

[L.S.]

BICKHAM ESCOTT,  
High Commissioner.



No. I. of 1915.

## KING'S REGULATION

TO GOVERN THE RECRUITING AND EMPLOYMENT OF  
NATIVE LABOURERS OF THE GILBERT AND ELLICE  
ISLANDS PROTECTORATE.

Made by His Britannic Majesty's High Commissioner for the  
Western Pacific under the provisions of the Pacific Order in  
Council, 1893.

In the name of His Majesty, George the Fifth, by the Grace of  
God of the United Kingdom of Great Britain and Ireland and  
of the British Dominions beyond the Seas King, Defender of  
the Faith, Emperor of India.

### *Preliminary.*

1. This Regulation may be cited for all purposes as the Gilbert <sup>Short title</sup> and Ellice Islands (Labour) Regulation, 1915.

2. The Ocean Island (Labour) Regulation, 1912, and Part IV <sup>Repeal.</sup> and Schedules F and G of the Gilbert and Ellice Islands (Consolidation) Regulation, 1908, are hereby repealed.

3.—(1) In this Regulation—

“Protectorate” means and includes the islands of the Gilbert <sup>Interpretation—</sup> and Ellice Islands Protectorates and Ocean Island and the <sup>“Protectorate.”</sup> waters of the said islands for three miles seaward from low-water mark of any part thereof;

“Resident Commissioner” means the Resident Commissioner <sup>“Resident</sup> in the Protectorate, or any person duly appointed to act <sup>Commissioner.”</sup> in the place of the Resident Commissioner during any temporary absence of the latter from Ocean Island;

“Deputy Commissioner” means any Deputy Commissioner <sup>“Deputy</sup> for the Western Pacific; <sup>Commissioner.”</sup>

“inspector” means an inspector of labourers under this Regula- <sup>“inspector.”</sup> tion and any officer appointed by the Resident Commissioner to be an inspector of labourers;

“native” means an aboriginal native of any island included in <sup>“Native.”</sup> the Protectorate;

“labourer” means a native recruited for employment under <sup>“labourer.”</sup> section four hereof;

“Court” means the Court of the High Commissioner for the <sup>“Court.”</sup> Western Pacific.

- “ return-passage home.” “ return-passage home ” means a passage to such part of the coast as, having regard to all circumstances and particularly to the safety of a native, shall be the most convenient place for the native’s disembarkation in order to reach either the place where he was residing when engaged, or the place to which he may desire, with the permission of an inspector or Deputy Commissioner, to return;
- “ employer.” “ employer ” means the proprietor or other person having the chief authority at any place in which a labourer may be employed or where any labourer shall be engaged or employed or the master or owner of a vessel, by whom any labourer shall be engaged or employed;
- “ medical officer.” “ medical officer ” means a medical officer approved by the Resident Commissioner;
- “ contract.” “ contract ” means a contract of service under this Regulation.
- Forms. (2) References in this Regulation to forms are made, except where otherwise specified, to the forms given in the schedule hereto.
- Purposes for which labourers may be recruited:
- on trading vessels;
- on fishing vessels and vessels generally;
- in the Protectorate;
- outside the Protectorate.
4. Subject to the provisions of this Regulation, it shall be lawful to recruit labourers—
- (a) for employment to serve as members of the crew on board vessels trading within the Protectorate;
- (b) for employment in a vessel for the purpose of carrying on any fishery, industry, or occupation in connection with the vessel within the Protectorate;
- (c) for employment in the Protectorate; or
- (d) for service in any other place within the jurisdiction of the legislature of any British Possession or of the High Commissioner for the Western Pacific.

*Recruiting vessels.*

- Licenses to carry or employ labourers. 5.—(1) The master of every vessel carrying labourers shall obtain a license to do so hereinafter prescribed.
- (2) Every employer shall obtain from the Resident Commissioner or other officer appointed by him to issue the same, a license to carry labourers as crew or for employment in a vessel for the purpose of carrying on any fishery, industry, or occupation in connection with the vessel within the Protectorate, wherein shall be stated the number that may be carried.
- (3) The Resident Commissioner may issue a license, in the case of a British vessel, under the Pacific Islanders Protection Acts, 1872 and 1875, and in the case of a foreign vessel, according to form 1, to the master of the vessel to carry labourers, whether for employment or on returning them to their homes within the Protectorate where the master of the vessel is not their employer, or to an employer to carry labourers as crew or for employment in the vessel for the purpose of carrying on any fishery, industry, or occupation aforesaid, or for employment in the Protectorate or for service in any other place within the jurisdiction of the legislature of any British Possession or of the High Commissioner for the Western Pacific.
- (4) Before the license is issued, a bond, in the case of a British vessel in the form given in schedule (A) to the Pacific Islanders Protection Acts, 1872 and 1875, and in the case of a foreign vessel, according to form 2, shall be entered into by the master of the vessel with one or more sureties.
- (5) No native so carried shall be taken beyond the limits of the Protectorate except with the written permission of the Resident Commissioner.
- (6) The name of every native so carried, whether he is married or single and, if married, the name or names of his child or children (if any), and the name of his nearest relative, the place where he was embarked, the length of his engagement, the terms of his payment, the name of his employer, the place where he is to be employed, or
- Form 1.
- Form 2.

(if he is returning home) where he has been employed, the nature of his employment, and all personal marks leading to his identification, shall be recorded in the log of the vessel.

(7) No license under the provisions of this section shall be issued in respect of a vessel which is not, in the opinion of the Resident Commissioner, suitably equipped for the transport or employment of labourers and every such license issued shall state the conditions regarding accommodation, water and food supply, and the stock of medicine and medical appliances to be kept on board such vessel as set forth in Form 3.

Form 3.

6. The Resident Commissioner or any person duly authorised in that behalf may at any time inspect any vessel engaged in recruiting natives, and may examine the stores, provisions, and water supply on board, and the labourers recruited. The Resident Commissioner or his representative may, if he think fit, order any labourer recruited to be put on shore and the contract to be cancelled, and the cost of returning such labourer to his home shall be defrayed by the recruiter. Vessels engaged in recruiting native labourers shall report first at Tarawa or such other port as the Resident Commissioner may direct, and the Resident Commissioner may also order the vessel to take its final departure from the Protectorate from an island or anchorage to be named by him.

Power of Resident Commissioner to inspect vessel, &c.

7. The Resident Commissioner may, if he think fit, appoint an agent to remain on board any recruiting vessel during the time such vessel is engaged in recruiting within the Protectorate. Such agent shall be suitably berthed and boarded at the ship's expense, and shall receive such remuneration, to be paid by the charterer of such vessel or his agent, as the Resident Commissioner may direct.

Government agent.

8.—(1) The Resident Commissioner may, by order in writing, for any reason which to him seems good, prohibit, either for a specified time or until further notice, the recruiting of labourers at any place or within any area which he may name.

Prohibition of recruiting at particular places.

(2) The prohibition shall be reported forthwith to the High Commissioner who may approve, vary, or rescind the same, and the High Commissioner, if he shall approve the prohibition, shall take such steps as may appear advisable to make the same public.

(3) No person who, but for the provisions of this section, would be lawfully recruiting labourers shall be liable to punishment for recruiting at a place at which recruiting is prohibited if he, or the master of the vessel in connection with which he is employed, shows to the satisfaction of the Resident Commissioner that he was not, and could not reasonably be, aware of the prohibition. But any labourer so recruited, shall, if still within the waters of the Protectorate, be landed as soon as the prohibition becomes known, and the cost of returning such labourer to his home shall be borne by the recruiter.

#### *Recruiting and engagement.*

9. Any person engaged in or assisting in recruiting natives otherwise than in accordance with this Regulation shall be liable to a fine not exceeding one hundred pounds or to imprisonment not exceeding six months or both.

Penalty for unauthorised recruiting.

10. Contracts for the hiring of natives for service on the island on which they live for any period not exceeding one month shall not be subject to the provisions of sections thirteen to thirty-nine and forty-nine to fifty-three of this Regulation.

Contracts for period not exceeding one month.

Provided nevertheless that, if the wages of any native labourer under a monthly contract shall be in arrears, he shall be deemed to have been employed under a contract for a period exceeding one month. For the purpose of this proviso the wages of any labourer shall be held to accrue from day to day.

proviso.

Engagement to be made in daylight.

11. No engagement of natives under the provisions of this Regulation shall take place between sunset and sunrise.

Prohibition of engagement of children and females. Proviso.

12.—(1) No native under the age of sixteen years, and no female shall be engaged under the provisions of this Regulation.

(2) A married man engaged under the provisions of this Regulation shall be accompanied by his wife and family (if any), unless he makes to the satisfaction of the officer in whose presence the contract of engagement was made suitable provision for their support.

(3) The employer of the husband shall, in the former case, provide suitable house accommodation for the wife and family to the satisfaction of the Resident Commissioner or his deputy, and a married woman so desiring may be employed in work from day to day but not in work under contract.

Permit for engagement of labourers for period exceeding one month.

13.—(1) If any person desires to engage the services of any labourers for a period exceeding one month, he shall apply personally or by letter to the Resident Commissioner, stating the number of labourers he requires, where they are to be employed, the time for which they are required, the nature of the work to be performed, and the wages they are to receive, and the Resident Commissioner may thereupon grant to the applicant a permit or permits, in form 4, for any period not exceeding one year from the date thereof to engage the number of labourers for which application is made, or any less number, who may be free to enter into the engagements.

Form 4.

(2) The Resident Commissioner, before issuing a permit, shall, when he deems it necessary, require security for the payment of the wages of the labourers to be engaged.

(3) The Resident Commissioner may, for reasonable cause, either refuse to grant a permit or cancel any permit already granted. The refusal or cancellation, together with the reasons for it, shall be given in writing and shall be reported forthwith to the High Commissioner who may alter, rescind, or vary the terms of the same.

(4) Any person to whom a permit has been duly granted shall, while it remains in force, be entitled to engage, either personally or by an overseer in his regular service, or through a licensed agent, or through any other person duly approved in writing by the Resident Commissioner, the services of any native for a period not exceeding two years. The total number engaged under the permit shall not exceed the number specified therein.

License to act as agent for the engagement of labourers. Form 5.

14.—(1) The Resident Commissioner may issue licenses, in form 5, to such persons as he may deem proper to act as agents for the engagement of labourers under the provisions of this Regulation.

(2) A license may be for any period not exceeding one year from the date thereof which the Resident Commissioner may determine, and may be by him suspended or cancelled for any evasion or breach of this Regulation by the holder thereof, or for any impropriety by the holder in connection with the business in respect of which the license has been issued.

Contract. Form 6.

15.—(1) Every contract for a period exceeding one month shall be according to form 6, shall be in duplicate, and shall be made in the presence of a Deputy Commissioner, or an inspector, who if he is satisfied that the intending labourer understands its nature and terms, shall ratify the same.

(2) If, in the opinion of the Deputy Commissioner or inspector the terms of the contract are manifestly unfair to the intended labourer, he shall refuse to ratify the contract and shall forthwith report the reason of his refusal to the Resident Commissioner who may, if he thinks proper, direct that the contract be ratified.

(3) Every contract shall be registered, and registration shall be effected by filing the duplicate contract in the office of the Resident

Commissioner, in a register to be kept for that purpose, and paying <sup>Fee.</sup> a fee of two shillings and six pence.

(4) Form 6 may be adapted to meet the engagement of labourers for any period not exceeding two years at a fixed rate of wage payable at the end of that period and may be otherwise varied with the approval of the Resident Commissioner. Except in respect of the period of payment, these contracts shall be subject to the provisions of this Regulation.

16.—(1) Every employer, or regular overseer of an employer, or licensed agent shall, on taking natives before a Deputy Commissioner or inspector for engagement, produce to the Deputy Commissioner or inspector his <sup>Production of permit to recruit.</sup> permit to recruit labourers and also, in the case of a licensed agent, the employer's letter of agency included in form 4. It shall be the duty of the employer, his overseer or his licensed agent to hand to the Deputy Commissioner or inspector the proposed contract properly prepared.

(2) The Deputy Commissioner or inspector shall make entry on the back of the permit or license of the number of labourers engaged under it, and when the full number expressed in the permit or license has been engaged it shall be returned by the owner to the Resident Commissioner.

17.—(1) Every case of death of a labourer engaged under this Regulation shall be immediately reported by his employer to the Resident Commissioner. <sup>Report of death of labourer.</sup>

(2) The report shall, if possible, be accompanied by a medical certificate of the cause of death and the length of illness previous to death, and the employer shall forward a certified copy of the report to the Resident Commissioner for purposes of registration.

18. Any person who induces any native to enter into any contract under this Regulation by fraud, falsehood, intimidation, coercion, or misrepresentation, shall be liable, on conviction, to a fine not exceeding fifty pounds, or to a term of imprisonment not exceeding six months, with or without hard labour at the discretion of the Court. The Court shall declare the contract to be void and may order the offender to return the native to his home if the native desires to return, or to pay into court such a sum of money as will cover any expenses incurred in his support and return-passage home. <sup>Fraudulently inducing entry into contract. Penalty.</sup>

19. Every person who engages, or attempts to engage, or is accessory to the engagement of, a native for service under this Regulation except in accordance with the provisions thereof shall be liable to a penalty not exceeding one hundred pounds and, in default of payment, to a term of imprisonment not exceeding six months. <sup>Engaging labourer or being accessory to contract contrary to Regulation. Penalty.</sup>

#### *Work and wages.*

20.—(1) No labourer shall be required to perform any work for which he is physically unfit. <sup>Conditions of work.</sup>

(2) No labourer shall be required to work on Sundays. Provided that nothing in this subsection shall be held to prevent an employer of labourers from calling upon those labourers who may be employed in domestic service or in the care of animals to perform on Sunday such of their ordinary work as may be absolutely necessary.

(3) No labourer shall be required to work longer than for nine hours a day on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, nor for longer than five hours on Saturdays. <sup>Hours of work.</sup>

(4) On each of the days aforesaid (excluding Saturdays) the labourer shall be allowed at least two hours for rest and meals, and the calculation of hours of work shall always exclude those hours.

(5) When and so often as a labourer has, in any one week, completed inclusive of the number of hours of work (if any) performed by him on the Sunday, fifty hours' work, or such less number of hours'

work per week as he may be required to perform under the terms of his employment, he shall be at liberty to absent himself from work for the remainder of that week, and it shall not be lawful for his employer to require any further work from him, but he may, if he chooses, work for a longer period. If he shall work for a longer period, he shall be entitled to extra pay at the rate of not less than one penny per hour for each extra hour, and the amount so due shall be paid within the week in which the extra work is performed.

Penalty.

(6) An employer who, against the will of a labourer, requires or enforces the performance of any work beyond that provided for in this section shall, on conviction thereof, be liable to a fine not exceeding five pounds and, in default of payment, to a term of imprisonment not exceeding one month and, if extra work has been required to be performed, may also be ordered to pay to the labourer performing it the amount which, in the opinion of the Court may be due in respect thereof.

Absence from service or neglect or refusal to perform work.

(7) If any labourer, except on account of ill-health or other lawful excuse, absents himself from the service of his employer when he ought lawfully to be engaged in that service, 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 to amend any work previously assigned to him which has been carelessly or improperly performed, he shall, on conviction, be liable to a penalty, at a rate not exceeding the amount of two hours' pay for each hour of such time as the Court may think his labour has been lost to his employer by reason of his absence, failure, neglect, or refusal as aforesaid. Any penalty imposed under this provision may be recovered by deductions from the labourer's wages in such manner as the Court shall order. The Court may, if it thinks fit, order the whole or any part of the penalty to be paid to the employer.

Publication of returns of extra work.

21. Every employer shall, at the end of each week, send to the Resident Commissioner and also post in a conspicuous place in the quarters occupied by the labourers and upon a form to be approved by the Resident Commissioner a return showing the number of hours of extra work, as defined in the last preceding section, performed by each of his labourers during the week and the amount of extra pay due in respect thereof.

Damage to stock.

22. Any labourer who, by reason of any neglect or improper use of any horse, cattle, or other live stock belonging to his employer, causes the animal to be maimed, or wounded, or ill-used, shall on conviction be liable to a fine not exceeding one pound, or to a term of imprisonment with hard labour not exceeding two months.

Penalty.

Labourers' tools.

23.—(1) Every employer shall supply to each labourer all tools necessary for the performance of any work assigned to him and shall, when necessary, renew the tools or cause them to be repaired without charge to the labourer.

Penalty for damage thereto.

(2) Any labourer who, through negligence, or careless or other improper conduct, causes damage to, or loss of, any tools or other property of his employer, shall be liable to a penalty not exceeding two pounds. The whole, or any part, of a fine paid under the provisions of this subsection may, at the discretion of the Court, be paid to the employer as compensation.

Dangerous use of fire.

24. Any labourer who, against the orders of a manager or overseer, carries or uses fire or a naked light so as to endanger the property of his employer shall be liable upon conviction to a fine not exceeding five pounds, or to imprisonment for any term not exceeding six months.

Penalty.

Fires.

25.—(1) In case of fire the employer or his representative may call out the whole of the labourers and may enter with them upon any land where the fire may be, or to which it is reasonably believed

the fire may spread, and may do all things reasonably necessary for the purpose of preventing or extinguishing the fire.

(2) Any labourer so called out who, without reasonable cause, refuses or neglects to assist in extinguishing the fire shall on conviction be liable to a penalty not exceeding five pounds, or to imprisonment for any term not exceeding six months. Penalty.

26. When a labourer is convicted and fined or imprisoned for any offence against any of the provisions of this Regulation other than an offence under section twenty, subsection seven thereof, the Court may make an order for deduction from the labourer's wages of an amount proportionate to the time for every day during which his services are lost to his employer by reason of his offence, the proceedings against him in respect thereof, and any sentence of imprisonment, whether originally ordered for his offence or for default in payment of a fine, and the deduction shall be made in such manner as the Court orders. Order for deduction of wages.

27. If an employer neglects to supply a labourer with the articles of accommodation stipulated in the contract, or supplies an inferior quality of those articles, or if any person in authority over the labourer assaults or ill-uses him the offender shall be liable on conviction to a penalty not exceeding twenty pounds, or to imprisonment for any term not exceeding six months. Assault, etc., of labourer by employer.  
Penalty.

28. Any labourer who assaults, or addresses any threatening language to his employer, or to any person in authority over him, shall be liable to a penalty not exceeding two pounds or to a term of imprisonment not exceeding two months. Assault, etc., of employer by labourer.

29. The employer of any indentured or re-indentured adult labourer shall pay wages to the labourer at the rate of not less than twelve pounds per annum according to the nature of the agreement with the labourer when indentured or re-indentured. Wages.

30.—(1) The balance of wages due to labourers shall be paid to each of them by their employer, or the employer's authorised agent, immediately before the termination of his return-passage home in the presence of a Deputy Commissioner or an inspector of labour. The Deputy Commissioner or inspector of labour shall indorse on the contract that the labourers have been duly paid in his presence and shall forward the contract so indorsed to the Resident Commissioner. Payment of balance of wages due.

(2) The wages due on account of any labourer who may have died during the term of his engagement, and the wages due to any labourer who for any cause may not have returned to his district, shall be paid to the Resident Commissioner, who shall dispose of the same for the benefit of the relatives of the deceased labourer, if they can be ascertained, or in such other manner, as the case may be, as to the Resident Commissioner may seem just.

31. Wages due to a labourer may be sued for, either by the labourer or by any person appointed by the Resident Commissioner for that purpose, before the Deputy Commissioner of the district to which the labourer belongs or of the district in which the wages have been earned, or before the Resident Commissioner. Recovery of wages.

32.—(1) All moneys due by any employer in respect of a labourer under contract under this Regulation for wages, maintenance, or treatment in hospital, or otherwise howsoever, and all interest thereon which may accrue, shall be a preferential charge on the property of the employer and shall rank over and above all encumbrances, charges, and liens, other than a legal mortgage or encumbrance duly executed and registered prior to the day on which the preferential charge first accrued. Preferential charges for moneys due by employer.

(2) The preferential charge aforesaid shall subsist, notwithstanding any transfer or devolution of the property to which it extends, until the moneys aforesaid have been actually paid, and

the taking of any other security for those moneys or any part thereof shall not affect the preferential charge.

(3) All moneys constituting a preferential charge shall bear interest from the day upon which the same became due and payable at the rate of eight pounds per centum per annum, and the amount of every judgment for, together with the costs of, recovery of the same shall bear interest at the said rate from the day of the date of the judgment.

#### *Dwellings.*

Labourers' dwellings.

**33.**—(1) The employer of every labourer shall assign to him a suitable dwelling, and shall at all times keep the dwelling in sufficient repair, and shall keep the yards and grounds for a sufficient space round about the dwelling well drained and free from brushwood, weeds, rubbish, and refuse of every description. A separate dwelling shall be provided for each married couple. Provided that two such dwellings may be built under one roof, if they are divided completely by a partition extending as high as the roof.

(2) No dwelling which, in the opinion of the Resident Commissioner, deputy commissioner, medical officer, or inspector, is unfit for habitation shall be assigned to any labourer.

(3) No greater number of labourers, or of labourers and other persons together, shall be assigned to any dwelling or separate apartment erected after the coming into force of this Regulation than at the rate of one adult to every three hundred cubic feet of internal air space, and fifty square feet of superficial floor area. In no case are the sleeping bunks provided for the labourers to be arranged in more than one tier.

Nuisances in dwellings.

**34.** Every labourer who keeps his dwelling in such a 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, shall be liable to a penalty not exceeding ten shillings, or a term of imprisonment not exceeding one month.

Penalty.

Daily inspection.

**35.** It shall be the duty of every employer, by himself or by a European in his employ, to inspect daily the houses of all labourers under contract and ensure the preservation of cleanliness and the due care of the sick.

Sanitation.

**36.** Every employer shall make and maintain proper sanitary arrangements to the satisfaction of the Resident Commissioner or a medical or other officer appointed by him for the purpose.

#### *Rations.*

Daily rations.

**37.**—(1) Every employer shall issue daily in respect of every labourer and his wife and family such rations as shall be specified in the labourer's contract, or as may in any particular case be specially approved by the Resident Commissioner.

(2) Every employer who, without lawful excuse (the proof of which shall be upon him), fails to comply with the provisions of this section shall be liable to a penalty not exceeding ten pounds.

Penalty.

Ration-book.  
Form 7.

**38.**—(1) Every employer of five or more labourers shall keep a ration-book according to form 7. True entries shall be made in the ration-book daily of all rations supplied.

(2) Every employer shall, at all reasonable times upon request of the Resident Commissioner, or of any person authorised by him, or of a Deputy Commissioner, medical officer, or inspector, produce the ration-book for examination and inspection, and shall, at any time when requested to do so, forward to the Resident Commissioner a correct copy of any specified entry or entries therein.



39.—(1) Any labourer or the wife of any labourer who sells or barter or sale  
 barters any ration or part of any ration furnished under this Regula- of rations.  
 tion shall be liable to a penalty not exceeding ten shillings.

(2) Any person who takes from any labourer or wife of any  
 labourer any ration or part of a ration by way of purchase or barter  
 shall be liable to a penalty not exceeding five pounds and, in default Penalty.  
 of payment, to a term of imprisonment not exceeding one month.

### *Hospitals.*

40. When the number of labourers on one estate exceeds Hospitals.  
 fifty there shall be a building duly certified as sufficient by the  
 Resident Commissioner, or an officer nominated by him, and set  
 apart for the reception of labourers and their wives and families  
 who may require medical aid or treatment. The building so  
 certified is, for the purposes of this Regulation, termed the hospital.

41.—(1) Every labourer, and the wife and any member of the Labourers as  
 family of any labourer who require medical care or treatment shall patients in a  
 be sent by the labourer's employer to the hospital for treatment as an hospital.  
 in-patient or out-patient as the case may be.

(2) If a labourer or his wife, or any member of his family,  
 so sent, or ordered by the labourer's employer to go, to the hospital  
 neglects or refuses to go, or, without permission or due discharge  
 therefrom, leaves the hospital, he or she may be taken or returned  
 to the hospital by the employer and may be dealt with in the same  
 manner as if he or she had been disorderly in hospital.

42. The Resident Commissioner may from time to time appoint Hospital visitors.  
 a Protectorate medical officer, or, if there be no medical officer  
 available, such other person as he sees fit to appoint, to visit the  
 hospital, and may fix the times at which the visits shall take place.

43. The employer shall employ at least one competent person as Hospital attendant.  
 hospital attendant to nurse and attend to the patients in the  
 hospital. The hospital attendant shall reside at or adjacent to the  
 hospital.

44. The person in charge of the hospital shall cause an admission Admission and  
 and discharge register according to form 8, or in such other form discharge register.  
 as may from time to time be prescribed by rule, to be kept in the Form 8.  
 hospital and shall enter, or cause to be entered, in the register the  
 name and disease of every labourer or, of his wife or any member of  
 his family, admitted into the hospital, with the date of admission  
 and discharge, and the date of the death of every person who shall  
 die in the hospital. The register shall be open to inspection.

45. Any employer who neglects or refuses to keep the register Neglect of employer  
 aforesaid or make the proper entries therein, or to keep a competent to comply with  
 hospital attendant, or to provide such supply of food, attendance, and provisions relating  
 equipments as may be required by the provisions of any rule for to hospitals.  
 the time being in force with regard to the medical care of labourers,  
 or hinders or obstructs the Resident Commissioner, medical officer, or  
 inspector, when visiting the hospital, shall be liable to a penalty Penalty.  
 not exceeding twenty pounds and, in default of payment, to a term of  
 imprisonment not exceeding two months.

46. Any labourer or other person who incites or assists a labourer Inciting labourer  
 to abscond from hospital, or who removes, or assists to remove, to abscond from  
 a labourer from hospital without the consent of his employer, shall hospital.  
 be liable to a penalty not exceeding ten pounds and, in default Penalty.  
 of payment, to a term of imprisonment not exceeding two months.

47. Any person, whether a patient or not, who is guilty of any Disorderly conduct  
 disorderly conduct in the hospital, or of inciting any patient, in hospital.  
 whether the patient be a labourer or otherwise, to be disorderly  
 therein, shall be liable to a penalty not exceeding ten shillings Penalty.  
 and, in default of payment, to a term of imprisonment not exceeding

(4) Any information laid, or complaint made, by the Resident Commissioner or by any person duly authorised by him in writing so to do under this Regulation, may be laid or made before a Deputy Commissioner.

Proceedings by labourer against his employer.

**60.** In any proceedings under this Regulation by any labourer against his employer or any other person, it shall not be necessary for the labourer to lay or make any formal information or complaint in writing, but the Court before which any oral statement or complaint shall be made by any labourer against his employer or any other person may thereupon issue a summons stating the complaint against the employer or other person and requiring that employer or other person to appear and answer the complaint. The Court shall proceed upon the summons as if the labourer had in the first place made the complaint in writing and shall inform the labourer on what day and at what place the employer or other person has been summoned to appear to answer the complaint.

Duties of Deputy Commissioner therein.

Enforcement of charges or liens.

**61.** All charges or liens created by this Regulation may be enforced at the suit of the Resident Commissioner.

Recovery of fees and moneys due to Protectorate Government or labourers.

**62.** All fees and moneys which, under this Regulation, or under any agreement, are or shall become due and payable from or by any person to the Government of the Protectorate, or to any labourer, or to the Resident Commissioner on behalf of any labourer, may be sued for by the Resident Commissioner in his official name in the Court.

Evidence of defendant.

**63.** It shall be competent, but not compulsory, for a defendant in any proceedings under this Regulation to give evidence on oath or affirmation. Every defendant so giving evidence shall be liable, in case of falsehood, to be convicted and punished for perjury.

Execution of judgments or orders.

**64.** All unsatisfied orders at any time heretofore made in a summary manner by the Court for the payment of any moneys due on account of any labourer may, by order of the Court, be enforced by the sale of any lands charged with those moneys, or by any of the modes in which a judgment of the Court can be enforced.

Proof of contract.

**65.**—(1) Whenever, in any proceedings under this Regulation instituted by the Resident Commissioner or any person authorised by him in writing so to do, it shall be necessary to prove that a labourer was under such contract as is provided for by this Regulation, the original contract, or a copy thereof certified by the Resident Commissioner to be correct, shall be prima facie evidence that the labourer mentioned in the contract was under contract as therein stated.

(2) In any proceedings for the recovery of any moneys due under this Regulation it shall be sufficient to show that the labourer was duly under contract.

Limitation of proceedings.

**66.**—(1) Every complaint or information by a labourer against an employer for any wages due, or for breach of contract, shall be laid within three months after the wages became due and payable, or after the breach of contract took place.

(2) Any information under this Regulation by the Resident Commissioner, or by any person authorised by him, for any offence against any of the provisions of this Regulation, except for any moneys due, shall be laid within twelve months from the date on which the offence was committed.

(3) Any information by an employer against any labourer for an offence against any of the provisions of this Regulation shall be laid within one month after the day on which the offence was committed.

*Miscellaneous.*

67. When any claim against a labourer for stores supplied or moneys advanced is disputed, the Court shall forthwith hear and determine the claim between the parties, but in no case shall the sum adjudged to be paid by the labourer exceed one half of his wages. Claim against labourer for stores, etc.

68. A person charged with an offence against the provisions of this Regulation for which no penalty has been provided shall on conviction be liable to a penalty not exceeding twenty pounds and, in default of payment, to a term of imprisonment not exceeding three months. General penalty.

69. An inspector or a Deputy Commissioner may at any time search and inspect any vessel engaged in recruiting natives, or whereon any natives may be employed, and may examine the ship's log, the stores, provisions and water-supply on board, and the labourers recruited or employed, and may, for any reasonable cause, order any labourer recruited or employed to be put on shore and the contract to be cancelled. The cancellation shall be reported to the Resident Commissioner, and the cost of returning the labourer (and his wife and family if they accompanied him) to his home shall be paid by the recruiter or employer. Inspection of recruiting vessels.

70.—(1) The Resident Commissioner, or any person authorised by him in writing, or any Deputy Commissioner, medical officer, or inspector, may at any time enter into or upon any place on which labourers may be employed and inspect the state and condition of the labourers, and may inquire into any complaint which the employer may make against a labourer or a labourer against his employer. Inspection of place of employment.

(2) In every case of an entry upon any place for the purpose of inspection, the officer or person inspecting shall forthwith cause the employer and the labourers to be informed of his being therein.

(3) Any person who wilfully obstructs, or incites others to obstruct, the persons hereinbefore mentioned in making an entry, inspection, or inquiry, or who, by wilful misrepresentation, force, or fraud, prevents or endeavours to prevent an entry, inspection, or inquiry being held, shall be liable to a fine not exceeding fifty pounds, or to a term of imprisonment not exceeding six months. Penalty.

71. Any employer who knowingly makes any false or incorrect entry in any pay-list, ration-book, register, or return hereinbefore provided for, or who produces any false pay-list, ration-book, register, or return, shall be liable to a penalty not exceeding fifty pounds and, in default of payment, to a term of imprisonment not exceeding six months. False entries or returns. Penalty.

72. Every labourer who is imprisoned by virtue of any conviction under this Regulation shall, if so ordered by the Court, perform hard labour in or connected with a government gaol while undergoing imprisonment. Hard labour.

73.—(1) The Resident Commissioner may make rules respecting the lodging, rations, water, bedding, clothing, medicine, and medical care to be provided for labourers, hospital equipment, the forms, registers, and books required by this Regulation to be kept, and any other matter for carrying this Regulation into effect and may fix any penalty not exceeding ten pounds for the breach of any rule. Rules.

(2) The Resident Commissioner may from time to time alter, amend, rescind, or add to the rules, but the alterations shall not affect any existing agreement.

(3) All rules aforesaid shall come into force on a date to be fixed by the Resident Commissioner and shall be subject to disallowance by the High Commissioner.

(4) With the sanction of the Resident Commissioner and subject to the approval of the High Commissioner, an employer may make rules for the preservation of discipline and observance of regulations for the health, safety and good order of persons in his employ and by those rules prescribe fines for contravention thereof not exceeding in any one case the sum of twenty shillings.

(5) All proceedings in respect of any breach or contravention of any Rules made under this section shall be brought in a summary way and all penalties and fines imposed thereunder shall be summarily recoverable.

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## SCHEDULE.

## FORM 1.—(Section 5.)

*License for the carriage by sea on board a foreign vessel of native labourers under the Gilbert and Ellice Islands (Labour) Regulation 1915.*

*A.B.*, master of the \_\_\_\_\_, the vessel more particularly described below, having duly given to His Majesty the bond required by the Gilbert and Ellice Islands (Labour) Regulation, 1915, for the prevention of kidnapping and the due observance of the requirements of the said Regulation, I do hereby, in exercise of the authority for that purpose conferred on me by the said Regulation, license the said vessel to carry not more than \_\_\_\_\_ native labourers from \_\_\_\_\_ to \_\_\_\_\_.

Should this vessel be found to answer the subjoined description and appear to be strictly engaged in the lawful pursuit of the above-mentioned object it is the direction of His Majesty's Government that she shall not be obstructed in the prosecution of her present voyage nor in the shipment or landing of her native passengers.

This license is not transferable, and is available only for the voyage from \_\_\_\_\_ to \_\_\_\_\_ aforesaid, and for a period not exceeding \_\_\_\_\_ days from the date hereof.

*Description of the vessel above referred to.*

Nationality :  
 Tons (registered tonnage) :  
 Rig (*i.e.* ship, barque, brig, &c.) :  
 How painted :  
 Name painted on stern :  
 Whether any poop :  
 Whether any quarter galleries :  
 Whether a top-gallant forecastle :  
 Name of chief officer :  
 Number of officers and crew including surgeon, if any :  
 Bound from \_\_\_\_\_ to \_\_\_\_\_ and intending to call at \_\_\_\_\_ and \_\_\_\_\_.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

[Resident Commissioner.]

## FORM 2.—(Section 5.)

*Bond to be entered into by masters of foreign vessels carrying native labourers under the Gilbert and Ellice Islands (Labour) Regulation 1915.*

Know all men by these presents that we, *A.B.* of \_\_\_\_\_ and *C.D.* of \_\_\_\_\_, are held and firmly bound unto His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Emperor of India, in the sum of five hundred pounds of good and lawful money of Great Britain, to be paid to his said Majesty the King his heirs and successors, to which payment well and truly to be made we bind ourselves and every one of us jointly and severally, for and in the whole our heirs, executors, administrators, and every of them firmly by these presents.

Sealed with our seals. Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

The condition of this obligation is such—That if in respect of the vessel whereof the above-bounden *A.B.* is master, all and every the requirements of the Gilbert and Ellice Islands (Labour) Regulation, 1915, and of the license now to be issued thereunder to the said master shall be well and truly performed and the said *A.B.* shall satisfy the Resident Commissioner for the Gilbert and Ellice Islands Protectorate that no kidnapping was allowed or connived at by any person on board or connected with the said vessel during the currency of the said license to carry native labourers within the said Protectorate, then this obligation is to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above-bounden } (L.S.)  
*A.B.* and *C.D.* in the presence of } (L.S.)  
*E.F.* of \_\_\_\_\_

FORM 3.—(Section 5.)

is hereby authorised to recruit in the  
 whereof is master, not more than  
 labourers from the following islands :—  
 and for service in

*Accommodation.*

Area of passenger deck or decks :—

- Upper deck : not less than six superficial feet clear for each labourer ;
- Lower deck : not less than twelve superficial feet clear for each labourer ;
- Height between decks to be not less than six feet six inches ;

Arrangement of sleeping places : open berths or sleeping places in not more than two tiers, the lower tier to be raised six inches at least for the lower deck. The interval between two tiers shall be not less than two feet six inches. All labourers shall be berthed between decks or in deck houses.

*Rations\*—daily for each labourer.*

Water, fresh, three pints, exclusive of quantity which may be required for cooking purposes :—

- Rice . . . . . 1 lb.
- Biscuits . . . . . 1 lb.
- Meat . . . . . 1 lb.
- Fresh Fish . . . . . 2 lb.
- Salt . . . . . 2 oz. per week.
- Soap . . . . . 4 oz. per week.

*\*Subject to alteration by the Resident Commissioner.*

Lists of medicines, medical appliances, and disinfectants to be kept on vessel.

Resident Commissioner.

Gilbert and Ellice Islands Protectorate,  
 Resident Commissioner's Office,  
 , 191 .

FORM 4.—(Sections 13 and 16.)

*Permit to engage labourers.*

M of  
 is hereby permitted to engage any number of labourers not exceeding in the aggregate  
 for service with to be  
 employed to work for months at the rate of not  
 less than per annum.

This permit is to be in force for one year from the date hereof unless the above number of labourers shall be engaged under it at any time within that period and is subject to cancellation or suspension according to law.

Necessary security has been given for the payment of the wages of the labourers to be recruited under Regulation.

Dated this day of 19 .

Resident Commissioner.

Deputy Commissioner to indorse on permit the number of labourers engaged under it. Permit to be returned by owner to Resident Commissioner when full complement or number desired has been recruited.

Date.	Number of labourers recruited.	Island and village.	Signature of Deputy Commissioner.

*Letter of agency to engage labourers.*

I \_\_\_\_\_ of \_\_\_\_\_ do hereby authorise \_\_\_\_\_ licensed agent to engage for me on my behalf in accordance with the provisions of the Gilbert and Ellice Islands (Labour) Regulation, 1915, natives as labourers.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

Witness,—

(Signature of Employer.)

FORM 5.—(Section 14.)

*License to act as agent for the engagement of labourers.*

M \_\_\_\_\_ of \_\_\_\_\_ is hereby licensed to engage any number of labourers not exceeding in the aggregate for service with such plantation owners as may appoint him to be their agent for this purpose.

This license is to be in force for twelve months from the date hereof unless the above number of labourers shall be engaged under it at any time within that period and is subject to cancellation or suspension according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

Resident Commissioner.

Deputy Commissioner to indorse on license the number of labourers engaged under it. Licensed agent when full complement is obtained to return the license to Resident Commissioner prior to issue of new license.

Date.	Number of men recruited.	Island and village.	Employer.	Signature of Deputy Commissioner.

FORM 6.—(Section 15.)

*Contract of service.*

MEMORANDUM OF AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ between \_\_\_\_\_ (hereinafter called the employer) of the one part, and \_\_\_\_\_ of the island of \_\_\_\_\_ in the

Gilbert and Ellice Islands Protectorates, recruited in the steamship \_\_\_\_\_ (hereinafter called the employees) of the other part.

1. The employees agree to serve the employer on shore or afloat as labourers for the term of \_\_\_\_\_ from the date hereof and during that period to obey the lawful and reasonable orders of the employer, or his manager, overseer, or authorised agent.

2. The employer agrees:—

- (i) to provide every employee with free conveyance from the place of his engagement to the place of employment; and
- (ii) to pay to every employee wages at the rate of \_\_\_\_\_ for every calendar month during the continuance of this agreement; and
- (iii) to provide every employee with rations of the description and in the quantities specified in the margin of these presents, or on such other scale as the Resident Commissioner may prescribe; and
- (iv) to provide every employee with proper lodging accommodation and bedding during the continuance of this agreement or any extension of the same; and
- (v) to provide every employee who shall, by reason of illness, become incapacitated for work, with the rations, lodging accommodation, and bedding aforesaid for the period of incapacity; and also, if the employee shall be incapacitated for work by accident occurring or injury sustained while in the course of his employment, to pay to him wages for the period of that incapacity, if the same shall not exceed the term of this agreement.

Daily ration.—Fresh water, two quarts in addition to any that may be required for cooking purposes. Beef, mutton, or fish, 1 lb. Biscuit, 1 lb. (or 1½ lb. of Bread or Flour.) Potatoes, 3 lb. Salt, per week, 2 oz

