

CHAPTER 22. No. 12.

TRUCK.

Ordinance
Ch. 22. No. 10
-1940. AN ORDINANCE TO PROHIBIT THE PAYMENT OF WAGES
OTHERWISE THAN IN MONEY.

Commence-
ment.

[1st January, 1920.]

Short title.

1. This Ordinance may be cited as the Truck Ordinance.

Interpre-
tation.

2. In this Ordinance—

“ employer ” includes any master, manager, foreman, clerk, or other person engaged in the hiring, employment, or superintendence of the service, work, or labour of any labourer within the meaning of this Ordinance;

“ labourer ” means any person employed for wages in work of any kind, and whether under or above the age of twenty-one years, but does not include domestic servants;

“ money ” means coin of the realm current in the Colony, and includes Government currency notes and the notes of any banking corporation carrying on business in the Colony.

Agreements
to pay wages
otherwise
than in
money,
illegal.

3. In every agreement or contract for the hiring of any labourer or for the performance by any such labourer of any work within the Colony, except as otherwise provided in this Ordinance, the wages of such labourer shall be made payable in money, and not otherwise, and if in any such agreement or contract the whole or any part of such wages

shall be made payable in any other manner, such agreement or contract shall be illegal, null, and void.

4. No employer shall, directly or indirectly, by himself or his agent, impose as a condition, expressed or implied, in any agreement or contract for the employment of any labourer, any terms as to the place or the manner in which, or the person with whom, any wages or portion of wages paid to the labourer are or is to be expended, and every agreement or contract between an employer and a labourer wherein any such terms are expressed or implied shall be illegal, null, and void.

Agreements as to place or manner of spending wages, illegal.

5. Except where otherwise permitted by the provisions of this Ordinance, the entire amount of the wages earned by or payable to any labourer in respect of any work done by him shall be actually paid to him in money, and every payment of or on account of any such wages made in any other form shall be illegal, null, and void.

Wages to be paid entirely in money.

6. Nothing in this Ordinance contained shall render illegal an agreement or contract with a labourer for giving to him food, a dwelling-place, or other allowances or privileges in addition to money wages as a remuneration for his services.

Allowances other than wages.

7. Nothing in this Ordinance contained shall be held to apply to any body of persons working on an agreement of co-operation.

Persons working in co-operation.

8. Every labourer shall be entitled to recover in an action so much of his wages, exclusive of sums lawfully deducted in accordance with the provisions of this Ordinance, as shall not have been paid to him in money.

Labourer's right to recover.

9. Nothing in this Ordinance contained shall extend or be construed to extend to prevent any employer of any labourer, or agent of such employer, from making any stoppage or deduction from the wages of such labourer for or in respect of any tools and implements to be used by

Deductions from wages.

such labourer in his occupation as such, or for land rent then due and payable.

Fines for negligence or injury.

10. Nothing in this Ordinance contained shall be construed so as to render illegal deductions from wages of fines incurred by labourers under any contract or regulations governing their employment or in respect of negligent work or injury to materials.

Interest, discount, etc. forbidden.

11. Whenever any advance of money or of any of the articles specified in section 9 is made by an employer to a labourer, it shall not be lawful for the employer to make any deduction in respect of such advance on account of poundage, discount, interest, commission, or any similar charge.

Penalties.

12. If any employer or his agent contravenes any of the foregoing provisions of this Ordinance, such employer or agent, as the case may be, shall be liable, on summary conviction, to a fine of twenty-four dollars for the first offence, to a fine of forty-eight dollars for the second offence, and in case of a third offence such employer or agent shall be guilty of a misdemeanor, and, on conviction on indictment, shall be punishable by a fine of two hundred and forty dollars.

Exemption from provisions of Ordinance for protection of labourers.

13. (1) The Governor in Council, if satisfied that all or any of the provisions of this Ordinance are unnecessary for the protection of the labourers employed in any trade or business, or in any branch or department of any trade or business, either generally or within any specified area, or of the labourers employed by any specified employer in any specified trade or business, or in any branch or department of any such trade or business, either generally or within any specified area, may by order under his hand grant an exemption from those provisions in respect of the labourers engaged in any such specified trade, business, branch or department, either generally or within any such specified area, as the case may be, or of the labourers employed by such specified employer in such specified trade, business, branch or department, either generally or within

any such specified area, as the case may be. Such order may be made subject to such terms and conditions, to be specified therein as the Governor in Council may think fit to impose.

(2) The Governor in Council may at any time amend or revoke any such order.

(3) No order made under this section shall have any force or effect until it has been approved by resolution of the Legislative Council.