

TRINIDAD AND TOBAGO.

Immigration.

No. 2—1913.

5th March.

AN ORDINANCE to amend the Immigration Ordinance, No. 161, and the Immigration Ordinance, 1912 (No. 56).

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

14th March, 1913.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Immigration Short Title. (Amendment) Ordinance, 1913, and shall be read as one with the Immigration Ordinance, No. 161, which is hereinafter referred to as the principal Ordinance.

2. There shall be inserted after Section 90 of the principal Ordinance the following:—

90a. It shall be lawful for the Governor to make regulations for ensuring the proper sanitary condition of all plantations whereon immigrants are employed, and particularly:

- (a.) for the erection of latrines by owners of plantations in such numbers and of such a kind as to the Governor shall seem proper, and for laying down the time within which such latrines are to be provided;

Provision of latrines on estates.

- (b.) for ensuring that such latrines shall be kept in a proper sanitary state and that proper steps are taken for the removal and destruction or other dealing with of all sewage matter therein;
- (c.) for ensuring the use thereof by persons employed on such plantations;
- (d.) for preventing the committing of nuisances within distances to be prescribed by such regulations from houses, barracks or buildings on such plantations;

and to attach to the breach of such regulations a penalty on summary conviction before a Magistrate, not exceeding ten pounds or imprisonment for two weeks with or without hard labour for each such breach.

Removal of patient to public hospital.

3. Section 105 of the Principal Ordinance is amended—

- (a.) by striking out the words "either of such hospitals" in line 18, and inserting in lieu thereof the words "such public hospital," and
- (b.) by adding after the word "leprosy" in line 20 the words "or if such immigrant is detained in "such public hospital for a period of more than "six months."

Exemption from penalty for absence from or refusal to work in certain cases.

4. There shall be inserted after Section 129 of the principal Ordinance the following :—

129a. No immigrant shall be convicted under the last preceding section if he was at the time physically unfitted to perform work or to perform the work assigned to him, or if the work assigned to him was of such description or extent, or was assigned in such a manner or for such a rate of wages, as to be contrary to any provision of this Ordinance, or if the work has been unduly thrown out, or if any wages due on account of the work have been unlawfully withheld, or if he is entitled to the benefit of the first proviso to Section 114 of this Ordinance.

Warrant to search for absconding immigrants.

5. There shall be inserted after Section 140 of the principal Ordinance, the following, as Sections 140a, 140b, and 140c :—

140a. Where information is made on oath and in writing by the Protector or any Inspector before any Magistrate

that in fact or according to reasonable suspicion, stating the grounds thereof, there is any immigrant on any plantation who has without leave absented himself for three days from the plantation whereon he is under indenture, such Magistrate may issue a search warrant authorising the Protector or any officer of the Immigration Department deputed in writing by the Protector to search the plantation named in the warrant, and if any immigrant or immigrants suspected on reasonable grounds to be a deserter or deserters is or are found on such plantation, then to bring him or them before a Magistrate to be dealt with according to law.

140b. The warrant shall be executed by the Protector or person deputed as in the last preceding section mentioned, but he may be accompanied by any person necessary to assist him. Execution of warrant.

140c. Any person hindering or obstructing the execution of a search warrant issued under the provisions of Section 140a or assaulting or molesting any person engaged in executing the same is liable on summary conviction before a Magistrate to a fine not exceeding twenty-five pounds or to imprisonment with or without hard labour for any term not exceeding two months. Obstructing execution of warrant.

6. The following shall be inserted as sub-section (2) of Section 162 of the principal Ordinance:— Protector to be guardian of infants for purposes of Ordinance No. 59.

(2.) Where under the provisions of the Marriage Ordinance, No. 59, the consent of any person is required to the marriage of any party to an intended marriage under twenty-one years of age, and there is no person who under the provisions of such Ordinance is entitled to give such consent in the case of an immigrant under twenty-one years of age who is a party to an intended marriage, then and in every such case it shall be lawful for the Protector to give the consent.

7. Section 192 of the principal Ordinance is hereby amended by inserting the words "or commits adultery," after the word "cohabits" in the first line thereof, by Penalty for adultery.

inserting the words "or committing adultery" after the word "cohabiting" in the fifteenth line thereof, and by inserting the words "or adultery" after the word "cohabitation" in the nineteenth line thereof.

Provided always that no person shall be convicted of an offence under Section 192 of the Principal Ordinance, as amended by this Ordinance, upon the evidence of one witness only unless such witness be corroborated in some material particular by evidence implicating the accused.

Commutation
money—Pay-
ment to
employer.

8. Section 199 of the principal Ordinance is amended by adding the following as Sub-section (2) thereof:—

(2.) All amounts received from an immigrant in respect of working days shall be paid to his employer by the Protector.

Jurisdiction of
Justice of the
Peace.

9. Section 238 of the Principal Ordinance is amended by inserting after the word "Magistrate" in line 3 thereof, the words "or a Justice."

Training
School—Age
limit.

10. Section 260 of the principal Ordinance is amended by striking out the word "ten" in the seventh line thereof and inserting in lieu thereof the word "thirteen."

Offences by
apprentice.

11. There shall be inserted after Section 264 of the principal Ordinance the following:—

264a. If any child apprenticed under Section 264 of this Ordinance wilfully neglects or refuses to conform to the terms of his apprenticeship or quits his master's service without the leave of such master, he shall be guilty of an offence, and on summary conviction thereof may be ordered by the Magistrate to be sent to a Reformatory School, there to be detained during a period equal to so much of his term of apprenticeship as remains unexpired at the time of committing the offence, and every apprentice absent without leave from his master's service may be arrested without a warrant by any member of the Constabulary Force.

12. Section 1 of the Immigration Ordinance, 1912, is amended by inserting immediately before the word "hereinafter" in line 2 thereof, the words "and shall be read as one with the Immigration Ordinance, No. 161, which is." Amendment of Section 1 of Ordinance 56-1912.

Passed in Council this Fifth day of March, in the year of Our Lord one thousand nine hundred and thirteen.

ALFRED TAITT,
Acting Clerk of the Council.
