

TRINIDAD AND TOBAGO.

No. 5—1927.

I ASSENT,

[L.S.]

W. E. JACKSON,
Acting Governor.

21st April, 1927.

AN ORDINANCE to provide for the repatriation of
distressed seamen.

[By Proclamation.]

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

Short title.

1. This Ordinance may be cited as the Distressed Seamen
Repatriation Ordinance, 1927.

2. In this Ordinance—

Interpreta-
tion.

“ British West Indian Colony ” includes the British
West Indian Colonies and the Colony of British
Guiana ;

“ Foreign port ” means any port or place outside
the limits of this Colony ;

“ Foreign ship ” means a ship registered in a place
not in the British Empire ;

“ Harbour Master ” includes Assistant Harbour Master ;

“ Proper return port ” means either the port at which a seaman was shipped or a port in the country to which he belongs ;

“ Seaman ” includes any native or subject of this Colony or any native or subject of any British West Indian Colony (except the Master) employed or engaged in any capacity on board any ship ;

“ Ship ” means every description of vessel used in navigation not propelled by oars, and includes a foreign ship, but does not include a ship registered and owned in this Colony.

3. All expenses incurred by or on behalf of the Government for the relief, maintenance, medical attendance or repatriation of any seaman belonging to any ship registered and owned in the Colony in which any such seaman shall have left the Colony, and who shall have been shipwrecked, discharged or left behind in a foreign port or otherwise have become distressed within the meaning of section 40 of the Merchant Shipping Act, 1906, or any Regulation made thereunder, shall be a charge against such ship and shall be a debt to the Government from the owners for the time being thereof ; or where the ship has been transferred to some person not being a British subject, either from the owners for the time being or from the persons who were the owners at the time of the transfer.

Expenses of repatriation, &c., of seamen to be a charge against the ship.

6 Eds. 7, c. 48.

4. (1) It shall not be lawful for the Master, owner, agent or consignee of any ship proceeding from any port in the Colony to a foreign port to engage any seaman to serve on board such ship without the sanction of a Harbour Master.

Engagement of seamen.

(2) The sanction of a Harbour Master shall not be given to any such engagement on board a foreign ship unless the Master, owner, agent or consignee of such ship shall enter into a bond with good and sufficient sureties with the Harbour Master at the port where such seaman is to

be engaged, in such sum not exceeding fifty pounds in respect of every such seaman as the circumstances of each case shall require, for the repayment of all expenses incurred for the relief, maintenance, medical attendance and repatriation of any such seaman to a proper return port in the event of such seaman being shipwrecked, discharged or left behind in a foreign port or otherwise becoming distressed within the meaning of section 40 of the Merchant Shipping Act, 1906, or any Regulation made thereunder.

6 Ed. 7, c. 48.

Notice of engagement of B.W.I. seaman to be given to seaman's Colony.

5. In every case in which a seaman, being a native of another British West Indian Colony, is engaged to serve on board any ship, notice of such engagement and of the bond (if any) entered into under this Ordinance shall be given to the Government of such Colony.

Expenses of repatriation, &c., of B.W.I. seaman recoverable on behalf of the seaman's Colony.

6. In the event of any seaman referred to in section 5 of this Ordinance being repatriated direct to the Colony to which he belongs, all expenses incurred by or on behalf of the Government of such Colony in relation to such repatriation may be recovered by this Government for and on behalf of that Government.

Limitation of liability.

7. No liability shall attach under the bond entered into under this Ordinance in respect of any seaman shipwrecked, discharged or left behind in the country to which he belongs.

Penalty.

8. The Master, owner, agent or consignee of any ship shall be liable to a penalty not exceeding fifty pounds for every seaman engaged in contravention of this Ordinance.

Penalties, &c. recoverable summarily.

9. All sums of money payable under this Ordinance and all penalties imposed thereunder may be recovered summarily before a Magistrate exercising jurisdiction in the district in which the bond entered into under this Ordinance is given or an offence is committed.

Saving as to the Imperial Merchant Shipping Acts.

10. Nothing in this Ordinance contained shall be deemed to affect the provisions of the Imperial Merchant Shipping Acts with respect to the repatriation of distressed seamen.

11. All expenses incurred in carrying out the provisions of this Ordinance shall be paid out of the funds provided for that purpose by the Legislative Council. Expenses.

12. The signature of the Colonial Secretary to any document containing a statement of the amount due under the provisions of this Ordinance shall, without proof of his signature or of any other matter or thing, be deemed in all courts to be *prima facie* evidence of the amount claimed being in every particular correct. Certificate of Colonial Secretary to be *prima facie* evidence.

13. Section 5 of the Merchant Shipping Ordinance is hereby repealed. Repeal. Cap. 123.

14. This Ordinance shall commence and come into operation on a day to be fixed by the Governor by proclamation published in the *Royal Gazette*. Commencement.

Passed in Council this eighth day of April, in the year of Our Lord one thousand nine hundred and twenty-seven.

E. F. AANENSEN,
Acting Clerk of the Council.