such recruiter shall, within six months from the date of such certificate, or within four months from the day when the first endorsement thereon, whichever of such periods shall first elapse, file or cause to be filed the certificate in the office of the said Commissioner, whether or not the aggregate number of the natives endorsed thereon as being those whose engagement has been sanctioned is equal to the number expressed in the certificate to be the number stated in the guarantee ;
- (i) No certificate shall be endorsed by a magistrate, inspector or qualified officer—
  - (i) after the expiration of five months from the date thereof ; or
  - (ii) after three months from the date of the first endorsement thereon.

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### **Native Labour Regulations (Use of Native Assistants).**

#### **STATUTORY RULES No. 10 of 1917 (a)**

##### *Employers' and licensed recruiters' native assistants.*

1. The following restrictions and conditions are imposed upon the use that may be made of the services of native assistants by employers and licensed recruiters to obtain recruits :—

- (a) No native assistant shall obtain or attempt to obtain recruits unless, at the time he does so, the employer, or licensed recruiter as the case may be, to whom he is under contract of service is in the same division of the Territory as, and within ten miles distance from, such native assistant.
- (b) The native assistant shall, while engaged in obtaining or attempting to obtain recruits, be accompanied by no person other than his employer, or other native assistants of his employer, or native residents of villages (not under contract of service) within a radius of ten miles of the locality where the native assistant is for the time being so engaged.
- (c) A native assistant while engaged in obtaining or attempting to obtain recruits, shall not carry any firearms or accompany any person (other than his employer) who does so.

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(a) Made under the *Native Labour Ordinance*, 1911-1916, on 17th September, 1917 ; Gazetted 3rd October, 1917.

## **Native Labour Regulations (Disabilities of Disqualified Recruiters).**

### **STATUTORY RULES No. 1 of 1918 (a)**

1. No person in respect of whom an Order in Council has been made and is for the time being unrevoked forbidding the issue of a recruiter's licence to him shall—
  - (a) as the agent for, or as a European overseer in the regular service of, an employer recruit natives to work in any capacity for such employer ;
  - (b) make use of the services of a native assistant or of a local native to obtain recruits for an employer.
2. No employer shall engage or authorize any such person to obtain recruits for him, either directly or by making use of the services of a native assistant or of a local native.

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## **Native Labour Regulations (Relaxation of Provisions of Section 20).**

### **STATUTORY RULES No. 2 of 1920 (b)**

1. The provisions of Section 20 of the *Native Labour Ordinance*, 1911-1918, so far only as they impose a duty upon an employer, or European overseer in his regular service, to personally take charge of a native recruited by him from the time he is recruited until he is duly engaged under the said Ordinance are relaxed, subject to the conditions and in respect of such portions of the Territory as are hereinafter mentioned.
2. The relaxation shall apply only to natives recruited for an employer's service by the employer, or by a European overseer in his regular service, personally.
3. An agent of the employer, appointed in writing by him, shall attend with the native for the purpose of duly engaging him under the said Ordinance, at the office of the magistrate, inspector or qualified officer nearest in the same division to the place where the native was recruited and shall produce to such magistrate, inspector or qualified officer—
  - (1) a statement duly completed in the form of Schedule E to the said Ordinance relating to such native signed by the employer or European overseer in his regular service who personally recruited the native ;
  - (2) the authority in writing signed by the employer authorizing the European overseer who signed the Statement E so produced, to recruit natives to work for the employer ;
  - (3) the writing signed by the employer appointing the agent so attending with the native.

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(a) Made under the *Native Labour Ordinance*, 1911-1916, on 17th December, 1917 ; Gazetted 2nd January, 1918.  
(b) Made under the *Native Labour Ordinance*, 1911-1918, on 2nd February, 1920 ; Gazetted 4th February, 1920.  
As amended by Statutory Rules No. 13 of 1922 ; Made 15th November, 1922 ; Gazetted 6th December 1922.



## *Native Labour Regulations.*

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4. The agent must be a European.
5. No such native shall be engaged under these regulations after the expiration of two weeks from the date he was recruited.
6. The relaxation provided by these regulations shall apply only in respect of such portions of the Territory as are comprised within—
  - (1) the Central Division ;
  - (2) the Eastern Division ;
  - (3) the Northern Division ;<sup>(a)</sup>
  - (4) the Gulf Division.<sup>(b)</sup>

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### **Native Labour Regulations (Relief of Sureties).**

#### STATUTORY RULES No. 11 of 1921 (c)

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1. A surety named in a guarantee taken in pursuance of Section 29 of the *Native Labour Ordinance*, 1911-1920, may cause to be served upon the employer a notice that on a certain date he intends to apply to a magistrate to be relieved from his liability under the guarantee.
2. The employer shall have not less than four weeks' notice of the application.
3. The notice shall state the grounds upon which the surety intends to apply.
4. An Order relieving a surety of his liability under Section 29A of the *Native Labour Ordinance*, 1911-1920, may be made upon the following grounds :—
  - (i) that the employer is unable to pay his debts as they fall due ;
  - (ii) that the employer is about to leave the Territory ;
  - (iii) that the employer is not carrying out the provisions of the Ordinances and regulations relating to native labour.
5. It shall be in the discretion of the magistrate to grant or refuse the application.
6. If the magistrate grants the application he may impose the following conditions :—
  - (i) that the contract of service be cancelled ;
  - (ii) that the wages due to the labourer under the contract of service be paid in full ;
  - (iii) that the native be returned to his home ;
  - (iv) that the cost of carrying out these conditions be borne by the applicant.

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(a) This sub-paragraph was added by Statutory Rules No. 13 of 1922.

(b) This sub-paragraph was added by Statutory Rules No. 2 of 1928.

(c) Made under the *Native Labour Ordinance*, 1911-1920, on 15th November, 1921; Gazetted 16th November, 1921.

**Native Labour Regulations (Touting, Overcharging,  
Invoices, Vessels).**

STATUTORY RULES No. 11 of 1923 (a)

*Touting—Overcharging.*

1. No person shall—

- (a) use any undue influence to induce a native to spend his wages with any person ;
- (b) charge a native more than a reasonable price for goods sold by him to a native.

*Invoices.*

2. When a native spends an amount exceeding Ten shillings with any person for the purchase of goods such person shall at the time of the purchase hand to the native an invoice (with the name of the native, the prices and date of purchase shown thereon) of the goods so purchased.

*Definition.*

3. For the purposes of the two last preceding regulations the word “ native ” means any native who is under a contract of service or who has not been returned to his home after the expiration or other determination of his contract.

*Returning signed-off labourers home in vessels.*

4. (1) Except by special permission of a Resident Magistrate or Assistant Resident Magistrate all vessels in which signed-off native labourers are being returned to their homes shall be in charge of a white man.

(2) Any employer or late employer or any agent of his who, without obtaining the special permission hereinbefore mentioned, returns a signed-off native labourer to his home in a vessel which is in charge of any person other than a white man shall be guilty of a breach of this regulation.

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**Native Labour Regulations (Wives and Children of Native  
Labourers).**

STATUTORY RULES No. 9 of 1924 (b)

1. The employer of a native under contract of service who is granted permission to allow the wife and children of such native to accompany him to his place of employment shall supply the said native and his wife and children with good and sufficient separate dwelling or partitioned-off portion of a dwelling assigned to and used by married couples only ; also good and sufficient water, medicine, medical attention, food and the means (if necessary) of preparing food from the time they leave their village until they return to it to the satisfaction of the Commissioner for Native Affairs, Chief Inspector of the Native Affairs Department or the Resident Magistrate of the Division where they happen to be at the time.

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(a) Made under the *Native Labour Ordinance*, 1911-1920, on 29th October, 1923 ; Gazetted 7th November, 1923.

(b) Made under the *Native Labour Ordinance*, 1911-1920, on 14th July, 1924 ; Gazetted 6th August, 1924,

## *Native Labour Regulations.*

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2. The employer of a native under contract of service who is granted permission as aforesaid shall bear the whole of the expense of the removal of the wife and children from their home to the place of employment and of the return to such home.

3. The employer shall not compel the wife or children of a native under contract of service who have been allowed to accompany such native to his place of employment to perform any manner of labour for himself or for any other person.

4. The Commissioner for Native Affairs, his Chief Inspector or the Resident Magistrate of the Division where the husband is employed may at any time if they think fit remove the wife and children who have been allowed to accompany the said husband to his place of employment to their home, together with their personal effects, at the expense of the employer and unless they are so taken charge of the aforesaid husband shall not be separated from his wife or children.

5. The wife of any native labourer who refuses to allow herself or her children to be removed in the circumstances and in the manner mentioned in the last preceding regulation hereof shall be guilty of an offence.